

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H21/157

<u>Applicant</u>	: Full Land Development Limited represented by Fairmile Consultants Limited
<u>Site</u>	: 992-998 King's Road and 2-16 Mount Parker Road and Adjoining Government Land
<u>Site Area</u>	: About 4,467m ² (including Government Land of about 1,394m ² (about 31.2% of the Site))
<u>Lease/Land Status</u>	: (a) Inland Lots (ILs) 7372 (part), 7743, 7756 & Ext. & 7856 (i) restricted to be used for private residential purposes (excluding service apartments); and (ii) granted with non-exclusive right of way (b) Government land
<u>Plan</u>	: Approved Quarry Bay Outline Zoning Plan (OZP) No. S/H21/28
<u>Zoning</u>	: "Residential (Group A)" ("R(A)") (a) a maximum building height of 120mPD or the height of the existing building, whichever is the greater (b) provision for application for minor relaxation of building height restriction
<u>Application</u>	: Proposed Minor Relaxation of Building Height Restriction for Permitted Residential Use

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of building height restriction (BHR) from 120mPD to 142.5mPD (i.e. +22.5m or +18.8% in terms of mPD and +20.2% in terms of absolute BH with the mean street level at 8.8mPD) for a permitted residential development with shop and services, nursery and elderly centre on podium at the application site (the Site), which falls within an area zoned "R(A)" on the approved Quarry Bay OZP No. S/H21/28 (**Plans A-1 and A-2**). According to the Notes of the OZP, 'Flat', 'Social Welfare Facilities', 'Shop and Services' and 'School' on the lowest three floors of a building are always permitted within the "R(A)" zone subject to a

BHR of 120mPD. Based on individual merits of a development or redevelopment proposal, minor relaxation of the BHR stated on OZP may be considered by the Town Planning Board (the Board).

- 1.2 The Site was previously occupied by low-rise residential buildings developed under the Government's Civil Servants' Co-operative Building Society Scheme which were demolished recently. Under the current proposal, the Site will be developed into a residential development with 2 residential towers reaching 142.5mPD, on top of a 4-storey podium and 5 levels of basement carpark. The portion of the podium along the King's Road will be a lower rise block reaching 23.8mPD accommodating the residents' clubhouse, privately-run nursery/elderly centre and shop and services. The development parameters of the proposed development are tabulated below. The floor plans, section plans, landscape plans and photomontages of the proposed development are shown at **Drawings A-1 to A-24**.

Major Development Parameters	Proposed Development
Site Area	4,467m ²
Domestic Gross Floor Area (GFA)	About 39,783m ²
Domestic PR	About 8.906
Non-domestic GFA	Not more than 700m ²
Non-domestic PR	Not more than 0.157
No. of Blocks	2
No. of Storeys	
- Residential Tower	Tower 1: 28 Tower 2: 35
- Podium	4
- Basement Carpark	5
Floor-to-floor Height	Tower 1: 3.15m and 3.5m ¹ Tower 2: 3.1m and 3.15m
BH at Main Roof	Not more than 142.5mPD
No. of Units	600
Private Open Space	About 1,861m ²
No. of Parking Spaces	
- Residential Car Parking Spaces	194
- Visitor Parking	10
- Commercial Parking	5
- Motorcycle Parking Spaces	7
No. of Loading/Unloading Bays	
- Heavy Goods Vehicle Loading Spaces	4

- 1.3 According to the applicant, the podium boundary will be setback in order to widen the footpath around the periphery of the Site to a minimum of 3m along Mount Parker Road and 3.5m along King's Road. Besides, a 3.5m wide pedestrian footpath will be provided at the base of the footbridge staircase at the junction of King's Road and Mount Parker Road in order to provide a safe passage for pedestrian (**Drawings A-7 & A-23**). According to the applicant, the concerned setback areas (about 79.7m²) will be surrendered back to the Government upon completion of the proposed footpath widening. On the other hand, the applicant did not claim for any bonus plot ratio as a result of the

¹ According to the applicant, only the topmost 6 storeys of Tower 1 will adopt a floor-to-floor height of 3.5m.

proposed surrender of land. According to the traffic impact assessment (TIA) submitted, various traffic improvement measures along Mount Parker Road, at the junction of King's Road and Tong Chong Street and the junction of King's Road, Kornhill Road and Hong On Road are proposed. It is concluded in the TIA that with the proposed improvement measures, the local road network would be able to cope with traffic generated by the proposed development.

- 1.4 Among 55 trees surveyed within and immediately adjacent to the Site, 29 of them are proposed to be felled and the remaining 26 of them are proposed to be retained. In order to compensate for the loss of trees, no less than 59 (including 6 outside application site boundary) new heavy-standard size and standard-sized trees will be planted, with a compensation ratio of 1.34:1 (59:44). The proposed development is scheduled for completion in December 2026.
- 1.5 To support the proposal, the applicant has prepared an OZP-compliant scheme to demonstrate the planning and design improvements of the current scheme as compared with the OZP-compliant scheme at the existing BHR of 120mPD (**Drawings A-25 to A-26**).
- 1.6 In support of the application, the applicant submitted the following documents:
- (a) Application form received on 1.6.2022 (Appendix I)
 - (b) Planning Statement (PS) including TIA, Environmental Review (ER), Geotechnical Planning Review Report (GPRR), Visual Impact Assessment (VIA) and Landscape Master Plan and Tree Preservation Proposal (LTRP)
 - (c) Further Information (FI) received on 1.8.2022 providing responses to departmental comments and public comments [#]
 - (d) FI received on 13.9.2022 providing responses to departmental comments and public comments [^]
 - (e) Applicant's letter dated 15.7.2022 requesting for deferring the consideration of the application (Appendix Ib)

[^] accepted and exempted from publication and recounting requirements

[#] accepted but not exempted from publication and recounting requirements

- 1.7 The application was originally scheduled for consideration by the Committee on 29.7.2022. Upon the applicant's request (**Appendix Ib**), consideration of the application was deferred by the Committee on 29.7.2022 for 2 months pending submission of FI from the applicant. FI was subsequently received from the applicant on 1.8.2022 and 13.9.2022. Consideration of the application is rescheduled to this meeting.

² A consolidated report containing the finalized technical assessments and Responses-to-Comments tables (**Appendix Ia**) was submitted by the applicant on 19.9.2022 which has consolidated all the previous submissions; thus the relevant FIs are not attached in this Paper.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the planning statement and FI at **Appendix Ia**. They are summarised as follows:

Limitations arising from the MTR Station and Reserve Area

- 2.1 A large portion of the Site is within the boundary of the MTR Railway Protection Zone (**Plan A-2**) where there are restrictions and constraints in foundation and construction works. Given such restriction, majority of the GFA needs to be shifted towards the portion along Mount Parker Road. While environmental will be better since residential units are further away from the noise and air quality impact resulting from King's Road, the development will be constrained into a wall-like structure due to the 120mPD height restriction.

Visual Impact Considerations

- 2.2 A balanced is strived to the current scheme with a proposed height of 142.5mPD between BH and planning gains, as well as departmental comments and public comments. The minor relaxation in BHR under application is only 18.8%, and a building separation of 15m between the residential towers is being provided. The current configuration also improved the view towards Braemar Hill, sunlight penetration and natural ventilation for the neighbour in comparing with the OZP-compliant scheme.

Planning Gain for the Public

- 2.3 The existing pavement near and at the junction of King's Road and Mount Parker Road is very unfriendly for pedestrians. Pedestrians are often forced to walk on the roadways. Opportunity is taken at this application to adjust the footprint of the podium of the proposed development, so as to widen the footpaths along King's Road and Mount Parker Road to 3m and 3.5m to allow for a safe passage for pedestrians.
- 2.4 The western landing point of the footbridge at the junction of King's Road and Mount Parker Road is identified as a space what can be improved. In this regard, the podium edge has been carved out to create a public space and improved pedestrian circulation at the footbridge landing.
- 2.5 The podium façade is designed to maximum visual greenery by the use of a combination of stone cladding and metal louvres or fins punctuated by areas of vertical greening. This does not only enhance the pedestrian experience but also re-create the green backdrop formed by the natural mountain slopes when combined with other greening measures provided at the Site.
- 2.6 In order to create a high-quality living neighborhood and enhancing streetscape environment, features including provision of physical and visual integration with the surrounding landscape, creation of planting structure, enhancement of landscape character and visual amenity, provision of tree shades, provision of compensation planting and maximizing tree planting opportunities will be adopted. A minimum of 59 new trees will be planted to compensate for the felling of trees.

- 2.7 Considering that this area is very popular for young families and there is shortfall of nursery spaces for young children and elderly centre, 1/F of the commercial podium along King's Road is proposed to cater for such shortfall in the area.
- 2.8 The proposal to provide a podium structure at about 25mPD along King's Road, and a maximum BH of 2 residential towers at 142.5mPD is in line with the planned stepped BH profile intention of the OZP. The proposed development is also visually compatible with other developments within its locality, with some buildings reaching over 200mPD.
- 2.9 A shadow study during the summer and winter months was conducted and shows that the area around the Site will be have sunlight penetration as a result of the 15m building separation, better building layout and slimmer tower design.

Other Technical Reports

- 2.10 Technical reports including GPRR, VIA, landscape master plan (LMP) and tree preservation proposal, ER, TIA, drainage impact assessment (DIA) and sewerage impact assessment (SIA) have been prepared to demonstrate that there would not be adverse geotechnical, visual, landscape, environmental, traffic, drainage, sewerage impact resulting from the proposal.

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. For the adjoining government land, the "owners' consent/ notification" 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. 31A) are not applicable. For the adjoining government land, the "owners' consent/ notification" requirements as set out in the TPB PG-No. 31A are not applicable.

4. Background

The Site was firstly covered by the draft Quarry Bay OZP No. S/H21/3 and was zoned "R(A)" on the said OZP which was exhibited under s.7 of the Town Planning Ordinance (the Ordinance) on 25.7.1986. The BHR of 120mPD for the subject "R(A)" zone was first imposed for the subject "R(A)" zone on the draft Quarry OZP No. S/H21/25 gazetted on 25.7.2008. The BHR requirement remains the same on the draft Quarry Bay OZP No. S/H21/28 currently in force.

5. Previous Application

The Site is not the subject of any previous application.

6. Similar Application

There is no similar application for minor relaxation of BHR within “R(A)” zone within the Quarry Bay OZP.

7. The Site and its Surrounding Areas (Plans A-1 to A-4)

7.1 The Site:

- (a) is located at the junction of King’s Road and Mount Parker Road;
- (b) is elongated in shape. The portion near King’s Road located at a relatively lower site level at around 15mPD and the portion near Mount Parker Road located at a relatively higher site level at around 30mPD;
- (c) was previously occupied by low-rise residential buildings developed under the Government's Civil Servants' Co-operative Building Society Scheme which were demolished; and
- (d) is accessible by vehicular access by both King’s Road and Mount Parker Road.

7.2 The surrounding areas have the following characteristics:

- (a) to its northwest is the former Quarry Bay School, a Grade 3 historic building which has been allocated to HAB and now used as the Hong Kong Association of Youth Development Training Centre (YDTC) which is zoned “Government, Institution or Community” (“G/IC”) on the OZP;
- (b) to the northeast and east across King’s Road and Mount Parker Road is a residential neighbourhood comprising high-rise residential developments including Westlands Gardens (89mPD), Sunway Gardens (86mPD-90mPD), Yick Cheong Building (75mPD), Kornville (147mPD) and Parkvale (117mPD), etc.;
- (c) to its southeast across Mount Parker Road is the Quarry Bay Municipal Services Building which is zoned “G/IC” on the OZP; and
- (d) to its south and west is a sloping ground covered with dense vegetation and some man-made slope retaining structures. To the further south is the Tai Tam Country Park (Quarry Bay Extension), with one of the entrances located to the immediate south of the Site.

8. Planning Intentions

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

- 8.2 According to the Explanatory Statement (ES) of the OZP, to provide incentive for developments/ redevelopments with planning and design merits and to cater for circumstances with specific site constraints, minor relaxation of BHR under section 16 of the Ordinance will be considered on its own merits and the relevant criteria for consideration of such application are as follows:
- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus PR granted under the Buildings Ordinance (BO) in relation to surrender/dedication of land/area for use as a public passage/street widening;
 - (c) providing better streetscape/good quality street level public urban space;
 - (d) providing separation between buildings to enhance air and visual permeability; and
 - (e) other factors such as site constraints, need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality and would not cause adverse landscape and visual impacts.

9. Comments from Relevant Government Departments

- 9.1 The following government departments have been consulted, their views on the application and the public comments received are summarised as follows:

Land Administration

- 9.1.1 Comments of the Chief Estate Surveyor/Land Supply, Lands Department (CES/LS, LandsD):
- (a) The Site comprises four private lots namely IL Nos. 7372 (part), 7756 & Ext., 7856 and 7743, and the adjoining unleased Government Land.
 - (b) Noting that only part of IL 7372 is included in the Site which also include unleased Government land, the total area of the Site cannot be verified by his office. With reference to the site plan of the PS, the major part of the government land involved in the planning application is the non-exclusive right of way for the four subject private lots whilst the government land to the west of the IL7743 and northeast and northwest of the IL 7372 is unleased government land.
 - (c) As regards the MTR tunnel as mentioned in the PS, an underground stratum of IL 7372 had been resumed by the Government for the purposes of Mass Transit Railway and the railway tunnel is now held by Mass Transit Railway Corporation Limited (MTRCL) under MTR Lot No. 1 R.P. Besides, part of IL 7372 and part of IL 7756 & Ext. falls within the MTR Railway Protection Boundary.

- (d) While he has no objection to the application, the redevelopment proposal for developing the Site into two 28 to 35-storey residential towers over a podium for commercial, clubhouse and carpark purposes does not comply with the existing lease conditions of the private lots. If the application is approved by the Board, the applicant will have to apply for lease modification/land exchange with necessary information to effect the redevelopment proposal. However, there is no guarantee that such application(s), with or without Government land involved, would be approved by the Government and proceeded to documentation. The lease modification/land exchange application upon receipt will be considered by LandsD acting in the capacity as the landlord at its sole discretion. Such lease modification/land exchange, if eventually approved, would be subject to such terms and conditions including the payment of a premium and an administration fee as the Government considers appropriate at its sole discretion.
- (e) Other detailed comments are in **Appendix II**.

Traffic

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

- (a) No adverse comment on the application from traffic engineering viewpoint.
- (b) The TIA submitted concluded that, with the proposed improvement measures in place, the local road network would be able to cope with traffic generated by the proposed development.
- (c) With the proposed footpath widening at King's Road and Mount Parker Road, both footpaths at King's Road and Mount Parker Road will operate with ample pedestrian capacity upon the completion of the proposed development.
- (d) Should the application be approved, approval conditions regarding the internal transport facilities, proposed footpath widening and proposed traffic improvement measures are recommended. Besides, no occupation of the residential development should be allowed before the implementation of the proposed footpath widening works and traffic improvement measures.

Building Matters

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

- (a) No objection to the application under the Buildings Ordinance.
- (b) Other detailed comments are in **Appendix II**.

Urban Design, Visual and Air Ventilation

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

It is noted that the proposed development comprises two residential towers of 142.5mPD which are about 18.8% higher than the BHR of 120mPD. The BHR of adjacent developments are ranging from 120mPD to 140mPD. In this regard, he has no comment from architectural and visual impact point of view.

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

- (a) With reference to Section 7 of the ES of the OZP, the BHR for the Quarry Bay area has generally adopted a stepped height approach with BH generally increasing progressively from the waterfront/Quarry Bay Park area uphill. The proposed BH of 142.5mPD is not particularly out of context and would generally maintain the stepped BH profile of the area.
- (b) Several design features are incorporated into the proposal for improving the environment of the area, including a 15m building separation between the residential towers, provision of pedestrian footpath at the junction of King's Road and Mount Parker Road with a minimum of 3.5m in width, footpath widening at Mount Parker Road and King's Road with a minimum of 3 to 3.5m in width, multi-level of greenery provision at the podium and upper zone and vertical greening at the lower zone.
- (c) In the submitted VIA (**Appendix Ia**), the applicant compares the proposed scheme against the OZP-compliant Scheme of 120mPD. As shown from viewpoint (VP) 7 in the Kai Tak Development area, the proposed scheme is visually compatible with other developments in the surroundings and the ridgeline views of Tai Tam Country Park, Mount Parker and Braemar Hill is preserved. The visual impacts of the selected VPs range from "negligible" to "slightly adverse".
- (d) It is noted that a 15m-wide building separation between the two towers is proposed. With such good design measure to enhance air permeability of the proposed development, no adverse air ventilation impact is anticipated.

Landscape

9.1.6 Comments of CTP/UD&L, PlanD:

- (a) With reference to Section 6.2 of the PS, the proposed development involves two residential towers of 28-35 storeys, which is considered not incompatible with the landscape character of its surroundings.

- (b) According to Section 6 of LTRP, among the 55 nos. of surveyed trees, 29 nos. will be affected and are proposed to be felled. They are all of common species and no rare/protected species nor OVT/potential OVT will be affected. It is noted in that 59 nos. of new tree plantings within the Site have been proposed. Significant adverse landscape impact arising from the application is not anticipated.
- (c) Open space provision in accordance with requirements of the HKPSG has been proposed. She has no objection to the application from landscape planning perspective.
- (d) Should the application be approved by the Board, an approval condition regarding the submission and implementation of landscape proposal is recommended.
- (e) Other detailed comments are in **Appendix II**.

9.1.7 Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) It is noted that six new trees will be planted on the pavement outside the Site. Two are located along Mount Parker Road, one at the bottom of the existing footbridge and the other two located along King's Road. The applicant is reminded to observe the Street Tree Selection Guide and Proper Planting Practices promulgated by the Greening, Landscape and Tree Management Section of the Development Bureau.
- (b) Should the trees be intended to handover to the Leisure and Cultural Services Department (LCSD) for subsequent maintenance, the applicant should observe the LCSD's "General Standard and Maintenance Requirement for Landscape Works to be Handed Over to LCSD for Horticultural Maintenance" for compliance. Given no detailed information on the landscape design of these trees, LCSD reserves further comment until more information is available.
- (c) Subject to the agreement from the Highways Department (HyD) on taking up the planter wall or tree surrounds of the new trees on pavement, LCSD will consider taking up the maintenance responsibility of these trees in accordance with DEVB TC(W) No. 6/3025. However, this is not intended nor should it be construed to create any consent from LCSD to take up the tree maintenance responsibility.

Environment

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

- (a) No objection to the application from environmental planning perspective.

- (b) Should the application be approved, an approval condition regarding the submission of a noise impact assessment (NIA) and implementation of the proposed noise mitigation measures identified therein is recommended.

Geotechnical

- 9.1.9 Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

No in-principle geotechnical objection to the application. Should the application be approved, an approval condition on the submission of a natural terrain hazard study and implementation of any necessary hazard mitigation measures as part of the proposed development would be required.

Other

- 9.1.10 Comments of the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Offices (ES(A&M), AMO):

The Former Quarry Bay School, a Grade 3 historic building, is in close vicinity of the Site. AMO has no adverse comment on the application provided that the works arising from the proposed redevelopment, if approved by the Board, will not cause any adverse impact on the Grade 3 historic building.

District Officer's Comments

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

It is understood that Ms. LEE Ching-har, the Eastern District Council member concerned, has submitted a petition against the application, reflecting the local community's concern on the possible traffic impact to Mount Parker Road and King's Road. The local sentiment against the application is strong.

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

- (a) Director of Food and Environmental Hygiene;
- (b) Project Manager (South), Civil Engineering and Development Department;
- (c) Chief Engineer/Construction, Water Supplies Department;
- (d) Director of Electrical and Mechanical Services;
- (e) Chief Engineer/Hong Kong & Islands, Drainage Services Department
- (f) Commissioner of Police;
- (g) Director of Fire Services;
- (h) Director of Social Welfare;
- (i) Director of Agriculture, Fisheries and Conservation; and
- (j) Chief Highway Engineer/Hong Kong

10. Public Comments Received During Statutory Publication Periods

- 10.1 On 10.6.2022 and 9.8.2022, the application and its FI were published for public inspection. During the first three weeks of the statutory public inspection periods, a total of 1,086 public comments were received. Among them, 371 supported the application, 624 objected to the application (587 of them were submitted in the form of standard letter/questionnaires), and 91 expressed their views/concerns on the application. The whole set of public comments have been deposited at the meeting for Members' inspection. Samples of the public comments are attached at **Appendix III**.
- 10.2 The supporting comments were submitted by individuals and their major grounds are summarised below:
- (a) The proposed development could increase housing supply and improve the pedestrian environment in the area.
 - (b) The proposed development will provide community facilities serving the needs of local residents.
 - (c) There is no adverse impact resulting from the proposal. Instead, the blocking design of the redevelopment proposal will bring improvement to the environmental, air ventilation and sunlight penetration, as compared with the wall-like design of the OZP-compliant scheme.
 - (d) The redevelopment will improve the currently unpleasant and pedestrian-unfriendly footpath along King's Road and Mount Parker Road, which is also the route to the hiking trail to the Tai Tam Country Park.
- 10.3 The objecting comments were submitted by a Eastern District Council (EDC) member, the Incorporated Owners of Oceanic Mansion, the Incorporated Owners of Montane Mansion, the Incorporated Owners of Yick Cheong Building Management Committee, the Incorporated Owners of Fok Cheong Building Management Committee, the Incorporated Owners of Tak Lee Building, Wai Lee Building and Po Lee Building, the Incorporated Owners' Management Committee of Yick Fat Building, Hong Kong East Concern Group, Mount Parker Environment Concern Group, local residents and individuals. The major grounds of objection/ main concerns raised are summarised below:
- (a) The redevelopment proposal with a BH of 142.5mPD shall block wind and sunlight penetration to the surrounding developments, and is not compatible with the local context which is sandwiched by two "G/IC" sites.
 - (b) The redevelopment proposal will bring additional traffic to the area, especially to the King's Road which is already severe during peak hours. Besides, there might be illegal parking activities along Mount Parker Road in the future, and jeopardise the pedestrian safety in the area.
 - (c) Currently, minibuses will stop at the immediate exit of Mount Parker Road on King's Road, which might block the sightline of the vehicles leaving Mount Parker Road, and jeopardise the road safety in the area.

- (d) The provision of over 200 private car parking space is not in line with the Government's policy to encourage people to travel by public transport. In fact, the Site is well served by public transport and is in close proximity to the MTR Quarry Bay Station.
- (e) The need for the proposed relaxation of BHR to 142.5mPD is based on unreasonable assumptions including excessive plant room and clubhouse, excessive floor-to-floor height of 3.5m for some of the residential floors.
- (f) The redevelopment proposal with a BH of 142.5mPD will result in adverse visual impact to the residential developments in the vicinity, and the views of the residents towards Tai Tam Country Park will be blocked.
- (g) The proposed planning gain/merits are relatively minor and could be adopted in any redevelopment scheme within the existing BHR of 120mPD.
- (h) With a sizeable site area, there is no strong reason that the proposed development with a PR of 9 cannot be accommodated within the existing BHR of 120mPD.
- (i) The Tai Tam Country Park is the natural habitats of various species of wild birds. The proposal will hinder the wild birds' flying path and reduce their feeding catchment area.
- (j) The northern part of the Site is suitable to be developed into a standalone GIC facilities to provide elderly facilities or quarantine and containment facilities.

11. Planning Considerations and Assessments

- 11.1 The application is to seek planning permission for minor relaxation of BHR from 120mPD to 142.5mPD for a permitted residential redevelopment at the Site, which is zoned "R(A)" without plot ratio restriction stipulated on the OZP. According to the applicant, there will be 2 residential towers both reaching 142.5mPD, on top of a 4-storey podium and 5 levels of basement carpark. The portion of the podium along the King's Road will be a low rise commercial podium accommodating the residents' clubhouse, nursery/elderly centre and shop and services. The proposed minor relaxation of BHR from 120mPD to 142.5mPD represents an about 18.8% increase in BHR or +20.2% in terms of actual BH. Generally speaking, the application is in line with the planning intention of "R(A)" zone which is primarily for high-density residential developments, as well as in line with the Government's directive on provision of social welfare facilities.

Minor Relaxation of BH Restrictions

- 11.2 According to the applicant, the proposed minor relaxation of BHR from 120mPD to 142.5mPD is mainly to overcome the development constraint of the Site due to the MTR Railway Protection Zone (**Plan A-2**) at the northern part of the Site along King's Road, and also to make improvement to the wall-like design of the OZP-compliant scheme under the existing BHR of 120mPD.

- 11.3 The Site is located at a predominantly residential neighbourhood with a mixture of GIC facilities and commercial developments (**Plan A-2**). The proposed residential redevelopment with provision of shop and services and nursery/elderly centre is considered not incompatible with the surrounding developments. In terms of the BH, the applicant has prepared a VIA with photomontages from 7 VPs, including two VPs along King's Road and a VP at the Quarry Bay Street Sitting-out Area to demonstrate the visual impact of the proposed development (**Drawings A-16 to A-22**). The VIA concluded that the visual impact of the proposed redevelopment is insignificant. CTP/UD&L, PlanD and CA/CMD2, ArchSD have no adverse comments from visual point of view. In terms of urban design aspect, the surrounding high-rise residential developments to the northeast and east are having building heights ranging between 75mPD and 147mPD (**Plan A-2**), and CTP/UD&L of PlanD considers that the proposed BH of 142.5mPD is not particularly out of context and would generally maintain the stepped BH profile of the Quarry Bay area.

Planning and Design Merits

- 11.4 To support the proposal, the applicant proposes some planning gains and benefits to the community including widening of footpath along King's Road and Mount Parker Road, provision of public space at the landing point of footbridge at the junction of King's Road and Mount Parker Road, greening of podium façade, enhancement of streetscape, the provision of 15m building separation between two residential towers, and the provision of nursery/elderly centre at the commercial podium of the proposed redevelopment to justify the proposed minor relaxation of BHR from 120mPD to 142.5mPD.
- 11.5 Compared with the OZP-compliant scheme, instead of a wall-like structure with minimum building separation of only about 1m (**Drawings A-25 and A-26**), the current scheme shall provide a design feature of a 15m building separation between the two residential towers due to the relaxation of BHR. The current scheme represents improvements in the visual connection between the green backdrop behind the proposed development and the pedestrians along King's Road and Mount Parker Road, and also create visual openness to the surrounding developments. From air ventilation perspective, CTP/UD&L, PlanD considers that such good design measure shall enhance air permeability of the proposed development and no adverse air ventilation impact is anticipated. Besides, the current scheme also involves proposed widening of pedestrian footpath along King's Road and Mount Parker Road which is identified as a bottle-neck area for existing pedestrian circulation. Relevant B/Ds including C for T and CHE/HyD have no adverse comment on these design features and merits of the proposal. In this regard, an approval condition on the proposed footpath widening is recommended should the application be approved by the Board. In view of the above, the application meets the criteria including providing better streetscape, providing separation between buildings and other factors such as site constraints for minor relaxation BHR as highlighted in paragraph 8.2 (c), (d) and (e) above. It is considered that the planning and design merits mentioned above are sufficient to justify the proposed minor relaxation of BHR.

Traffic and Other Technical Aspects

- 11.6 On traffic aspect, the applicant has submitted a TIA in support of the proposed redevelopment. Under the TIA submitted, all the concerned junctions in the vicinity will operate satisfactorily with the proposed redevelopment. Adequate traffic signs and road markings will be provided at the section of Mount Parker Road outside the Site to enhance road safety. Based on the information submitted, C for T has no objection to the application.
- 11.7 To support the application, the applicant has also submitted a LMP, Tree preservation Proposal, ER, DIA, SIA and GPRR. Relevant government departments, including CTP/UD&L of PlanD, CE/HK&I, DSD, DEP and H(GEO) of CEDD have no adverse comments on these aspects.

Public Comments

- 11.8 A total of 1,086 public comments were received, amongst them, 371 supporting comment were noted. Regarding the public comment on the excessive floor-to-floor height of 3.5m, the applicant responded that only the topmost 6 storeys of Tower 1 will adopt a floor-to-floor height of 3.5m. Regarding other adverse public comments, the planning considerations and assessments in paragraphs 11.1 to 11.7 above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, PlanD has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 23.9.2026, 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 and implementation of the proposed footpath widening from the application site along King's Road and Mount Parker Road (including the surrendered areas), as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the design and implementation of the proposed traffic improvement measures, as proposed by the applicant in the Traffic Impact Assessment, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) in relation to (a) and (b) above, no occupation of the residential development before the implementation of the proposed footpath widening works and traffic improvement measures to the satisfaction of Commissioner for Transport or of the Town Planning Board;

- (d) the design and provision of car parking spaces, loading/unloading spaces and vehicular access for the development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (e) the submission of Noise Impact Assessment (NIA) and implementation of the proposed noise mitigation measures identified in the NIA to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (f) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
- (g) the submission of a natural terrain hazard study and the implementation of the mitigation measures recommended therein to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board; and
- (h) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

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

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applicant fails to demonstrate sufficient planning and design merits to justify the proposed minor relaxation of BHR.

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 condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I	Application form received on 1.6.2022
Appendix Ia	Consolidated Report received on 19.9.2022
Appendix Ib	Applicant's letter dated 15.7.2022 requesting for deferring the consideration of the application
Appendix II	Detailed comments from government departments
Appendix III	Public Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Site Plan
Drawings A-2 to A-13	Floor Plans
Drawings A-14 to A-15	Section Plans
Drawings A-16 to A-22	Photomontages
Drawings A-23 to A-24	Landscape Master Plans
Drawings A-25 to A-26	Comparison between OZP Compliant-Scheme and Current Scheme
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2022**