

**FURTHER CONSIDERATION OF APPLICATION NO. A/H21/157**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**Proposed Minor Relaxation of Building Height Restriction  
for Permitted Residential Use in “Residential (Group A)” Zone,  
992-998 King’s Road and 2-16 Mount Parker Road and Adjoining Government Land**

**1. Background**

- 1.1 On 1.6.2022, the applicant, Full Land Development Limited represented by Fairmile Consultants Limited, submitted the current application seeking planning permission for minor relaxation of building height (BH) restriction 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) (**Plan FA-1**). The Site is zoned “Residential (Group A)” (“R(A)”) on the approved Quarry Bay Outline Zoning Plan (OZP) No. S/H21/28.
- 1.2 The application was considered by the Metro Planning Committee (the Committee) of the Town Planning Board (the Board) on 23.9.2022. Members in general considered that the extent of minor relaxation of BH restriction was substantial and there was room for enhancing the proposed scheme in support of the BH restriction relaxation by reviewing (a) the car parking space provision; (b) the BH of the proposed development; and (c) provision of GIC facilities.
- 1.3 After deliberation, the Committee decided to defer a decision on the application, pending the applicant’s submission of further information (FI) and clarification on (i) the assumptions adopted in formulating the OZP-compliant Scheme and the Proposed Scheme, (ii) the scope to provide more planning gains/merits including the provision of GIC facilities and the implementation mechanism for ensuring such provision; and (iii) the scope to reduce BH of the proposed development, for further consideration of the Committee.
- 1.4 For Members’ reference, the following documents are attached:
  - (a) MPC Paper No. A/H21/157A considered on 23.9.2022 (**Appendix F-I**)
  - (b) Extract of minutes of the Committee’s meeting held on 23.9.2022 (**Appendix F-II**)
  - (c) Secretary of the Board’s letter dated 14.10.2022 informing the applicant of the Committee’s decision to defer a decision on the application (**Appendix F-III**)

- (d) 4<sup>th</sup> FI received on 25.10.2022 in response to **(Appendix F-IV)** Members' concerns, together with revised conceptual design scheme and plans, revised car parking layout plans, and explanatory notes on various technical assessments **[FI-4]**<sup>#</sup>

*# accepted and exempted from the publication and recounting requirements*

## 2. **Further Information submitted by the Applicant**

- 2.1 In response to Members' concerns, the applicant submitted FI on 25.10.2022 which includes revised conceptual design scheme and plans (**Drawings FA-1 to FA-14**), revised car parking layout plans (**Drawings FA-15 to FA-19**), and explanatory notes on various technical assessments. While the major development parameters including gross floor area (GFA), plot ratio (PR) and number of blocks remained unchanged, the major changes as compared with the original scheme previously considered by the Committee are tabulated below.

Major Development Parameters	Original Scheme	Current Scheme
No. of Storeys		
- Residential Tower	Tower 1: 28 Tower 2: 35	Tower 1: 30 Tower 2: 34
- Podium	4	4
- Basement Carpark	5	4
Floor-to-floor Height	Tower 1: 3.15m and 3.5m <sup>1</sup>  Tower 2: 3.1m and 3.15m	Tower 1 and Tower 2: 3.15m and 3.5m <sup>2</sup>
BH at Main Roof	Not more than 142.5mPD	Not more than 139.75mPD
No. of Units	600	592
No. of Parking Spaces		
- Residential Car parking Spaces	194	182
- Visitor Parking	10	10
- Commercial Parking	5	5
- Motorcycle Parking Spaces	7	7

<sup>1</sup> Under the original scheme, only the topmost 6 storeys of Tower 1 will adopt a floor-to-floor height of 3.5m.

<sup>2</sup> Under the current scheme, only the top floor of Towers 1 and 2 will adopt a floor-to-floor height of 3.5m.

2.2 The justifications of the FI are discussed in the following details.

Building Height and Floor-to-floor Height

- (a) Taking into consideration the concerns of some Members that six storeys of 3.5m floor-to-floor height (FTFH) special units of Tower 1 might be excessive, the applicant have revised the proposal to provide a single floor of special units (FTFH with 3.5m) on top floor of Towers 1 and 2 only in order to tie in with the standard practice in most residential developments. As a result, the proposed BH of both towers are reduced from 142.5mPD to 139.75mPD (i.e. -1.93% in terms of mPD or -2.06% in terms of absolute BH with the mean street level at 8.8mPD), which is considered not excessive and will not cause adverse visual impact to the surrounding areas (**Drawings FA-1 to FA-2**).

Provision of Nursery Facility

- (b) In response to Member's concerns, 1/F of the low-rise podium along King's Road will be designated for "Nursery" use only (about 550m<sup>2</sup>) instead of the flexible design of "Elderly Centre/Nursery/Retail" (**Drawing FA-11**) in the previous submission. For the implementation of the nursery, it could be stipulated in the land lease to guarantee its provision. For the access to and from the nursery, in addition to direct access from King's Road, one dedicated loading/unloading space for nursery is located at the G/F loading/unloading area to avoid intensifying the on-street traffic and to facilitate access for the children (**Drawing FA-21**).

Parking Space Provision

- (c) The number of car parking spaces originally proposed (i.e. 209) was provided in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) which was latest updated in 2021 with an increased provision requirement as compared with previous version. The applicant also consulted the Transport Department (TD) and was required to adopt the upper limit for the ratio of car parking space provision to reduce illegal on-street parking in Quarry Bay area and not to aggravate the shortfall of car parking spaces in the neighbourhood.
- (d) Nevertheless, the applicant has reviewed the scheme, and proposed to reduce the number of car parking spaces from 209 to 197. Such adjustment would not affect the height of the proposed development as all the car parking spaces are to be provided in basement levels. Opportunity is also taken to review the basement car parking layout (**Drawings FA-15 to FA-19**) and the total number of basement carpark is reduced from five levels to four levels (**Drawing FA-1**).
- (e) For the calculation of car parking spaces provision under HKPSG, in determining whether a development is close to a MTR station, the rule adopted is whether more than half of the development site is within 500m radius measured from the "centre" of the railway station. In this regard, it is noted that majority of the Site falls outside the 500m radius away from both the centre of the MTR Quarry Bay Station and Tai Koo Station

(**Drawing FA-20**), and therefore full car parking provision has to be provided<sup>3</sup>.

Assumptions Adopted in Formulating the Proposed Scheme and OZP-complaint Scheme

- (f) The applicant noted that Members had expressed concerns on the insufficient information to confirm that the conceptual built form and layout under the OZP-compliant had taken into account the Sustainable Building Design Guidelines (SBDG) requirements. According to the applicant, both the OZP-compliant Scheme and the Proposed Scheme are formulated based on the same assumptions on (i) the same plot ratio of 9, and (ii) same allowable GFA concession/exemption under the SBDG will be sought for both schemes. Relevant requirements under SBDG and the associated practice notes would be further examined in the detailed design stage

**3. Previous and Similar Application**

There is no change to the previous and similar application in the OZP area since the last consideration of the Committee.

**4. Comments from Relevant Government Departments**

- 4.1 Comments on the original scheme made by the relevant government departments previously are stated in paragraphs 9.1 and 9.2 of the MPC Paper No. A/H21/157A in **Appendix F-I**.
- 4.2 For the current FI (**Appendix F-IV**), the following government departments have been consulted and their comments are summarised as follows.

**Land Administration**

- 4.2.1 Comments of the Chief Estate Surveyor/Land Supply, Lands Department (CES/LS, LandsD):

He has no objection to the application. Regarding the provision of nursery facility, it is subject to the District Lands Conference's consideration, there is no guarantee that such facility would be incorporated under the land lease at this juncture. 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.

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<sup>3</sup> According to the HKPSG (Chapter 8: Internal Transport Facilities), in calculating the parking requirements for private housing, a 25% discount should be applied the provision of residential car parking spaces where over 50% of the site area of the development fall within a 500m radius of rail stations. In this application, the Site is outside 500m radius and hence a full car parking provision without any discount is adopted.

### **Traffic Aspect**

#### 4.2.2 Comments of the Commissioner for Transport (C for T):

- (a) He has no comment on the FI submitted by the applicant including the explanatory notes for Traffic Impact Assessment (TIA) and the revised car parking layout plans.
- (b) The applicant has proposed the high-end parking provision in the TIA. TD has no objection to the proposal as it is within the range specified in HKPSG.

### **Urban Design, Visual and Landscape Aspects**

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

It is noted that the building height of the 2 towers was reduced from 142.5mPD to 139.75mPD. He has no comment from architectural and visual impact point of view.

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

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

- (a) With reference to Section 7 of the Explanatory Statement (ES) of the OZP, the BH restrictions 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 Site is sandwiched between King's Road/Mount Parker Road and hillslopes of Mount Parker. To the further east and north along both sides of King's Road are mainly residential developments with BHR of 120mPD on the OZP. To the further southeast is also primarily occupied by residential developments with BHR increasing progressively towards the hillside from 135mPD to 165mPD on the OZP. The proposed BH of 139.75mPD in the revised scheme is not particularly out of context and would generally maintain the stepped BH profile of the area.
- (b) The design features are still maintained in the revised proposal, including a 15m building separation between T1 & T2, provision of pedestrian footpath at the junction of King's Road and Mount Parker Road with a minimum of 3.5m in width, road 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.

In view of the slight reduction of the proposed BH of the two towers from 142.5mPD to 139.75mPD in the revised scheme, the visual impacts ranging from "negligible" to "slightly adverse" of

the proposed development as rated by the applicant in the VIA of the original scheme are still relevant.

#### Air Ventilation Perspective

- (c) It is noted that a 15m-wide building separation between the two towers is still maintained in the revised scheme. With the good design measure to enhance air permeability of the proposed development, no adverse air ventilation impact is anticipated.

#### Environment Aspect

##### 4.2.5 Comments of the Director of Environment Protection (DEP):

According to the Environmental Review provided in the FI, it is noted that the environmental findings previously submitted by the applicant for the development is still applicable to the revised development scheme in the FI. As such, he maintains his view that he has no objection to the application from environmental planning perspective, subject to incorporation of approval condition on submission of Noise Impact Assessment (NIA) and implementation of the proposed noise mitigation measures identified therein.

#### Other Aspects

##### 4.2.6 Comments of the Director of Social Welfare (DSW):

- (a) She has no comment on the application.
- (b) According to the FI, the proposed “nursery” is anticipated to be run by private institutions. Social Welfare Department only caters the provision of aided standalone child care centre providing full day care service to children under age 3, and the proposed “nursery” is assumed to be a privately run “Kindergarten cum Child Care Centre”.

##### 4.2.7 Comments of the Secretary for Education (S for Education):

The proposed residential development at the Site is private in nature. She has no views on the provision of kindergartens for private residential developments. The applicant is advised to follow the prevailing HKPSG on the requirement of kindergartens provision.

## **5. Planning Considerations and Assessments**

- 5.1 The application is originally for minor relaxation of BH restriction 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 at the Site. The Planning Department has raised previously no objection to the application as the proposal was considered in line with the planning intention of the “R(A)” zone, the proposed BH was not particular out of context and would generally maintain the stepped BH profile of the Quarry

Bay area, the resulting visual impact is insignificant, the proposed widening of footpath would improve the bottleneck area for existing pedestrian circulation, and no adverse comments were received from the concerned government departments.

- 5.2 At the Committee's meeting on 23.9.2022, Members were concerned about the implementation of the proposed nursery/elderly centre, whether the OZP-complaint Scheme and the Proposed Scheme had taken into account the SBDG requirements, and excessive provision of over 200 private car parking spaces at the Site. The applicant submitted FI on 25.10.2022 (**Appendix F-IV**) in response to Members' concern. With the revised design scheme in the FI submitted, the extent of the proposed minor relaxation of BH restriction was slightly reduced from 120mPD to 139.75mPD (i.e. +19.75m or +16.5% in terms of mPD and +17.8% in terms of absolute BH with the mean street level at 8.8mPD).

#### Building Height and FTFH Height

- 5.3 In an attempt to reduce the building height, the applicant has reduced the number of storeys adopting a FTFH of 3.5m from six storeys to one topmost storey at each of the two residential towers only. As a result, the proposed BH of both residential towers are reduced from 142.5mPD to 139.75mPD, which shall reduce the potential visual impact resulting from the proposed development as compared with the previous design. In this regard, CTP/UD&L, PlanD considers that the proposed BH of 139.75mPD is not particularly out of context and would generally maintain the stepped BH profile of the North Point area. The visual impacts ranging from "negligible" to "slightly adverse" as rated by the applicant in the VIA of the original scheme are also considered still relevant.

#### Provision of Nursery Facility

- 5.4 In response to the Members' concerns on the ambiguity and the implementation of the proposed nursery and elderly centre, the applicant has clarified that only nursery will be provided on 1/F of the low-rise podium along King's Road, instead of the flexible approach of "retail/nursery/elderly centre" previously proposed. The floor plan has been updated to reflect the above and to avoid ambiguity (**Drawing FA-11**). For the implementation mechanism, the applicant considers that such requirement could be stipulated in the land lease to guarantee its provision.
- 5.5 Opportunity was also taken by the applicant to review the access to the proposed nursery facility. In addition to the direct access from King's Road, one dedicated loading/unloading space for nursery is provided at G/F for a safe access to the children (**Drawing FA-21**). Relevant Government B/Ds consulted including S for Education and DSW have no comment on the application in this regard.

#### Parking Space Provision

- 5.6 The car parking provision was originally proposed (i.e. 209) in accordance with the upper limit of the car parking provision ratio under the HKPSG requirement. Besides, the adoption of an upper limit was also considered acceptable by the TD. Nonetheless, opportunity was taken by the applicant to review the car

parking provision in order to address Members' concerns. The number of car parking spaces is reduced from 209 to 197. As a result of the reduction of car parking spaces and review of car parking layout, the total number of basement carpark was reduced from five storeys to four storeys (**Drawing FA-1**).

- 5.7 The applicant also clarified that majority of the Site is outside 500m radius away from both the centre of the MTR Quarry Bay Station and Tai Koo Station, and therefore full car parking provision should be provided in accordance with the HKPSG (**Drawing FA-20**). In this regard, C for T has no comment on the revised car parking provision.

Assumptions Adopted in Formulating the Proposed Scheme and OZP-complaint Scheme

- 5.8 In response to Members' concerns on whether the Proposed Scheme and the OZP-compliant Scheme comply with the SBDG requirements, the applicant clarified that both the Proposed Scheme and the OZP-compliant Scheme are formulated based on the same plot ratio and SBDG requirements. While the SBDG requirements shall be subject to detailed checking at the general building plan submission stage, the two schemes are made on the same assumption and therefore comparable for the purpose under the current planning application.

Planning and Design Merits

- 5.9 All the other planning and design merits previously proposed 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 shall remain unchanged in this revised scheme.
- 5.10 Having considered the applicant's FI in response to the Committee's concerns and the assessment in paragraphs 5.1 to 5.9 above, the planning considerations and assessment as stated in paragraph 11 of MPC Paper No. A/H21/157A at **Appendix F-I** remain valid.

**6. Planning Department's Views**

- 6.1 Based on the assessments made in paragraph 5 above, PlanD maintains its previous view of having no objection to the application.
- 6.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 9.12.2026, 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 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 F-V**.

- 6.3 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.

**7. Decision Sought**

- 7.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 7.2 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.

- 7.3 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.

**8. Attachments**

**Appendix F-I**

MPC Paper No. A/H21/157A considered on 23.9.2022

**Appendix F-II**

Extract of minutes of the Committee's meeting on 23.9.2022

**Appendix F-III**

Secretary of the Board's letter dated 14.10.2022 informing the applicant of the Committee's decision to defer a decision on the application

**Appendix F-IV**

4<sup>th</sup> FI received on 25.10.2022

**Appendix F-V**

Recommended advisory clauses

**Drawings FA-1 to FA-14**

Revised section and floor plans

**Drawings FA-15 to FA-19**

Revised car parking layout

**Drawing FA-20**

Plan showing 500m radius from MTR Stations

**Drawing FA-21**

Plan showing the access to proposed nursery

**Plan FA-1**

Location plan

**Plan FA-2**

Site plan

**Plan FA-3**

Aerial Photo

**Plan FA-4**

Site photos

**PLANNING DEPARTMENT  
DECEMBER 2022**