

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H7/183

<u>Applicant</u>	SEA Project Management Company Limited represented by KTA Planning Limited
<u>Site</u>	8 Leighton Road, Causeway Bay, Hong Kong
<u>Site Area</u>	About 996.377m ²
<u>Lease</u>	<p>Inland Lot (I.L.) 4369, 4370, 4371, 4372, 4373, 4374, 4375, 4376 and 4377</p> <p>(a) 75 years renewable for a further term of 75 years commencing from 6.11.1899</p> <p>(b) Virtually unrestricted except the standard non-offensive trades clause</p> <p>(c) No-objection letter/licences have been granted under lease to permit the five offensive trades (i.e. oilman, tavern keeper, victualler, butcher and sugar baker) to be carried out</p>
<u>Plan</u>	Approved Wong Nai Chung Outline Zoning Plan (OZP) No. S/H7/21
<u>Zoning</u>	<p>“Residential (Group A)” (“R(A)”) </p> <p>- Restricted to a maximum building height (BH) of 100mPD or the height of the existing building, whichever is the greater</p>
<u>Application</u>	Proposed Office, Shop and Services and Eating Place

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed commercial redevelopment with office, shop and services and eating place at 8 Leighton Road, Causeway Bay (the Site), which falls within an area zoned “R(A)” on the approved Wong Nai Chung OZP No. S/H7/21 (**Plan A-1**). According to the Notes of the OZP, ‘Office’, ‘Shop and Services’ and ‘Eating Place’ uses within “R(A)” zone require planning permission from the Town Planning Board (the Board).
- 1.2 The Site is currently occupied by a hotel, namely Crowne Plaza Hong Kong Causeway Bay, since 2009. In 2017, the same applicant applied for redevelopment of the Site for commercial use, i.e., the previous application No. A/H7/172 for a 28-storey office-cum-shop and services/eating place redevelopment (the same proposed use under the current application) and was approved by the Metro Planning Committee (the Committee) of the Board on 22.12.2017 (the 2017

approved scheme). A set of general building plans (GBPs) for the 2017 approved scheme was approved by the Building Authority (BA) on 2.6.2020. Under the 2017 approved scheme, the proposed development is subject to various development parameters as detailed in paragraph 1.4 below, including a site coverage (SC) of not more than 60% (above 15m).

- 1.3 Under the current revised scheme (the current scheme), there is no change in major development parameters which include site area, gross floor area (GFA), plot ratio (PR), BH, number of storeys and building block etc. as compared with the 2017 approved scheme, except SC ranging from 65% to 92% (**Plan A-23**), the number of loading/unloading (L/UL) bay would be decreased from 7 to 4 and the number of waiting space for private car would be increased from 1 to 3. Regarding the changes in SC as compared with the 2017 approved scheme, the current scheme would constitute an increase in SC (above 15m) by 8.3% to 53.3% (**Plan A-23**) and reduction of about 4% to 8% at ground level (full-height setback area of about 80m² (with a width of not less than 2.7m) at the north-western portion of the Site abutting Leighton Road) (**Drawings A-1 and A-11**). The magnitude of change in SC is beyond a Class B amendment under Category 6¹ of the “Town Planning Board Guidelines for Class A and Class B Amendments to Approved Development Proposals” (TPB PG No. 36B) and a fresh planning application is therefore required. According to the applicant, the change in SC is to incorporate innovative building design (i.e. terraces at various floors to serve as outdoor flat roof) in accordance with the Practice Notes for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-132 Site Coverage and Open Space Provision.
- 1.4 According to the applicant, the changes in number of L/UL bay and waiting space for private car are intended to minimise the potential impact on the nearby road network whilst the L/UL demand could also be served. Also, a 1.5m-wide pedestrian path is provided to connect the drop-off area with the main entrance lobby (**Drawing A-13**).
- 1.5 A comparison showing the difference in major development parameters of the 2017 approved scheme and the current scheme is summarised below.

Development Parameters	2017 Approved Scheme (No. A/H7/172)	Current Scheme (No. A/H7/183)	Difference(s)
Site Area	About 996.377m ²		No Change
Total GFA	About 14,945.655m ²		
- Office	-	11,345.655m ²	
- Shop and Services/Eating Place	-	3,600.00m ²	
PR	15		

¹ With reference to Category 6 of the TPB PG No. 36B, increase in SC not exceeding 10% of the SC under approved planning application is regarded as a Class B amendment requiring application to the Board under s.16A(2) of the Town Planning Ordinance (the Ordinance) for amendment to an approved development proposal. For increase in SC exceeding 10%, a fresh planning application to the Board under s.16 of the Ordinance is required.

Development Parameters	2017 Approved Scheme (No. A/H7/172)	Current Scheme (No. A/H7/183)	Difference(s)
SC	Not more than 100% (below 15m)	92% (below 15m)	-8%
	Not more than 60% (above 15m)	65-92% (above 15m)	+8.3% to 53.3%
No. of Block	1		No Change
Maximum BH (at main roof) ²	118.95mPD		
No. of Storeys	28 (Plan A-23)		
	(including 3 levels of basement, 1 storey for commercial use and L/UL, 5 storeys commercial uses and 19 storeys for offices)	(including 3 levels of basement, 1 storey for commercial use and L/UL, 1 mezzanine storey for E&M, 5 storeys commercial uses and 18 storeys for offices)	
No. of Parking Spaces - Car parking spaces - Motorcycle parking spaces	76 69 7		No Change
No. of L/UL Bays	7 (3 for Heavy Goods Vehicles (HGV) and 4 for Light Goods Vehicles (LGV))	4 (1 for HGVs and 3 for LGVs)	-3 (or -42.9%)
Waiting Space for Private Car	1	3	+2 (+200%)
Anticipated Completion Year	2025	2027	---

1.6 Major floor plans and section of the current scheme submitted by the applicant, which are different from the 2017 approved scheme, are shown in **Drawings A-1 to A-12**. A comparison of main uses by each floor for the 2017 approved scheme and the current scheme (**Plan A-6 to A-24**) are summarised in the ensuing table:

² The existing building at the Site has a BH of 118.95mPD at the main roof as shown on the building plans approved by BA on 19.1.2009. Hence, the BH of the proposed development is in line with the BH restriction of the subject "R(A)" zone.

Floor	Approved application (No. A/H7/172)	Current application (No. A/H7/183)
B1/F – B3/F	Carpark, E&M Facilities	
G/F	Entrance Lobby, L/UL Space, Shop and Services/Eating Place and E&M Facilities	
Mezzanine Floor	---	E&M Facilities
1/F	Shop and Services/Eating Place and E&M Facilities	Office Lift Lobby, Shop and Services/Eating Place and E&M Facilities
2/F – 5/F	Shop and Services/Eating Place and E&M Facilities	
6/F – 23/F	Office	Office
24/F	Office	---

1.7 The Metro Planning Committee (the Committee) of the Board agreed on 12.8.2022 to defer making a decision on the application for a period of one month in order to allow sufficient time for preparation of Further Information (FI) to address departmental comments.

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

- (a) Applicant's letter and application form received on 14.6.2022 **(Appendix I)**
- (b) Supplementary Planning Statement (SPS), architectural with drawings of the current scheme, Traffic Impact Assessment (TIA) **(Appendix Ia)**
- (c) FI received on 28.7.2022 submitting responses and technical clarifications to departmental comments [#] **(Appendix Ib)**
- (d) FI received on 25.8.2022 submitting responses and technical clarifications to comments of the Transport Department (TD)[#] **(Appendix Ic)**
- (e) FI received on 29.9.2022 submitting responses to comments of TD[#] **(Appendix Id)**

[#] *exempted from publication and recounting requirements*

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in Section 4 of the SPS at **Appendix Ia** and FI submissions at **Appendices Ib to Id**. They are summarised as follows:

Maintaining a Steady Supply of Office Floor Space

2.1 Maintaining a steady and adequate supply of office floor space is equally important as increasing flat supply because this can further strengthen Hong Kong's position

as one of the leading financial and business centres in the world. As the proposed development would offer additional office floor space of not less than about 11,345m², it would help to sustain the existing commercial development in Causeway Bay and maintain a steady supply of office floor space.

In Line with Town Planning Board Guidelines for Application for Office Development in “R(A)” Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 5)

- 2.2 The proposed office development meets the various criteria as set out in the TPB PG-No. 5, which had been recognised under the previous approved application No. A/H7/172. The change in design should not affect the above consideration and the proposed development is considered as in line with the TPB PG-No. 5. As detailed design proceeds, the applicant intends to seek more flexibility in building design and to incorporate innovative building design as facilitated by PNAP APP-132.

High Suitability of the Site for Office Use

- 2.3 The proposed development is compatible with the surrounding land uses which have a mixed-use characteristic. The proposed office use will create synergy and collective benefits with the surrounding land use. Besides, the Site also enjoys good accessibility from different parts of the territory as it is well served by various public transport modes. Tram stop is right outside the Site and MTR station and bus stop are located within about 5 to 7-minute walk from the Site. At-grade footpath can also lead pedestrians to the Causeway Bay and Wanchai areas.

No Impact to the Future Housing Supply

- 2.4 Since it is very unlikely for the owner to redevelop the existing hotel (with PR of 15) into a residential building (with PR of 8) from the commercial point of view, it is impractical to include the Site for future housing supply. Therefore, the proposed development would not affect future housing supply.
- 2.5 The Site has a wide and open frontage onto the busy Leighton Road and is therefore subject to air quality and noise impact of the heavy vehicular traffic as well as sharp turning of trams immediately in front of the Site. With the establishment of the existing hotel, the Site has become part of the very vibrant Causeway Bay commercial precinct. Therefore, the Site is not a good candidate to contribute to housing supply.

Appropriate Development Scale and Design

- 2.6 In the current scheme, while there is an increase in SC (above 15m) comparing to the approved scheme, BH and GFA remain the same as the 2017 approved scheme. No significant change to the massing when comparing to the existing hotel. The proposed development will be in harmony with the surrounding high-rise commercial developments (i.e. Leighton Centre and Times Square).
- 2.7 A setback area of about 80m² with a width of not less than 2.7m abutting Leighton Road (**Drawings A-1 and A-11**) would be provided to create opportunities to enhance the walking environment, in front of the pedestrian crossing in particular.

This outperforms the existing condition as well as the 2017 approved scheme.

- 2.8 At-grade landscape planting is not proposed in the current scheme with a view to maximising the pavement width to enhance pedestrian accessibility.

Appropriate Retail Component in a Commercial Building

- 2.9 Shop and services/eating place on the lowest three floors of building enhance vibrancy and is always permitted within the subject “R(A)” zone. Additional retail floor space atop would help strengthening the synergy effect. Vertical shopping and dining experiences are becoming more common in Causeway Bay. The co-location of ‘Shop and Services’/‘Eating Place’ and ‘Office’ uses are considered compatible and has no major security issue. As such, the retail component is deemed appropriate and is complimentary to the existing shopping and entertainment hub in Causeway Bay.

No Adverse Traffic Impact

- 2.10 The proposed development would generate less trips than the existing hotel development. The submitted TIA reveals that the proposed development would not generate adverse traffic impact to the area. Besides, 4 L/UL bays and 3 car lift waiting spaces would be provided. The swept-path analysis has demonstrated that no vehicle turntable is required for the parking of HGV and private car to the drop-off area could be conducted without encroaching onto any L/UL bays or car lift waiting spaces. The potential impact on the nearby road network would be minimised with the proposed traffic operation arrangement, such as no L/UL activities would be arranged in the G/F during the weekday AM peak and the whole area would be reserved for car lift queuing and drop-off; all car lifts would station at G/F when not in use; the maintenance of car lift would be designed outside peak hours; management staff would be presented at the site access and assist car lift operation at all times; and real time car park vacancy could be shown on display boards facing both directions of Leighton Road.

Not Setting an Undesirable Precedent

- 2.11 The current application only involves design changes to the 2017 approved scheme which are not covered by Class A and Class B amendments under TPB PG-No. 36B. In view of the Site’s unique characteristic and background, granting an approval for the proposed development would not set as an undesirable precedent for approving commercial development in “R(A)” zone.

Difficulties in Wholesale Conversion of the Existing Hotel

- 2.12 There are technical difficulties in converting the existing hotel to the proposed office building, such as the original shear wall structural system provided for hotel layout out results in low efficiency and flexibility in layout arrangement for proposed use; floor-to-floor height insufficient to meet Grade A office standard; not comply with MOE requirements stipulated under code of Practice for Fire Safety; and no basement in the existing building.

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

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by sending notification letter to the owner. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

4.1 TPB PG-No. 5 is relevant to this application. The relevant planning assessment criteria are summarised as follows:

- (a) the site should be sufficiently large to achieve a properly designed office building;
- (b) there should be adequate provision of parking and L/UL facilities within the site in accordance with the Hong Kong Planning Standards and Guidelines and to the satisfaction of Transport Department;
- (c) the site should be at an easily accessible location, e.g. close to the MTR station or well served by other public transport facilities;
- (d) the proposed office development should not cause congestion and disruption to the traffic flow of the locality;
- (e) the proposed office building should be compatible with the existing and planned land uses of the locality and it should not be located in a predominantly residential area; and
- (f) the proposed office development should be purposely designed for office/commercial uses so that there is no risk of subsequent illegal conversion to substandard domestic units or other uses.

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

5. Previous Applications

5.1 The Site or part of the Site was the subject of 11 previous applications including seven for commercial/office/retail developments and four for hotel use. Amongst the 11 previous applications, ten were approved with or without conditions and one

was rejected. A summary of these previous applications is at **Appendix II**.

- 5.2 The Site has been zoned for “R(A)” since 1976. The first application (No. A/H7/22P) for a commercial (office/retail) building at part of the Site was approved by the Committee of the Board on 16.10.1981 mainly on the ground that the commercial development is considered not incompatible with the surrounding development. Part of the Site (site area of about 219m²) was subsequently applied for office/retail development (No. A/H7/82) and rejected in 1992, mainly on the grounds that the application site was too small for a properly designed office/retail building; nil provision of on-site L/UL facilities; the approval of the application would set an undesirable precedent for similar commercial developments without on-site L/UL facilities; and the cumulative effect of on-street servicing along Leighton Road. Another four applications for office/retail development (No. A/H7/87, A/H7/96, A/H7/97, A/H7/104) at part of the Site were allowed with condition by the Town Planning Appeal Board/approved with conditions by the Committee between 1994 and 1996 mainly on similar grounds that proposed developments were not incompatible with the surrounding development.
- 5.3 There were four applications for hotel development (No. A/H7/130, A/H7/136, A/H7/144, A/H7/146) at the Site approved by the Committee/ the Board between 2001 and 2007. The application No. A/H7/146 which relates to the existing hotel with BH of 119.7mPD was approved with conditions by the Committee on 2.2.2007, mainly on the grounds that the proposed hotel and its BH were not incompatible with the surrounding developments and it would unlikely cause adverse traffic and environmental impacts on the surrounding area. For existing hotel at the Site, the set of GBPs was approved by the BA on 19.1.2009 and the occupation permit was issued on 8.4.2009.
- 5.4 The last application for a 28-storey office-cum-shop and services/eating place redevelopment (No. A/H7/172) at the Site was approved by the Committee of the Board on 22.12.2017 mainly on the grounds that the commercial development complied with the relevant assessment criteria specified in TPB PG-No.5 and the suitability and propensity of the Site being redeveloped for residential use would be low. The set of GBPs based on the approved scheme for commercial development was approved by the BA on 2.6.2020.

6. Similar Application

There is no similar application for office development within the “R(A)” zone in the Wong Nai Chung OZP in the past 10 years.

7. The Site and Its Surrounding Areas (Plans A-1 to A-5)

7.1 The Site is:

- (a) located at the south of the core commercial area in Causeway Bay abutting the junction of Leighton Road and Wong Nai Chung Road; and

- (b) currently occupied by a 29-storey hotel with 263 rooms (i.e. Crowne Plaza Hong Kong Causeway Bay).

7.2 The surrounding areas have the following characteristics:

- (a) the area is well-served by public transport, including buses and tram services, and having a distance of about 160m from the MTR Causeway Bay Station;
- (b) to its north across Leighton Road is the core commercial area of Causeway Bay predominated by commercial developments (such as Times Square, Lee Theatre and Leighton Centre) and composite developments with residential uses on top of retail shops/eating places in the lower floors;
- (c) to its immediate northeast is a vacant site with approved building plans for residential development;
- (d) to the east of the Site along Leighton Road and south of the Site along Wong Nai Chung Road are mainly residential developments with some commercial uses on the lower floors, juxtaposing with two other commercial developments, including Capital Commercial Building and East Exchange Tower; and
- (e) to the southwest is a cluster of low-rise sports and recreational clubs, such as Craigengower Cricket Club and Hong Kong Football Club.

8. Planning Intention

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

9. Comments from Relevant Government Departments

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

Land Administration

- 9.1.1 Comments of the District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD):

- (a) The Site falls within I.L. 4369, I.L. 4370, I.L. 4371, I.L. 4372, I.L. 4373, I.L. 4374, I.L. 4375, I.L. 4376 and I.L. 4377 (the Lots) and is governed under the respective government leases of the Lots with a lease term of 75 years renewable for a further term of 75 years commencing from 6.11.1899. The Lots, with a total registered site area of 10,725ft² (about 996.377m²), is virtually unrestricted except

the standard non-offensive trades clause. No-objection letter/licences have been granted under lease to permit the five offensive trades (i.e. oilman, tavern keeper, victualler, butcher and sugar baker) to be carried out on the Lots.

- (b) Given that the proposal submitted by the applicant does not conflict with the lease conditions governing the Site, his office has no comment on the proposed development within the Site.

Building Matters

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

- (a) The proposed site coverage is subject to modification/exemption from regulation 20 of Building (Planning) Regulations. Requirements stipulated in PNAP APP-132 including provision of setback area for the full height of the building from the site boundary abutting on a street should be complied with.
- (b) The pre-requisites for granting GFA concession under PNAP APP-151 including the Sustainable Building Design Guidelines as stipulated in PNAP APP-152 should be complied with.
- (c) Detailed checking for compliance with the Buildings Ordinance will be made upon building plans submission stage.

Traffic

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

- (a) No objection to the application subject to approval conditions recommended at paragraph 9.1.3(f) below and advisory clauses as detailed in **Appendix V**.

Picking-up/setting down activities

- (b) The applicant has proposed in **Appendix Id** to provide 4 L/UL bays (3 for LGV and 1 for HGV) to meet the L/UL demand. As supplemented with the L/UL demand assessment in **Appendix Ic**, the applicant has demonstrated that the proposed L/UL arrangement would be sufficient to cater for the L/UL demand generated by the proposed development.
- (c) The swept path analysis in Drawing No. B2 of **Appendix Id** indicates that the manoeuvring of a private car within the proposed development for carrying out picking-up/setting down activities could be conducted without occupying any L/UL bay or car lift waiting space. In addition, the applicant has proposed a 1.5m-wide pedestrian access between the proposed pick-up/drop-off area and the main entrance lobby and the arrangement is considered acceptable.

Car lift assessment

- (d) The applicant has reviewed the arrangement of B1/F (also applies to B2/F and B3/F) and G/F to 3/F to provide 3 car lifts, and concluded not recommended from a technical viewpoint. Nonetheless, the applicant has proposed other management measures to minimise the impact on the nearby road network caused by the queuing for car lifts.
- (e) Other detailed comments are in **Appendix III**.
- (f) Should the application be approved by the Board, the following approval conditions should be imposed:
 - the design and provision of the internal transport facilities including car parking spaces, loading/unloading bays and pick-up/drop-off area to the satisfaction of the C for T or of the Board; and
 - the design and implementation of a Traffic Management Plan to the satisfaction of the C for T or of the Board.

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

- (a) It is noted that the relocation of vehicular run-in/out and modification of traffic signs, road markings and street furniture are proposed. Should the application be accepted and implemented, the developer should construct the new run-in/out, reinstate the existing vehicular run-in/out to footway and carry out the proposed modification of traffic signs, road markings and street furniture at their own cost in accordance with highway standard.
- (b) In connection to the above, should the application be approved by the Board, the following approval conditions should be imposed:
 - the reinstatement of the existing vehicular run-in/out to footway to the satisfaction of the Director of Highways or of the Board; and
 - the design and provision of traffic signs, road markings and street furniture to the satisfaction of the Director of Highways or of the Board.

9.1.5 Comments of the Commissioner of Police (C of P):

- (a) No specific traffic comment on the application and no comment from Wanchai Police District.
- (b) It is advised that the proposal should not cause adverse traffic obstruction in or beyond the site of works and each temporary traffic arrangement involving works on public carriageway and/or footpath,

if any, has to be submitted to Police (Road Management Office) and other stakeholders for detailed comment prior to its implementation.

Environment

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

- (a) No objection to the application.
- (b) His detailed advice to the applicant to minimise the environmental impact from the proposed development during construction and operation are in **Appendix III**.

Sewerage and Drainage

9.1.7 Comments of the Chief Engineer, Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD):

- (a) No in-principle objection to the application as it involves the redevelopment of the existing hotel to the proposed commercial uses.
- (b) Should the application be approved by the Board, the following approval conditions are recommended to be imposed to demonstrate there will be no adverse impact to the existing stormwater and sewerage drainage systems due to the proposed development:
 - the submission of hydraulic calculations to demonstrate that adequacy of the existing public sewerage facilities for accommodating the proposed development and the implementation of improvement and upgrading works to the existing public sewerage systems, if required, to the satisfaction of the Director of Drainage Services (D of DS) or of the Board.
 - the submission of hydraulic calculations to demonstrate that adequacy of the existing drainage facilities for accommodating the proposed development and the implementation of improvement and upgrading works to the existing drainage systems, if required, to the satisfaction of the D of DS or of the Board.

Urban Design, Visual and Air Ventilation

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

Urban Design and Visual

- (a) As claimed by the applicant, there is no significant change to the massing or the BH of the proposed development as compared to the existing hotel development or the previously approved scheme under

A/H7/172 and a setback of not less than 2.7m in width from Leighton Road is provided to enhance walking environment. As demonstrated by the visual illustration in **Appendix Ib**, the proposed development is unlikely to induce significantly adverse visual impacts to the surrounding environment.

Air Ventilation

- (b) According to the Air Ventilation Assessment (AVA) Expert Evaluation on Wong Nai Chung Area in 2007, no air ventilation concern for the Site has been identified. Considering that the Site does not fall within any major wind corridors and the proposal does not fall within the categories under which an AVA is required in accordance with the joint Housing, Planning and Lands Bureau (HPLB) and Environment, Transport and Works Bureau (ETWB) Technical Circular on AVA No. 1/06, it is not anticipated that the proposal would induce significant adverse air ventilation impact on the surrounding pedestrian wind environment.

Landscape

9.1.9 Comments of the CTP/UD&L, PlanD:

- (a) Based on aerial photo of 2021, the Site is situated in an area of residential urban fringe landscape character surrounded by existing commercial and residential buildings. According to **Appendix Ia**, the Site is currently occupied by a 29-storey building and the proposed development under this application involves one block of 28-storey building for the proposed use, which is considered not incompatible with the landscape character of its surroundings.
- (b) As the Site is already occupied by existing building, further significant landscape impact arising from the proposed development within the Site is not anticipated. She has no objection to the application from landscape planning perspective.
- (c) The applicant is advised that approval of this application does not imply approval of tree works, if any, such as pruning, transplanting and felling. Tree removal applications should be submitted direct to relevant authority for approval.

Environmental Hygiene

9.1.10 Comments of the Director of Food and Environmental Hygiene:

- (a) Proper licence/permit issued by her Department is required if there is any food business/catering service/activity regulated by her under the Public Health and Municipal Services Ordinance (Cap.132) and other relevant legislation(s) for the public.
- (b) No environmental nuisance should be generated to the surroundings.

For any waste generated from the commercial/trading activities, the applicant should arrange for its proper disposal at their own expenses.

Water Supplies

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

- (a) No objection to the application.
- (b) Detailed departmental comments are in **Appendix III**.

Fire Safety

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

No in principle objection to the application subject to fire services installations and equipment being provided to his satisfaction. Detailed fire services requirements will be formulated upon receipt of formal submission of GBPs.

Others

9.1.13 Comments of the Commissioner for Tourism:

It is noted that the Site falls within an area zoned “R(A)” on the OZP, under which ‘Hotel’ is only one of the uses that may be permitted subject to approval by the Board. The operation of hotel is a matter of commercial decision and it would be up to hotel owners/operators to decide whether or not to continue their business.

9.1.14 Comments of the Secretary for the Environment and Ecology:

As stipulated in the BD’s PNAP APP-126 on “Erection of Signboards”, to minimise light pollution and reduce energy consumption arising from the lighting of the signboards, the Authorised Person and the applicant are advised to make reference to the Guidelines on Industry Best Practices for External Lighting Installations.

9.1.15 Director of Electrical and Mechanical Services (DEMS):

- (a) No particular comment on the application from electricity supply safety aspect.
- (b) Detailed departmental comments are in **Appendix III**.

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

- (a) Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD); and

- (b) District Officer (Wan Chai), Home Affairs Department (DO(Wan Chai), HAD).

10. Public Comments Received During Statutory Publication Period

- 10.1 On 24.6.2022, the application was published for public inspection. During the statutory public inspection period, two public comments objecting the application were received from the Incorporated Owners of Lunar Building and an individual (**Appendix IV**). Their major grounds of the objections are summarised below:
- (a) the proposal violates the historical arrangement of sustaining the even number lots of Leighton Road for residential use. A transition from residential use to fully commercial uses was camouflaged by the existing hotel development. The proposal creates pressures on the scarce supply of residential land in city area, contradicting to the current Government's direction;
 - (b) the proposed development brings pressures to the heavy traffic on Leighton Road and creates traffic jam in the surrounding area;
 - (c) it is not environmentally friendly to demolish the relatively new Crowne Plaza Hotel building. Tonnes of construction waste would be generated during the demolition/construction period to bring negative impacts to landfills and local air quality; and
 - (d) limited benefits are provided with the new partial setback while the site coverage has been increased significantly from 60% to almost 100%. The proposed development would become another wall along an already heavily polluted street.

11. Planning Considerations and Assessments

- 11.1 The current application is for redevelopment of the Site from an existing 29-storey hotel into a 28-storey commercial development with 'Office', 'Shop and Services' and 'Eating Place' uses within the "R(A)" zone on the OZP. Although the proposed uses are not in line with the planning intention of the "R(A)" zone, which is intended primarily for high-density residential developments, the Site is the subject of an approved scheme for commercial use (28-storey office-cum-shop and services/eating place) under application No. A/H7/172 (approved with conditions by the Committee on 22.12.2017). The set of GBPs for the approved scheme was subsequently approved by the BA on 2.6.2020. The current application is submitted for seeking planning approval for similar proposed commercial development, mainly on amendments on SC in the 2017 approved scheme.
- 11.2 As compared with the 2017 approved scheme, there are no changes in the proposed uses and major development parameters (including site area, GFA, PR, BH), except SC, as well as number of L/UL bay and waiting space for private car. The current scheme would constitute increase in SC (above 15m) from not more than 60% to 65-92% and reduction in SC (below 15m) from not more than 100% to 92% (**Plan A-23**). According to the applicant, the change in SC as compared to the 2017

approved scheme is to incorporate innovative building design (i.e. terraces at various floors to serve as outdoor flat roof) in accordance with PNAP APP-132 Site Coverage and Open Space Provision. The increase in site coverage (above 15m) creates a more flexibly internal layout to meet market demand, while the reduction of SC (below 15m) would improve and enhance street environment. However, the magnitude of change in SC is beyond a Class B amendment under Category 6 of TPB PG No. 36B and hence, a fresh application is required.

- 11.3 Regarding the proposed setback of the development, a full-height setback area of about 80m² (with a width of not less than 2.7m) at the north-western portion of the Site abutting Leighton Road is proposed in the current scheme (**Drawings A-1 and A-11**) compared with a small and irregular area at the entrance on Leighton Road on G/F in the 2017 approved scheme. According to PNAP APP-132 Site Coverage and Open Space Provision, if the criteria set out in the PNAP was met, the SC of a building at different levels could vary according to the height of the level within the percentages set out in the PNAP. In this connection, as stated in **Appendix Ib**, the applicant is intended to incorporate innovative building design as facilitated by PNAP APP-132 via the setback approach. Detailed checking for compliance with Buildings Ordinance will be made upon building plans submission stage.
- 11.4 Whilst the increase in SC of the proposed development would lead to a larger building bulk (above 15m) as compared with the 2017 approved scheme, CA/CMD2, ArchSD and CTP/UD&L, PlanD have no adverse comment on the current application from architectural, urban design and visual points of view. CTP/UD&L, PlanD also advises that significant adverse air ventilation impact on the surrounding pedestrian wind environment is not anticipated. In terms of traffic aspect, C for T has no objection to the application subject to approval conditions to be imposed as recommended in paragraph 12.2 below and the recommended advisory clauses at **Appendix V**. Other relevant departments have no adverse comment on the application from landscape planning, environmental, sewerage, drainage and water supplies etc. To address technical concerns from government departments, relevant approval conditions as suggested by government departments are recommended in paragraph 12.2 below, should the application be approved by the Board.
- 11.5 Regarding the changes in number of L/UL bay and waiting space for private car, C for T has no objection for such arrangement. The applicant have demonstrated that the proposed L/UL arrangement would be sufficient to cater for the L/UL demand generated by the proposed development with only 4 L/UL spaces. With the increase of waiting space for private car and traffic operation arrangement mentioned in **paragraph 2.10**, potential impact from the proposed development on the nearby road network could be minimised.
- 11.6 Having regard to paragraphs 11.2 to 11.5 above, the changes in SC and the provision of L/UL as compared with the 2017 approved scheme are considered acceptable and justified.
- 11.7 The proposed commercial development also complies in general with the relevant assessment criteria specified in TPG PG-No.5 in that the Site is located at an easily accessible location, the proposed development is considered not incompatible with

the surrounding developments, and both CBS/HKE&H, BD and C for T have no adverse comments on the proposed development from building design and traffic engineering point of view respectively.

- 11.8 Two public comments were received who object to the application on the grounds as summarised in paragraph 10 above. With regard to the public concerns on land use, traffic, waste generation and impact on air quality, the planning assessments above and the departmental comments in paragraph 9 are relevant.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and taking into account the public comments in paragraph 10 above, the Planning Department 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 14.10.2026, 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 design and provision of the internal transport facilities including car parking spaces, loading/unloading bays and pick-up/drop-off area to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the design and implementation of a Traffic Management Plan to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the reinstatement of the existing vehicular run-in/out to footway to the satisfaction of the Director of Highways or of the Town Planning Board;
- (d) the design and provision of traffic signs, road markings and street furniture to the satisfaction of the Director of Highways or of the Town Planning Board;
- (e) the submission of hydraulic calculations to demonstrate that adequacy of the existing public sewerage facilities for accommodating the proposed development and the implementation of improvement and upgrading works to the existing public sewerage systems, if required, to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (f) submission of hydraulic calculations to demonstrate that adequacy of the existing drainage facilities for accommodating the proposed development and the implementation of improvement and upgrading works to the

existing drainage systems, if required, to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory Clauses

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

- 12.3 There is no strong reason to recommend rejection of the application.

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 14.6.2022
Appendix Ia	Supplementary Planning Statement
Appendix Ib	FI received on 28.7.2022
Appendix Ic	FI received on 25.8.2022
Appendix Id	FI received on 29.9.2022
Appendix II	Previous Applications
Appendix III	Detailed Departmental Comments
Appendix IV	Public Comments
Appendix V	Advisory Clauses
Drawings A-1 to A-10	Floor Plans
Drawing A-11	Schematic Section
Drawing A-12	Visual Illustration Plan
Drawing A-13	Proposed Pedestrian Path on G/F
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4 to A-5	Site Photos
Plans A-6 to A-24	Comparison Drawings of 2017 Approved Scheme and the Current Scheme