

FURTHER CONSIDERATION OF APPLICATION NO. A/K13/320
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

**Proposed Minor Relaxation of Plot Ratio Restriction
For Permitted Office Use in
“Other Specified Uses” annotated “Business” Zone,
13 Sheung Yuet Road, Kowloon Bay, Kowloon**

1. Background

- 1.1. On 9.7.2020, the applicant, Grandeur Investments Limited, submitted the current application seeking planning permission from the Town Planning Board (the Board) for minor relaxation of plot ratio (PR) restriction from 12 to 14.4 (i.e. +2.4 or +20%) for redevelopment of the existing 12-storey industrial building (IB) constructed before 1987 (pre-1987 IB)¹ into a 30-storey development (including 4 levels of basement carpark) for proposed ‘Office’ use (the Proposed Scheme) at 13 Sheung Yuet Road (the Site) (**Plans FA-1 to FA-3**). The proposed building height (BH) of 120mPD complies with the restriction under the Outline Zoning Plan (OZP). The Site (about 1,696m²) falls within an area zoned “Other Specified Uses” annotated “Business” (“OU(B)”) on the approved Ngau Tau Kok and Kowloon Bay OZP No. S/K13/30. According to the Schedule I for non-IBs of the Notes for “OU(B)” zone, the proposed ‘Office’ use is a Column 1 use which is always permitted within the “OU(B)” zone.
- 1.2. On 4.9.2020, the Metro Planning Committee (the Committee) of the Board considered the application. Members had the following major concerns: (i) the building and landscape design should add amenity value to the area; (ii) the setback areas, without quality landscaping and associated facilities, such as canopy, might not be able to enhance the pedestrian environment; (iii) the sustainability of the proposed vertical greening (VG); and (iv) additional information on the implementation of the footbridge system connecting to the Site should be provided.
- 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 building design and landscaping treatment especially within the setback areas at pedestrian level under the Proposed Scheme.

¹ The Occupation Permit (OP) for the subject IB was issued on 1.4.1986.

1.4. For Members' reference, the following documents are attached:

- (a) MPC Paper No. A/K13/320 considered on 4.9.2020 (Appendix F-I)
- (b) Extract of minutes of the MPC meeting held on 4.9.2020 (Appendix F-II)
- (c) Secretary of the Board's letter dated 18.9.2020 (Appendix F-III) informing the applicant of the Committee's decision
- (d) FI vide letter received on 11.2.2021 enclosing supplementary information with a revised indicative landscape proposal and revised floor plans in response to Members' comments (Appendix F-IV)
- (e) FI vide letter received on 17.3.2021 enclosing responses to departmental comments, a further revised indicative landscape proposal and further revised floor plans (Appendix F-V)

2. **Further Information Submitted by the Applicant**

2.1 To address the Committee's concerns as mentioned above, the applicant has made refinements to the Proposed Scheme and submitted FIs including indicative landscape proposal and revised floor plans (**Appendices F-IV and F-V**), which are summarized below:

Amendments to Proposed Scheme

- (i) revision in the design, location and area of the proposed landscaping resulting in an increase of greenery areas in the proposed development under Sustainable Building Design Guidelines (SBDG) from about 462m² (27.2%) to about 475m² (28.0%) (**Drawing FA-14**). The revisions include (1) addition of a green wall and planting area within the setback along Wang Tai Road; (2) relocation of planting areas within the setbacks along Sheung Yuet Road and Wang Chiu Road for provision of pedestrian waiting area (paragraph 2.1(ii) below); (3) addition of trees in the proposed planting areas within the setbacks along Wang Chiu Road, Sheung Yuet Road and Wang Tai Road; and (4) replacement of the VG between 1/F and 2/F by the green wall at G/F facing Wang Tai Road for greater greenery along street level (**Drawings FA-1 to FA-11**). The above revisions are to add amenity value to the area and enhance the pedestrian environment;
- (ii) provision of additional pedestrian waiting area within the setback at the junction of Sheung Yuet Road/Wang Chiu Road by relocating some planting areas originally proposed at this junction. This area would also act as an arrival piazza opposite to the Zero Carbon Park (**Drawings FA-1, FA-4, FA-6 and FA-7**);

- (iii) provision of canopy above the main entrance and sunshades in form of non-retractable metal cladding projected from curtain wall with maximum width of 1.25m to form an undercover walkway² to facilitate pedestrian circulation between the junction of Sheung Yuet Road/Wang Chiu Road and Wang Tai Road (**Drawings FA-1, FA-2, FA-4 to FA-7, FA-9 and FA-13**);
- (iv) provision of additional sitting benches adjacent to planting areas within the setbacks along Wang Chiu Road and Sheung Yuet Road (**Drawings FA-4 , FA-7 to FA-9**);

More Details on Landscaping Design and Other Clarifications

- (v) hardy and shade tolerant planting species would be used and rainwater harvesting and irrigation system would be adopted (**Drawing FA-12**);
- (vi) connection point has been reserved for the future footbridge system (**Drawing FA-2 and Plan FA-2**), and the applicant is aware of the pre-requisite conditions of the “Policy of Facilitating Provision of Pedestrian Links by Private Sector” (as mentioned in paragraph 5.4 below). The applicant will consider the design, construction, management and maintenance responsibilities, including access restrictions, in consultation with the Energizing Kowloon East Office (EKEO) and other government departments for implementation of the footbridge system;
- (vii) an updated ground floor plan is provided to confirm that the building edge at the corner of Wang Chiu Road and Sheung Yuet Road should be chamfered (**Drawings FA-1 to FA-5 and FA-7**); and
- (viii) the proposed landscaping design with multi-layered shrubs, planting various native species and vertical greenery would create a green frontage while enhancing pedestrian experience (**Drawings FA-4 to FA-11**).

3. Similar Applications

The similar applications considered by the Committee before 4.9.2020 are in paragraph 6 of the MPC paper in **Appendix F-1**. Since the last consideration on 4.9.2020, the Committee has considered and approved with conditions four more similar applications for minor relaxation of PR and/BH in the KBBA and Kwun Tong Business Area (KTBA) relating to Government’s new policy on revitalizing IBs as announced in 2018 (the Policy) (**Appendix F-VI**), one of them (application No. A/K13/318) is in KBBA (**Plan FA-1**).

² According to the applicant, exemption of GFA calculation of the undercover walkway would be applied for, subject to detailed design and requirements. The area covered by the proposed canopy and sunshading is about 79m².

4. Comments from Relevant Government Departments

4.1 Comments on the current application made previously by the relevant Government bureaux/departments are stated in paragraph 9.1 and 9.2 of **Appendix F-I** and they remain valid.

4.2 For the current FIs (**Appendices F-IV** and **FV**), the following Government departments have been consulted and their comments are summarized as follows:

4.2.1 Comments from the Chief Town Planner/Urban Design & Landscape, PlanD (CTP/UD&L, PlanD):

Urban Design and Visual Aspects

- (a) The proposed minor relaxation of PR does not involve additional building height beyond that is permitted in the OZP (i.e. 120mPD), and thus accommodation of the proposed development would unlikely cause any significant adverse visual impact to the surroundings.
- (b) According to the submission, the proposed development has incorporated a minimum 3m full height setback along Wang Chiu Road, Sheung Yuet Road and Wang Tai Road, i.e. the western, southern and eastern boundaries of the application site. Landscape treatments at the G/F (supplemented by seating), 1/F (landscape garden) and roof floor, and canopy/sunshade at the G/F along Sheung Yuet Road and Wang Tai Road will be provided. The above measures may promote visual interest and pedestrian comfort.

Landscape Aspect

- (c) With reference to the submitted Indicative Landscape Proposal (**Appendix FA-5**), it is noted that 24 nos. of tree and shrub planting with seating facilities are proposed on G/F, and landscape garden is proposed on 1/F. Besides, proprietary VG system is proposed to the building facades on G/F along Wang Chiu Road and Wang Tai Road to soften the building form and enhance the visual quality at street level. She has reviewed the submitted FIs and has no adverse comment on them.

4.2.2 Comments from the Head of EKEO:

To facilitate the early provision of planned pedestrian links, the Government has introduced in 2016 an incentive policy, namely the "Policy of Facilitating Provision of Pedestrian Links by Private Sector", by way of waiving the land premium payable for lease modification for the provision of such links using Kowloon East as a pilot area. While the application period for the Kowloon East Pilot Scheme ended in February 2020, refinement to the aforesaid policy

has been introduced in January 2021 to improve the administration of and inject more flexibility into the Policy. Interested developers with pedestrian link proposals within Kowloon East can now submit applications to the EKEO of the Development Bureau and the District Lands Office/Kowloon East of the Lands Department (LandsD) for necessary lease modification to construct pedestrian links connecting to their lots at their own cost. As pre-requisite conditions of the Policy, the interested developers making the application will be required to bear the design, construction, management and maintenance responsibilities and related costs of the approved links, and provide, as a norm, 24-hour barrier-free public access at such links. Developers will also need to work on other issues related to the implementation of the pedestrian links such as their design, visual impact, gazettal and objection resolution, etc.

4.3 The following Government Departments have no objection to/no further comment on the FI:

- (a) Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD); and
- (b) Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD).

5. Planning Considerations and Assessments

- 5.1 The application seeks planning permission for minor relaxation of PR restriction from 12.0 to 14.4 (by 20%) for a proposed redevelopment at the Site zoned “OU(B)” into a 30-storey (including 4 basement levels) building for permitted ‘Office’ use. The proposed BH of 120mPD complies with OZP restriction. At the MPC meeting on 4.9.2020, Members requested the applicant to provide FI on building design and landscaping treatment especially within the setbacks at pedestrian level under the Proposed Scheme. Apart from these aspects, the Members also had concerns on the sustainability of the proposed VG and the implementation of the proposed footbridge system connecting to the Site. In response to the Committee’s request, the applicant has submitted the FIs as set out in paragraph 2 above.
- 5.2 To address Members’ concerns, the applicant further refined the Proposed Scheme as discussed in paragraph 2.1 above. Major refinements include (1) increase of greenery areas in the proposed development under SBDG from about 462m² (27.2%) to about 475m² (28.0%); (2) addition of planting areas and green wall within the setback along Wang Tai Road; (3) addition of trees in the proposed planting areas along the setbacks of Wang Chiu Road, Sheung Yuet Road and Wang Tai Road; (4) provision of additional pedestrian waiting area at the junction of Sheung Yuet Road/Wang Chiu Road to allow an arrival piazza at the prominent location facing Zero Carbon Park by relocating the planting areas at this junction; (5) addition of canopy and sunshades to form an undercover walkway between the junction of Sheung Yuet Road/Wang Chiu Road and Wang Tai Road; (6) addition of sitting benches within the setbacks along Sheung Yuet Road and Wang Chiu Road.

- 5.3 In addition to the refinements mentioned in paragraph 5.2 above, the applicant has also confirmed/clarified that (1) hardy and shade tolerant planting species would be used; (2) rainwater harvesting and irrigation system would be used; (3) multi-layered shrubs, various native species and VG would be planted to create green frontage in response to the surrounding neighbourhood setting. The refinements could enhance the pedestrian environment and walking experience at G/F especially within the setbacks, and add amenity value to the area. Head of EKEO, CTP/UD&L, PlanD, CA/CMD2, ArchSD and CBS/K, BD have no adverse comments on the FI.
- 5.4 Regarding the Members' concern on implementation of the planned pedestrian footbridge system connecting to the Site³, the applicant has clarified that connection point has been reserved on 1/F of the proposed development (**Drawing FA-2**) which generally tallies with the adopted Kowloon Bay ODP (**Plan FA-2**). As advised by Head of EKEO in para. 4.2.2 above, the Government has introduced the "Policy of Facilitating Provision of Pedestrian Links by Private Sector" to facilitate early provision of planned pedestrian links by way of waiving land premium payable for lease modification for the provision of such links, and developers interested in making an application under the Policy should meet a number of pre-requisite conditions. In this regard, the applicant has clarified that they are aware of the pre-requisite conditions of the Policy, and will consider the design, construction, management and maintenance responsibilities, including any access restrictions, of any future footbridge system in consultation with EKEO and other government departments.
- 5.5 Having considered the applicant's FI in response to the Committee's concerns with no adverse departmental comments on the FI, the planning considerations and assessments as stated in paragraph 11 of MPC Paper No. A/K13/320 at **Appendix F-I** remain valid. In gist, the proposed relaxation of PR is in line with the policy initiatives to incentivize redevelopment of pre-1987 IBs to optimize utilization of the existing industrial stock and make better use of valuable land resources. The refinements made to the Proposed Scheme submitted after deferral may also be considered as additional planning and design merits to support the application.

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 26.3.2025, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members' reference:

³ The planned pedestrian footbridge system suggested by the applicant does not form part of the subject application, and is subject to agreement with the relevant departments and/or adjacent land owners.

Approval Conditions

- (a) the design and provision of vehicular access, vehicle parking, loading/unloading facilities and manoeuvring spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of a revised traffic impact assessment, and implementation of the mitigation measures, if any, identified therein, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the submission of a sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the sewerage impact assessment in condition (c) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (e) the submission of land contamination assessment in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of Director of Environmental Protection or of the Town Planning Board; and
- (f) the submission and implementation of landscape proposal from G/F to 1/F of the proposed development to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix F-VII**.

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

7. Decision Sought

- 7.1 The Committee is invited to consider the application and decide whether to grant or to 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/K13/320
Appendix F-II	Extract of minutes of the MPC meeting held on 4.9.2020
Appendix F-III	Secretary of the Board's letter dated 18.9.2020 informing the applicant of the Committee's decision
Appendix F-IV	FI vide letter received on 11.2.2021
Appendix F-V	FI vide letter received on 17.3.2021
Appendix F-VI	Similar Applications
Appendix F-VII	Recommended advisory clauses
Drawings FA-1 to FA-3	Revised G/F to 2/F Plans submitted by the applicant
Drawings FA-4 to FA-11	Plans, perspectives, elevations and illustrations showing the proposed greening submitted by the applicant
Drawings FA-12 and FA-13	Information of proposed vertical greening, rainwater harvesting, eco-irrigation systems and reference image of metal sunshades submitted by the applicant
Drawing FA-14	Greenery Provision Calculation submitted by the applicant
Plans FA-1 and FA-2	Location plans on Outline Zoning Plan and Outline Development Plan
Plan FA-3	Site Plan
Plan FA-4 and FA-5	Site photos

**PLANNING DEPARTMENT
MARCH 2021**