

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDNANCE

APPLICATION NO. A/K2/220

- Applicant** : Fortune Pacific Investment Limited represented by KTA Planning Limited
- Site** : Nos. 15-15A, 17, 19 & 23 Saigon Street, Yau Ma Tei, Kowloon
(The remaining portion of Kowloon Inland Lot (KIL) No. 8620, 8622, 8714, 8810 and 8898, and KIL No. 7861, 8405, 8825 and 9931)
- Site Area** : About 778m²
- Lease** : (a) for a term of 150 years commencing from 25.12.1888
(b) shall not be used for industrial purposes and no factory building shall be erected thereon
(c) KIL No. 9931 is subject to the restriction on offensive trade
- Plan** : Draft Yau Ma Tei Outline Zoning Plan (OZP) No. S/K2/23
- Zoning** : “Commercial” (“C”)

[restricted to a maximum plot ratio (PR) of 12.0 and a maximum building height (BH) of 110mPD]
- Application** : Proposed Composite Development with Flat, Shop and Services/Eating Place Uses

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed composite development with ‘Flat’, ‘Shop and Services’ and ‘Eating Place’ uses at 15-15A, 17, 19 and 23 Saigon Street, Yau Ma Tei, Kowloon (the Site) (**Plan A-1**). The proposed development has a total PR of 9.14 (comprising a domestic PR of 8.79 and a non-domestic PR of 0.35) and BH of 99.3mPD (at main roof). The Site falls within an area zoned “C” on the draft Yau Ma Tei OZP No. S/K2/23 (**Plan A-1**). According to the Notes of the OZP for “C” zone, ‘Flat’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board), whereas ‘Shop and Services’ and ‘Eating Place’ uses are always permitted.

- 1.2 The applicant proposes to redevelop an existing 17-storey hotel (i.e. Travelodge Kowloon) and two tenement buildings with BH of 4 and 8 storeys (**Plans A-3 to A-4**) at the Site into a 27-storey composite development with 23 storeys of residential floors (a total of 230 units) above a covered landscape and play area on 2/F and a podium comprising plant rooms on 1/F and G/F (part), retail and restaurant use on G/F (part) and car parking facilities on B/F (**Drawings A-1 to A-5**). The covered landscape and play area is about 510m² in size and a portion of the R/F of about 100m² is also proposed as communal open space (**Drawing A-6**). Separated entrances will be provided for commercial and residential uses at Saigon Street, whilst vehicular access for the whole development is at Saigon Street (**Drawing A-2**).
- 1.3 According to the applicant, the proposed scheme will provide a setback of about 1m from the lot boundary along Chi Wo Street with landscape treatment at street level (**Drawings A-2 to A-8**). Besides, residential floors (i.e. 3/F to 25/F) above the podium levels will be setback about 5m away from Saigon Street and Chi Wo Street, and about 12.75m from the western lot boundary (**Drawings A-5 and A-8**). The proposed scheme will incorporate a canopy structure (about 1m wide) along Saigon Street (**Drawing A-2**) while vertical greening features will be provided on the 1/F facade along the eastern and northern frontages and a portion of western frontage (**Drawing A-3**). The covered landscape area on 2/F will be provided with edge planters (**Drawing A-4**). The proposed scheme will achieve a greening ratio of not less than 20% of the site area.
- 1.4 The floor and sectional plans of the proposed development are shown in **Drawings A-1 to A-9**. The key development parameters of the proposed development are as follows:

Site Area (about)	778m ²
Maximum GFA (about)	Total: 7,110m ² <ul style="list-style-type: none"> Domestic GFA: 6,838m² (96.2%) Non-domestic GFA: 272m² (3.8%)
No. of flat	230 (average unit size: 29.7m ²)
Maximum PR	Total: 9.14 <ul style="list-style-type: none"> Domestic PR: 8.79 Non-domestic PR: 0.35
Building Height (Storey)	Total: 27 storeys <ul style="list-style-type: none"> Basement: 1 storey Podium: 2 storeys Podium Roof: 1 storey Residential Tower: 23 storeys Roof level: About 100m ² for communal open space use
Building Height (mPD)	99.3mPD (main roof)
Site Coverage (about)	Podium: Not more than 70% Residential: Not more than 37.5%
Greening Ratio	Not less than 20%
Communal Open Space (for residents) (about)	2/F: 510m ² R/F: 100m ²

Internal Parking Provision	
Car Parking Space	Total: 27 spaces <ul style="list-style-type: none"> • Residential: 26 spaces • Commercial: 1 space
Motorcycle Parking Space	Total: 4 spaces <ul style="list-style-type: none"> • Residential: 3 spaces • Commercial: 1 space
Loading/unloading Bay	Total: 2 spaces
Main Floor Use	
B/F	<ul style="list-style-type: none"> • Parking facilities
G/F	<ul style="list-style-type: none"> • Retail/restaurant • Lift lobby • Parking facilities • E&M
1/F	<ul style="list-style-type: none"> • Plant room
2/F	<ul style="list-style-type: none"> • Covered communal open space
3/F to 25/F	<ul style="list-style-type: none"> • Residential flats
Roof	<ul style="list-style-type: none"> • Communal open space (partial)

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

- (a) Application Form received on 9.11.2021 **(Appendix I)**
- (b) Supplementary Planning Statement with a Traffic Impact Assessment (TIA), an Environmental Assessment (EA) and a Sewerage Impact Assessment (SIA) received on 9.11.2021. **(Appendix Ia)**
- (c) Further Information (FI) received on 31.12.2021, providing responses to departmental comments, revised technical assessments and revised architectural drawings[@] **(Appendix Ib)**
- (d) FI received on 10.2.2022, providing responses to departmental comments and revised parking layout plans^{*} **(Appendix Ic)**

Remarks: [@] accepted but not exempted from publication and recounting requirements

^{*} accepted and exempted from publication and recounting requirements

1.6 Upon request from the applicant, the Metro Planning Committee (Committee) on 24.12.2021 agreed to defer making a decision on the application for a period of two months so as to allow sufficient time for preparation of FI to address departmental comments. The applicant subsequently submitted FI on 31.12.2021 (**Appendix Ib**). The application is scheduled for consideration by the Committee at this meeting.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in **Appendices I to Ic**. They can be summarised as follows:

- (a) The OZP does not reflect the current mixed use character of the area while maintaining the ‘street block zoning pattern’ with “C” zoning for the entire street block abutting Nathan Road. Despite being covered by a blanket-like “C” zoning all over the street blocks along Nathan Road, existing buildings abutting local streets such as Mau Lam Street, Saigon Street, etc. are not necessarily built for commercial uses. Commercial/residential buildings are scattered in the area, and thus creates a good mixture of uses in the surrounding area.
- (b) The PR and BH of the proposed development is in line with the OZP. The proposed composite development is compatible with its immediate surrounding area in a way that majority of the ground floor frontage will be designated for retail use (**Drawing A-2**). This arrangement helps to maintain the mixed-use neighbourhood character and will not jeopardize any opportunity for street level activities hence sustaining the vibrancy along both Saigon Street and Chi Wo Street.
- (c) According to Town Planning Board Guidelines for Designation of “Other Specified Uses” annotated “Mixed Uses” (“OU(MU)”) Zone and Application for Development within “OU(MU)” Zone Under Section 16 of the Town Planning Ordinance (TPB PG-No. 42), the Board recognises that there are merits in functionally and physically integrating different types of compatible uses within a building or over a spatial area, in particular when it helps create vitality and diversity in an area. The proposed composite building would offer the same benefit through the mixture of retail and residential uses within the development whilst providing active frontage to sustain the existing street character.
- (d) Both the Policy Addresses since 2013 and Long Term Housing Strategy (LTHS) have emphasised the need to increase land supply. The Government has been and will continue to implement measures to expedite/increase overall housing land supply. These measures include, among others, making optimal use of the developed areas in the existing urban areas and new towns. The proposed development provides opportunity to contribute to the flat production targets under the Policy Addresses and the LTHS.
- (e) The Site has good accessibility, is well served by buses and is 140m from MTR Jordon Station. The proposed development will stimulate the urban renewal process and alleviate the pressing housing needs by providing a total of 230 flats. Potential needs arising from the small residential population of the proposed development will be met by existing community facilities and services in the district. There are three similar applications in Yau Ma Tei area previously approved by the Board/Committee since 2012.
- (f) The TIA results revealed that the proposed development would not induce adverse traffic impact on the adjacent road networks. The EA Report concluded that there will be no unacceptable road traffic noise impact on the proposed development and no adverse air quality impact on the proposed development is anticipated. The existing sewerage system serving the area would be sufficient to cater for the sewage generation from the proposed development. All relevant statutory regulations will be followed to minimise potential impacts during construction phase.

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

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

4. **Background**

4.1 The Site is located within an area of Jordan with a mixture of residential, hotel and office developments, and commercial uses like shops and restaurants are commonly found on ground/lower floors of buildings (**Plan A-3**). Such development pattern is largely inherited from the former “Commercial/Residential” (“C/R”) zoning covering the Site and its neighbouring area before 1993. Upon the recommendation of the Kowloon Density Study, the “C/R” zones in Mong Kok and Yau Ma Tei areas along Nathan Road were rezoned to “C” with a PR restriction of 12 for commercial developments to reflect the Nathan Road spine as a major business and commercial/shopping centre of Hong Kong and to phase out the existing residential buildings along Nathan Road which are subject to significant noise impact. The zoning of the Site remains unchanged since then.

4.2 The maximum BH restriction for “C” zone, including the Site, was revised from 100mPD to 110mPD on the draft Yau Ma Tei OZP No. S/K2/23 published on 15.10.2021 (**Plan A-1**). The revised BH restriction of 110mPD is subject to adverse representations¹ being processed under the plan-making process. As the proposed BH under the subject application is only 99.3mPD, which is below the original BH restriction of 100mPD, consideration of the subject application by the Committee will not be affected by the subsequent decision in respect of the relevant adverse representations.

5. **Previous Application**

There is no previous application pertaining to the Site.

6. **Similar Applications**

6.1 There are three similar applications (Nos. A/K2/196, A/K2/207 and A/K2/218) for proposed composite development within “C” zone on the Yau Ma Tei OZP since 2000 (**Plan A-1** and **Appendix II**). Application No. A/K2/196 involves a 29-storey residential development with retail use on G/F and basement level and a total PR of 8.438 (7.499 for domestic PR and 0.939 for non-domestic PR) at Portland Street, Yau Ma Tei. The application was approved with conditions by the Board upon review on 3.2.2012 on the grounds that the proposed residential development was not in contravention with the planning intention of the “C” zone; the proposed residential development could increase flat supply; and the

¹ The relevant adverse representations objected to the proposed BH restriction of 110mPD for “C” zone and BH restriction of 100mPD proposed for the “Residential (Group A)” (“R(A)”) zone.

approval of the application would not set an undesirable precedent. The GBPs for the approved application was approved by the BD on 6.7.2012.

- 6.2 The last two application Nos. A/K2/207 and A/K2/218 are both related to the former site of Novotel Nathan Hotel to the north of the Site for proposed residential, office and retail development with a total PR of 12 (comprising a domestic PR of 6 and a non-domestic PR of 6) and BH of 100mPD (**Plan A-1** and **Appendix II**). The applications were approved with conditions by the Committee on 19.7.2013 and 26.2.2021 mainly on grounds that the proposed developments were considered not incompatible with the surrounding developments in land use perspective, which is mainly mixed residential and commercial in nature; and the relevant Government departments had no adverse comment. Subsequently, an application for amendment to the approved scheme (No. A/K2/218-1) was approved by the Director of Planning on 10.9.2021 under the delegated authority of the Board. Under the revised scheme, there is no change in PR, BH and permitted GFA. The GBP for the latest approved application was approved by the BD on 3.12.2021 and construction works is in progress.

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

7.1 The Site is:

- (a) bounded by Saigon Street on the north, Chi Wo Street on the east, tenement buildings on the west, and a commercial building (Place 18) and tenement buildings on the south; and
- (b) currently occupied by a 17-storey hotel (i.e. Travelodge Kowloon) with 1-level of basement providing 126 rooms which was built in 1987, and two tenement buildings respectively at 17-19 Saigon Street (4-storey) and 15-15A Saigon Street (8-storey) with building age over 60 years. The lower floors of these existing buildings are occupied by retail/restaurant/commercial uses, with entrances fronting Saigon Street.

7.2 The surrounding areas have the following characteristics:

- (a) mixed with commercial/office buildings, hotels and composite commercial/residential buildings with predominant residential uses (**Plan A-3**). Eating places, shops and service uses occupy mainly G/F and 1/F of many of the buildings;
- (b) to the north is the former site of Novotel Nathan Hotel, which is currently under construction for proposed residential and retail/office development as mentioned in paragraph 6.2;
- (c) to the east is the Diocesan Girls' Junior School and Diocesan Girls' School, and to the further west across Nathan Road is a strip of "C" zone occupied by a mix of commercial and residential developments; and

- (d) well served by various modes of public transport including buses, public light buses and taxis. The MTR Jordan Station is located about 140m south to the Site.

8. Planning Intention

The planning intention of the “C” zone is primarily for commercial developments, which may include shop, services, place of entertainment and eating place, functioning mainly as local shopping centres serving the immediate neighbourhood.

9. Comments from the Relevant Government Departments

- 9.1 The following Government departments have been consulted and their views on the application are summarised as follows:

Land Administration

- 9.1.1 Comments of the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD):

- (a) she has no objection to the application; and
- (b) the Site falls within the Remaining Portion of Kowloon Inland Lot (KIL) No. 8622, the Remaining Portion of KIL No. 8810, the Remaining Portion of KIL No. 8620, the Remaining Portion of KIL No. 8898, KIL No. 8405, the Remaining Portion of KIL No. 8714, KIL No. 8825, KIL No. 7861 and K.I.L. No. 9931 (“the Lots”) which are held under Government Leases for a term of 150 years from 25.12.1888. According to the lease conditions, the Lots shall not be used for industrial purposes and no factory building shall be erected thereon. The use of KIL No. 9931 is also subject to the restriction on offensive trade.

Traffic

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

- (a) she has no objection to the application from traffic engineering viewpoint subject to the following approval conditions:
 - (i) the submission of the consolidated TIA report (hard and soft copy for record) and implementation of traffic mitigation measures identified therein for the proposed development to the satisfaction of the C for T or the Board; and
 - (ii) the design and provision of vehicular access, vehicle parking spaces and L/UL facilities and manoeuvring spaces for the proposed development to the satisfaction of the C for T or the Board.

- (b) the applicant's attention should be drawn that C for T has the rights to impose, alter or cancel any car parking, L/UL facilities and/or any no-stopping restrictions, on all local roads to cope with the changing traffic conditions. The frontage road space would not be reserved for any exclusive uses of the subject development.

Environment

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

- (a) she considers that insurmountable environmental impact associated with the proposed development is not anticipated and she has no objection to the planning application from the environmental planning perspective;
- (b) it is noted in the response and the revised EA report that there would be further SIA and noise assessment at later/detailed design stage, upon approval of the planning application. Hence, she suggests imposing the following approval conditions should the Board decide to approve the planning application to ensure the potential noise and sewerage impact associated with the proposed development would be properly addressed:
 - (i) the submission of a Noise Impact Assessment and implementation of the noise measures identified therein for the proposed development to the satisfaction of the DEP or of the Board;
 - (ii) the submission of a SIA to the satisfaction of the DEP or of the Board; and
 - (iii) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA in planning condition above to the satisfaction of the Director of Drainage Services or of the Board.
- (c) other detailed comments are at **Appendix II**.

Urban Design and Landscape

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

Urban Design and Visual

- (a) the Site with an area of about 778m² is located at the intersection between Saigon Street and Chi Wo Street. It is situated within an area generally characterised by a mix of commercial and residential buildings with lower levels shops and restaurants. The

proposed development with proposed total PR of about 9.14 and BH of about 99.3mPD have not exceeded the maximum PR and BH stipulated for the Site. It is unlikely that the proposed development will induce any significant adverse effects on the visual character of the surrounding townscape;

- (b) retail shops/eating places are provided at G/F fronting Saigon Street. Vertical greening is proposed along Saigon Street and Chi Wo Street. Landscape treatments in the form of planters and vertical greening are provided at G/F, 1/F and 2/F and R/F. The above measures may promote visual interest and street vibrancy;
- (c) other detailed comments on the urban design and visual aspects are at **Appendix III**;

Landscape

- (d) the Site is situated in an area of city grid mixed urban landscape character, dominated by commercial and residential buildings. The Site is currently occupied by an existing hotel building and some tenement buildings without any landscape resources. The proposed development is considered not incompatible with the landscape setting in proximity;
- (e) landscape provisions such as planters on G/F at Chi Wo Street, communal open spaces with planters at 2/F & R/F, and vertical greening on building façade at 1/F are proposed to enhance the landscape quality of the development. Communal open space of not less than 598m² is proposed. Hence, she has no objection to the application from landscape planning perspective; and
- (f) the applicant is reminded of long-term commitment in providing regular and proper maintenance to the vertical greening for healthy and sustainable plant growth.

Building Matters

9.1.5 Comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD):

- (a) all building works should be subject to compliance with the Building Ordinance (BO); and
- (b) detailed comments under the BO on individual sites for private developments such as permissible plot ratio, site coverage, means of escape, emergency vehicular access, open space, barrier free access and facilities, compliance with the sustainable building design guidelines, etc. will be formulated at the building plan submission stage.

Fire Safety

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

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

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

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Chief Engineer/Mainland South, Drainage Services Department;
- (c) Chief Highway Engineer/Kowloon, Highways Department; and
- (d) District Officer (Yau Tsim Mong), Home Affairs Department (DO(YTM), HAD).

10. Public Comments Received During Statutory Publication Periods

During the statutory public inspection periods, a total of 4 public comments were received, including 1 supporting comment from the Incorporated Owners of Kim Tak Building, and 3 objecting comments from individuals. Details of the public comments are at **Appendix IV** and their views are summarised as follows:

Supporting View

- (a) there are numerous tenement buildings and buildings with building age over 50 years within Yau Ma Tei and Mong Kok. It is of importance to expedite the redevelopment process on ground of building safety;
- (b) PR should be maximised so as to facilitate timely redevelopment of the area;

Objecting Views

- (c) to tie in with the redevelopment policies mentioned in policy address and Yau Mong Study by Urban Renewal Authority, further amalgamation of the adjoining buildings, or even the entire street block, should be explored in order to achieve greater redevelopment potential;
- (d) the back lanes should also be included and utilised in order to further increase flat size, housing supply, and resolve the hygiene and security issues incidentally; and

- (e) the proposed development is too close to the adjacent schools which during construction would cause significant nuisances to the schools and local residents.

11. Planning Considerations and Assessments

- 11.1 The applicant seeks planning permission for the proposed 27-storey residential development (99.3mPD at main roof) providing a total of 230 units with retail and restaurant spaces on G/F at the Site zoned “C” on the OZP (**Drawings A-3 to A-5**). Separated access will be provided for the commercial and residential uses of the proposed composite development (**Drawing A-2**). A covered communal open space will be provided on 2/F and part of R/F (**Drawings A-4 and A-6**). The proposed maximum PR is about 9.14 including a domestic PR of 8.79 and a non-domestic PR of 0.35. While the proposed PR and BH are within the permitted level under the “C” zone, i.e. maximum PR and BH restrictions of 12 and 110mPD respectively, the proposed ‘Flat’ use, which is a Column 2 use, requires planning permission from the Board.

Planning Intention, Land Use Compatibility and Development Intensity

- 11.2 The Site falls within “C” zone on the OZP which is intended for commercial developments, which may include shop, services, place of entertainment and eating place, functioning mainly as local shopping centres serving the immediate neighbourhood. Whilst the proposed retail and restaurant uses are Column 1 uses which are always permitted for “C” zone, the proposed flat use is under Column 2 uses and is not fully in line with the planning intention of “C” zone. However, the proposed composite development for residential and retail/restaurant uses is considered not incompatible with the surrounding developments in land use perspective, which is mainly mixed commercial and residential in nature (**Plans A-3 to A-5**). Furthermore, the proposed PR of 9.14 and BH of 99.3mPD of the planning scheme are well below the maximum level permitted for the “C” zone as stipulated in the OZP. Having regard the development intensity permitted for the zone and the local development context, the proposed development is considered not unacceptable from the district planning perspectives.

Urban Design and Landscape Aspects

- 11.3 According to the applicant, the proposed scheme has incorporated a setback of 1m from the lot boundary along Chi Wo Street with provision of at-grade landscape treatment (**Drawing A-2**). Residential floors (i.e. 3/F to 25/F) above the podium levels will be setback about 5m away from Saigon Street and Chi Wo Street, and about 12.75m from the western lot boundary (**Drawings A-5 and A-8**). In this regard, CTP/UD&L, PlanD considers that the proposed development is unlikely to induce any significant adverse effects on the visual character of the surrounding townscape.
- 11.4 A canopy structure (about 1m wide) along Saigon Street has been incorporated into the proposed scheme providing weather protection to pedestrian (**Drawing A-2**). Landscape treatments in the form of planters are provided at G/F, 2/F and

R/F (**Drawings A-2, A-4 and A-6**) whilst vertical greening features are proposed on building façade at 1/F to enhance the landscape quality of the development (**Drawing A-3**). CTP/UD&L, PlanD considers that these measures will enhance landscape quality and promote visual interest and street vibrancy, and thus she has no objection to the application from landscape planning perspective.

Technical Aspects

- 11.5 The Site is situated in the inner-street along Nathan Road. Separated entrances for the retail/restaurant and residential uses are provided to prevent nuisance to the future residents (**Drawing A-2**). The EA submitted has demonstrated that insurmountable environmental impact associated with the proposed development is not anticipated. In this regard, DEP has no objection to the application from the environmental aspect subject to the incorporation of the approval conditions as set out in paragraphs 12.2(a) to (c) below.
- 11.6 The TIA submitted demonstrated that the proposed composite development will not cause adverse traffic impact to the surrounding areas. As such, C for T has no adverse comment on the application subject to the incorporation of the approval conditions as set out in paragraphs 12.2(d) and (e) below. Other relevant government departments consulted including DSD, FSD, HyD, and WSD have no adverse comments on or no objection to the application. To address the technical concerns on fire safety aspect, approval conditions under paragraph 12.2(f) below is recommended.

Similar Applications

- 11.7 There are three similar applications (Nos. A/K2/196, A/K2/207 and A/K2/218) for proposed composite commercial/residential developments within “C” zone in Yau Ma Tei area. All applications were approved with conditions by the Committee/Board between 2012 and 2021 mainly on grounds of land use compatibility and no technical concern. In particular, the last two applications involve a site to the north of the Site with the approved development under construction. The approval of the application is consistent with the previous decisions of the Committee on similar applications.

Public Comments

- 11.8 Regarding the objections raised in the public comments, the planning assessments above and the departmental comments in paragraph 9 are relevant. For the concerns on nuisances to the schools and local residents during construction, the applicant advised that all relevant statutory regulations will be followed to minimise potential impacts during construction phase.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above, and having taken into account the public comments mentioned in paragraph 10, 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 18.2.2026, 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 of a Noise Impact Assessment and implementation of the noise measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (b) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in planning condition (b) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (d) the submission of the consolidated traffic impact assessment report (hard and soft copy for record) and implementation of the traffic mitigation measures identified therein for the proposed development to the satisfaction of the Commissioner for Transport or the Town Planning Board;
- (e) the design and provision of vehicular access, vehicle parking spaces and loading/unloading facilities and manoeuvring spaces for the proposed development to the satisfaction of the Commissioner for Transport or the Town Planning Board; and
- (f) the provision of fire service installations and water supplies for firefighting 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 V**.

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

there is no strong justification in the submission for the proposed commercial/residential development and a departure from the planning intention of the "C" zone which is intended primarily for commercial development.

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 Board decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicants.

14. Attachments

Appendix I	Application Form received on 9.11.2021
Appendix Ia	Supplementary Planning Statement with Technical Assessments
Appendix Ib	FI received on 31.12.2021
Appendix Ic	FI received on 10.2.2022
Appendix II	Similar Applications
Appendix III	Detailed Departmental Comments
Appendix IV	Public Comments
Appendix V	Recommended Advisory Clauses
Drawings A-1 to A-7	Floor Plans
Drawing A-8	Section Plan
Drawing A-9	Section Plan of Vertical Greening
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Existing Use in Surrounding Area
Plans A-4 to A-5	Site Photos

**PLANNING DEPARTMENT
FEBUARY 2022**