

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K2/222

- Applicant** : Easy Eternal Limited represented by KTA Planning Limited
- Site** : 22-28 Cheong Lok Street, Yau Ma Tei, Kowloon
(Kowloon Inland Lot (KIL) Nos. 7940 and 8059)
- Site Area** : About 297m²
- Lease** : (a) for a term of 150 years from 25.12.1888
(b) shall not be used for industrial purposes and no factory building shall be erected thereon
- Plan** : Draft Yau Ma Tei (YMT) Outline Zoning Plan (OZP) No. S/K2/23
- Zoning** : “Commercial” (“C”)

[subject to the following restrictions:
(a) maximum plot ratio (PR) of 12.0
(b) maximum building height (BH) of 110mPD]
- Application** : Proposed Flat use, with permitted Shop and Services/Eating Place Uses

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed 28-storey residential development with shop/restaurant on G/F at 22-28 Cheong Lok Street, YMT, Kowloon (the Site) (**Plan A-1**). The proposed development has a total PR of 9.04 (comprising a domestic PR of 8.93 and a non-domestic PR of 0.11) and BH of 99.45mPD (at main roof level). The Site falls within an area zoned “C” on the draft YMT OZP No. S/K2/23. 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 8-storey tenement building at the Site (**Plans A-4 to A-5**). The proposed residential development consists 24 residential floors (a total of 48 units) above a 2-storey non-domestic podium with G/F mainly for shop/restaurant and parking facilities, 1/F for plant rooms,

and its roof on 2/F primarily for private communal open space (including a partly covered landscape and children play area) and a basement floor (B/F) for car parking spaces using car lift (**Drawings A-1 to A-5**). A portion on R/F of about 43m² is also proposed as a private communal open space apart from that on 2/F of about 90m² in size (**Drawing A-6**). Vehicular access is proposed at Cheong Lok Street, while separate entrances will be provided for commercial and residential uses at Chi Wo Street and Cheong Lok Street respectively (**Drawing A-2**).

- 1.3 The proposed scheme will incorporate a setback of 1.38m from the north-eastern part of the lot boundary abutting Chi Wo Street while an uncovered space for shop/restaurant use is proposed on G/F fronting Chi Wo Street (**Drawing A-2**). The podium floors (i.e. 1/F and 2/F) will set back not less than 1.3m away from the eastern and southern lot boundary (**Drawings A-3 and A-4**), while the residential floors above will set back about 5m away from Cheong Lok Street and Chi Wo Street (**Drawing A-5**). A canopy is proposed at the northern part of Chi Wo Street frontage (**Drawing A-2**). Street level landscape treatments are proposed at south-eastern and south-western corner of the Site (**Drawing A-2**), while vertical greening will be provided at part of façade on G/F and 1/F (**Drawing A-3**). The private communal open space with edge planters will be provided on 2/F and R/F facing Cheong Lok Street and Chi Wo Street (**Drawings A-4 and A-6**). 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 proposed key development parameters and floor uses of the proposed development are as follows:

Site Area (about)	297m ²
Maximum GFA (about)	Total: 2,686.2m ² • Domestic GFA: 2,653m ² (98.8%) • Non-domestic GFA: 33.2m ² (1.2%)
No. of Flat	48 (average unit size: 55.3m ² in GFA)
Maximum PR	Total: 9.04 • Domestic PR: 8.93 • Non-domestic PR: 0.11
Building Height (storey)	Total: 28 storeys • Basement: 1 storey • Podium: 2 storeys • Podium Roof: 1 storey • Residential Tower: 24 storeys
Building Height (mPD)	99.45mPD (main roof)
Site Coverage (about)	Not more than 37.5%
Greening Ratio	Not less than 20%
Private Communal Open Space (about)	2/F: 90m ² R/F: 43m ²
Parking Facilities	
Car Parking Space	9 spaces for residents (including 1 space for visitor/disabled parking)

Motorcycle Parking	1 space for residents
Loading/unloading (L/UL) Bay	1 space
Main Floor Uses	
B/F	<ul style="list-style-type: none"> • Parking facilities • Plant rooms
G/F	<ul style="list-style-type: none"> • Retail/restaurant • Residential lobby • Parking spaces and L/UL bays • E&M
1/F	<ul style="list-style-type: none"> • Plant rooms
2/F	<ul style="list-style-type: none"> • Covered landscape and children play area
3/F to 26/F	<ul style="list-style-type: none"> • Residential flats
Roof	<ul style="list-style-type: none"> • Private communal open space • Refuge floor

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

- (a) Application Form received on 29.4.2022 (Appendix I)
- (b) Supplementary Planning Statement with Traffic Impact Assessment (TIA), Environmental Assessment (EA), and Sewerage Impact Assessment (SIA) (Appendix Ia)
- (c) Further Information (FI) received on 9.6.2022, providing responses to departmental comments, revised technical assessments and updated floor and section plans* (Appendix Ib)
- (d) FI received on 15.6.2022, providing an updated floor plan and a canopy structural plan* (Appendix Ic)

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

* accepted and 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 **Appendices I to Ic**. They can be summarised as follows:

- (a) Commercial/residential buildings are scattered in the area, and thus creates a good mixture of uses in the surrounding area. The proposed residential development is in line with the OZP PR and BH restrictions, and 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**). The proposed development helps to maintain the mixed-use neighbourhood character and will not jeopardize any opportunity for street level activities hence sustaining the vibrancy along Chi Wo Street.
- (b) The proposed composite building would offer the same benefit similar to the merits identified in 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), through the mixture of retail and residential uses within the development whilst providing active frontage to sustain the existing street character.

- (c) Both the Policy Addresses since 2013 and Long Term Housing Strategy (LTHS) have emphasised the need to increase land supply. The proposed development provides opportunity to contribute to the flat production targets under the Policy Addresses and the LTHS.
- (d) The Site has good accessibility, is well served by buses and is 140m away from MTR Jordan Station. The proposed development will stimulate the urban renewal process and alleviate the pressing housing needs by providing a total of 48 flats. Potential needs on community facilities arising from the small residential population of the proposed development will be met by existing provision in the district. There are four similar applications in YMT area previously approved by the Board/Committee since 2012.
- (e) The traffic and pedestrian flow surveys of the TIA were conducted on 8.9.2021 and 10.12.2021 respectively, where no public events, school suspension/holiday or work-from-home arrangement were announced by the Government on that day. The TIA revealed that the proposed development would not induce adverse traffic impact on the adjacent road networks. The EA Report concluded that no unacceptable road traffic noise nor air quality impact on the proposed development is anticipated. The existing sewerage system serving the area would be sufficient to cater for 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 one of the “current land owners” and 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 request for consent to the “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 YMT 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 YMT OZP No. S/K2/23 published on 15.10.2021 (**Plan A-1**). The revised BH restriction of 110mPD is subject to adverse representations¹ and were considered by the Board on 27.5.2022. On 27.5.2022, the Board decided not to uphold the adverse representations.

5. **Previous Application**

There is no previous application pertaining to the Site.

6. **Similar Applications**

- 6.1 There are four similar applications (Nos. A/K2/196, A/K2/207, A/K2/218 and A/K2/220) for proposed composite development within “C” zone on the YMT 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. 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 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 Planning applications Nos. A/K2/207 and A/K2/218 are both related to a site at 348 Nathan Road 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.

¹ There are two relevant adverse representations objected to the relaxation of BH restriction from 100mPD to 110mPD for “C” zone, including proposed further relaxation of BHR to between 130mPD and 180mPD and the other objecting to the relaxation.

- 6.3 The last application No. A/K2/220 situates to the north of the Site within the same street block at 15-15A, 17, 19 and 23 Saigon Street for proposed residential, retail/eating place development with 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 (**Plan A-1** and **Appendix II**). The application was approved with conditions by the Committee on 18.2.2022 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.

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

7.1 The Site is:

- (a) bounded by a tenement building (i.e. 13 Chi Wo Street) on the north, Chi Wo Street on the east, Cheong Lok Street on the south, and a commercial building (i.e. Place 18) on the west; and
- (b) currently occupied by a 8-storey tenement building (i.e. 22-28 Cheong Lok Street) with building age of 60 years. According to the Occupation Permit dated 4.4.1962 issued by the Building Authority, a total of 28 units were provided within the subject tenement building. The G/F of the subject building is occupied by a restaurant and clinic, with frontages towards Cheong Lok 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 are mainly accommodated within G/F and 1/F of these buildings;
- (b) there are two sites to the north, which are subject of similar application Nos. A/K2/218 and A/K2/220 for proposed residential and retail/office/eating place developments as mentioned in paragraphs 6.2 and 6.3 above;
- (c) to the south across Cheung Lok Street are hotel and C/R developments, 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 Jordon 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) no objection to the application; and
- (b) the Site falls within KIL Nos. 7940 and 8059 (“the Lots”) which are held under Conditions of Re-grant Nos. 6430 and 6814 respectively for a term of 150 years from 25.12.1888. The leases restrict that the Lots shall not be used for industrial purposes and no factory building shall be erected thereon.

Traffic

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

- (a) no objection to the application from traffic engineering viewpoint subject to the incorporation of following approval conditions:
 - (i) the implementation of traffic mitigation measures identified in the TIA 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 should be advised 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) having reviewed the EA and SIA for the application, she considers that insurmountable environmental impact associated with the proposed development is not anticipated, and thus she has no objection to the application from the environmental planning perspective;
- (b) since the existing buildings at the Site will be demolished for the proposed development, the applicant should minimise the generation of construction and demolition (C&D) materials; reuse and recycle the C&D materials on-site as far as possible; and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development; and
- (c) it is noted in the response-to-comments that the applicant intends to address the outstanding comments on the EA and SIA in future submissions upon approval of the application. To ensure the potential noise and sewerage impact associated with the proposed development would be properly addressed, the following approval conditions should be imposed should the Board decides to approve the application:
 - (i) the submission of a revised 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 revised 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 revised SIA in planning condition above to the satisfaction of the Director of Drainage Services or of the Board.
- (d) other detailed comments are set out at **Appendix III**.

Drainage

9.1.4 Comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD):

it is noted the hydraulic assessment for public sewers is proposed to be conducted in later stage. The project proponent shall undertake the necessary mitigation measures identified, if any.

Urban Design and Landscape

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

Urban Design and Visual

- (a) the Site is situated within an area generally characterised by a mix of commercial and residential buildings with shops and restaurants at the lower floors. The proposed development would not exceed 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 shop/eating place is provided at G/F fronting Chi Wo Street. Vertical greening is proposed along Cheong Lok Street and Chi Wo Street. A section of canopy is provided along Chi Wo Street. Landscape treatments in the form of planters and vertical greenings are provided at G/F, 1/F, 2/F and R/F. The above measures may promote visual interest, pedestrian comfort and street vibrancy;
- (c) the proposed development abuts a back lane. Appropriate design measures along the building's facade, such as mural and lighting installation, may improve pedestrian experience along the lane;

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 a tenement building 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 and Cheong Lok Street, private communal open spaces with planters at 2/F and R/F, and vertical greening on building façade at G/F and 1/F, are proposed to enhance the landscape quality of the development. Hence, she has no comment on the application from landscape planning perspective; and
- (f) the applicant is reminded that approval of the application does not imply approval of the site coverage of greenery requirements under APP PNAP-152 and/or under the lease. The site coverage of greenery calculation should be submitted separately to Building Department (BD) for approval.

Building Matters

9.1.6 Comments of the Chief Building Surveyor/Kowloon (CBS/K), BD:

- (a) he has no objection to the application;
- (b) the site area, and its boundaries and dimensions should be justified at building plan submission stage. Existing street/lane should be excluded from site area for the purpose of site coverage and PR calculations (B(P)R 23(2)(a) refers);
- (c) all building works should be subject to compliance with the Building Ordinance (BO); and
- (d) detailed comments under the BO on individual sites for private developments such as permissible PR, 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

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

- (a) 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 proposal, which involves food and beverage, will require the application for licenses under Cap. 132 X Food Business Regulation. The applicant is advised to observe the relevant licensing requirement.

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

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

10. Public Comments Received During Statutory Publication Period

During the statutory public inspection period, a total of 6 public comments were received, including 2 supporting comments from the Incorporated Owners of Tak Wai Building (the residential building opposite to the Site) and an individual, and 4

comments from a tenant of the subject building and other individuals expressing concerns on/objecting to the application. Details of the public comments are at **Appendix IV** and their views are summarised as follows:

Supporting Views

- (a) the proposed development is in line with planned developments in the vicinity and beneficial to the area. There are many community facilities in the area and thus the Site is more suitable for residential use;

Objecting Views/Concerns

- (b) existing tenants, elderly and low-income families residing in the subject building would encounter financial difficulty for rehousing and relocation, especially amidst the current pandemic situation;
- (c) relevant assessment should be conducted to ensure building safety. The manoeuvring space at basement carpark level is limited and there are concerns on vehicular accessibility and fire safety at basement level;
- (d) the times and dates selected for the TIA could not reflect the actual traffic and pedestrian flows prior to the pandemic period. Cheong Lok Street should not be blocked to avoid adverse traffic impact;
- (e) not in line with government policy to increase housing supply as fewer residential flats would actually be provided when compared to the existing building. The housing supply should be increased; and
- (f) the Site is in proximity to residential and hotel developments, and environmental nuisances should be minimised during the construction stage.

11. Planning Considerations and Assessments

- 11.1 The applicant seeks planning permission for a proposed 28-storey residential development (99.45mPD at main roof level) providing a total of 48 units with shop/restaurant on G/F at the Site zoned “C” on the OZP (**Plan A-1** and **Drawings A-2** and **A-5**). Separate accesses will be provided for the commercial and residential portions of the proposed development (**Drawing A-2**). Private communal open space will be provided on 2/F and R/F (**Drawings A-4** and **A-6**). The proposed maximum PR is about 9.04 including a domestic PR of 8.93 and a non-domestic PR of 0.11. While the proposed PR and BH do not exceed the respective restrictions 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, such as shop, services, place of entertainment and eating place.

Whilst the proposed shop/restaurant are always permitted in “C” zone, the proposed ‘Flat’ use may not be fully in line with the planning intention of “C” zone. However, from land use perspective, the proposed residential development with retail/restaurant on G/F is considered not incompatible with the surroundings, which is mainly mixed commercial and residential in nature (**Plans A-3 to A-5**). There were also three similar applications in the vicinity previously approved by the Committee. Having regarded the development intensity permitted for the zone and the local planning 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 about 1.38m from the north-eastern part of the lot boundary abutting Chi Wo Street (**Drawing A-2**). The podium levels will be set back for about 1.3m away from the lot boundary (**Drawings A-3 and A-4**), and the residential floors above will be set back about 5m away from Cheong Lok Street and Chi Wo Street (**Drawing A-5**). 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 is provided at the northern part of Chi Wo Street frontage (**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 part of the building facade at G/F and 1/F, providing greenery area not less than 20% of the site area to enhance the landscape quality of the development (**Drawing A-3**). CTP/UD&L, PlanD considers that these measures would promote visual interest, pedestrian comfort and street vibrancy.

Technical Aspects

- 11.5 The Site is situated in the inner-street along Nathan Road. Separate 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 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 four similar applications (Nos. A/K2/196, A/K2/207, A/K2/218 and A/K2/220) for proposed composite commercial/residential developments within “C” zone in YMT area. All applications were approved with conditions by the Committee/Board between 2012 and 2022 mainly on grounds of land use compatibility and no technical concern. The approval of the application is consistent with the previous decisions of the Committee on similar applications.

Public Comments

- 11.8 Regarding the objections/concerns raised in the public comments, the planning assessments above and the departmental comments in paragraph 9 are relevant. Regarding concerns on environmental nuisances to the adjacent residential flats and hotels 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 24.6.2026, 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 revised 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 revised 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 revised 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 implementation of the traffic mitigation measures identified in the Traffic Impact Assessment 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:

the proposed development is not in line with the planning intention of the "C" zone, which is intended primarily for commercial development. There is no strong planning justification in the submission for a departure from such planning intention.

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 applicants.

14. Attachments

Appendix I	Application Form received on 29.4.2022
Appendix Ia	Supplementary Planning Statement with Technical Assessments
Appendix Ib	FI received on 9.6.2022
Appendix Ic	FI received on 15.6.2022
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	Typical Section of Vertical Greening
Drawing A-10	Canopy Structural Detail
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Existing Use in Surrounding Areas
Plans A-4 to A-5	Site Photos

**PLANNING DEPARTMENT
JUNE 2022**