

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K2/223

- Applicant** : Fortune Pacific Investment Limited represented by KTA Planning Limited
- Site** : 15-15A, 17, 19 and 23 Saigon Street, 13 Chi Wo Street, 22-28 Cheong Lok Street and adjoining Government Land, Yau Ma Tei, Kowloon
- Site Area** : About 1,305m²
- Lease** : Kowloon Inland Lot (KIL) Nos. 9931, 7861, 8825, 8714 R.P., 8405, 8898 R.P., 8620 R.P., 8810 R.P., 8622 R.P., 8221, 8059, 7940 (about 88%)
(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
(c) KIL 9931 is subject to the restriction on offensive trade

Government Land (GL) (about 12%)
- Plan** : Approved Yau Ma Tei (YMT) Outline Zoning Plan (OZP) No. S/K2/24
- Zoning** : “Commercial” (“C”)
[Restricted to a maximum plot ratio (PR) of 12.0 and a maximum building height (BH) of 110 metres above the Hong Kong Principal Datum (mPD)]
- Application** : Proposed Flat with permitted Shop and Services/Eating Place

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed 32-storey residential development with shops/restaurants on G/F at the application site (the Site) (**Plan A-1**). The proposed development has a total PR of 10.126 (comprising a domestic PR of 9.747 and a non-domestic PR of 0.379) and BH of 110mPD (at main roof level). The Site falls within an area zoned “C” on the approved YMT OZP No. S/K2/24. 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 hotel (known as Travelodge Kowloon) together with neighbouring tenement buildings with BH of 4 and 8

storeys (**Plans A-4 to A-5**) at the Site into a 32-storey residential development with 27 storeys of residential floors (a total of 303 units) above a landscape and play area (mainly covered) on 2/F and a podium comprising clubhouse on 1/F (part), retail and restaurant uses on G/F (part), and car parking facilities on B1/F and B2/F (**Drawings A-1 to A-8**). The covered landscape and play area is about 788m² in size (**Drawing A-5**). Separated entrances will be provided for commercial and residential uses at Saigon Street, whilst vehicular access for the whole development is at Cheong Lok Street (**Drawings A-3 and A-4**).

- 1.3 The proposed scheme will incorporate a setback of 1m from the lot boundary abutting Saigon Street and a setback of 3m from the lot boundary abutting Chi Wo Street (**Drawing A-3**). A recessed corner is proposed at G/F to 2/F at the corner of Saigon Street and Chi Wo Street (**Drawings A-3 to A-5**). Canopies are proposed at the podium façades along Saigon Street and the northern part of Chi Wo Street (**Drawings A-4 and A-5**). Street level landscape treatment is proposed along part of the Chi Wo Street frontage (**Drawing A-3**), while vertical greening will be provided at northern and north-eastern part of the façade on G/F to 2/F (**Drawings A-3 to A-5**). The private communal open space with edge planters will be provided on 2/F (**Drawing A-5**). The proposed scheme will achieve a greening ratio of about 22% of the site area.
- 1.4 The floor and sectional plans of the proposed development are shown in **Drawings A-1 to A-10**. The proposed key development parameters and floor uses of the proposed development are as follows:

Site Area (about)	1,305m ²
Maximum GFA (about)	Total: 13,215m ² • Domestic GFA: 12,720m ² (96.3%) • Non-domestic GFA: 495m ² (3.7%)
No. of Flats	303 (average unit size: 42m ² in GFA)
Maximum PR	Total: 10.126 • Domestic PR: 9.747 • Non-domestic PR: 0.379
No. of storeys	Total: 32 storeys • Basement: 2 storeys • Podium: 2 storeys • Podium Roof: 1 storey • Residential Floor: 27 storeys (including a refuge floor)
BH	110mPD (main roof)
Site Coverage (SC) (about)	81% (below 15m) 40% (above 15m)
Private Communal Open Space (about)	788m ²
Parking Facilities	
Car Parking Spaces	35
Motorcycle Parking	5
Loading/unloading (L/UL) Bays	2

Main Floor Uses	
B1/F to B2/F	• Parking facilities
G/F	• Retail/restaurant • L/UL bays
1/F	• Residential lobby • Club house
2/F	• Landscape and children play area (mainly covered) • Caretakers' office • Owners' committee office
3/F to 29/F	• Residential flats • Refuge floor at 11/F

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

- (a) Application Form received on 2.12.2022 (Appendix I)
- (b) Supplementary Planning Statement received on 2.12.2022 (Appendix Ia)
- (c) Further Information (FI) received on 30.12.2022[@] (Appendix Ib)
- (d) FI received on 31.1.2023* (Appendix Ic)
- (e) FI received on 9.2.2023* (Appendix Id)

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 Id**. They can be summarised as follows:

- (a) Commercial/residential (C/R) 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 PR and BH restrictions under the OZP, 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-3**). The proposed development helps 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.
- (b) The proposed 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 by providing a total of 303 flats. The proposed development has amalgamated various small lots of land and the under-utilised

service lanes to form a larger development site, which allow for a more efficient use of land and increase flat production.

- (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. 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 five similar applications in YMT area previously approved by the Board/Committee since 2012.
- (e) The Traffic Impact Assessment (TIA) revealed that the proposed development would not induce adverse traffic impact on the adjacent road networks and pedestrian flow. The Environmental Assessment (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 environmental impacts during construction phase and operation of the proposed development.
- (f) The proposed development will comply with relevant sections of PNAP APP-151 and 156, particularly on Residential Thermal Transfer Values and limitation on external reflectance of glass forming the building envelope of residential building.
- (g) The Applicant may consider reviewing the possibility of providing a canopy of 1.5m wide along Saigon Street, and canopies for building edges fronting Chi Wo Street and Cheong Lok Street, subject to approval by the Building Authority.
- (h) Comparing to the permitted commercial uses (e.g. office and hotel) at the Site, it is anticipated that the proposed development would induce less people/patrons during day time period thereby creating less impacts within the area (e.g. security, privacy and usage of ancillary facilities).

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 notifying the “current land owners”. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification” Requirements are not applicable for the GL involved in the Site.

4. Background

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 “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.

5. Previous Applications

The Site covers two previous applications (Nos. A/K2/220 and A/K2/222) (**Plan A-1** and **Appendix II**). Application No. A/K2/220 (which covers the northern portion of the Site) was submitted by the same applicant for the same uses, while Application No. A/K2/222 (which covers the southern portion of the Site) was submitted by a different applicant for the same uses. Both applications were approved with conditions by the Committee on 18.2.2022 and 24.6.2022 respectively mainly on the 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. The current application involves amalgamating the two sites under previous approved applications (Nos. A/K2/220 and A/K2/222) as well as a small site and two scavenging lanes (on GL) sandwiched in-between (**Plan A-2**).

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 the “C” zone on YMT OZP since 2000 (**Plan A-1** and **Appendix III**). 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 Buildings Department (BD) on 6.7.2012.
- 6.2 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 III**). The applications were approved with conditions by the Committee on 19.7.2013 and 26.2.2021 respectively mainly on the grounds that the proposed developments were considered not incompatible with the surrounding developments in land use perspective; 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 BD on 5.8.2022 and the associated 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, Cheong Lok Street on the south, and a commercial building (i.e. Place 18) and tenement buildings on the west; and
- (b) currently occupied by a 17-storey hotel (Travelodge Kowloon) built in 1987, some multiple tenement buildings namely 15-15A Saigon Street (8-storey), 17 and 19 Saigon Street (4-storey), 13 Chi Wo Street (4-storey) and 22-28 Cheong Lok Street (8-storey) with building age over 60 years, and two scavenging lanes on GL. The lower floors of these existing buildings are occupied by retail/ restaurant/commercial uses, with entrances fronting Saigon Street, Chi Wo Street and Cheong Lok Street.

7.2 The surrounding areas have the following characteristics:

- (a) mixed with commercial buildings, hotels and composite C/R buildings with predominantly residential uses (**Plan A-3**). Shops and eating places are mainly accommodated within G/F and 1/F of these buildings;
- (b) to the north is a proposed residential and retail/office development under construction as mentioned in paragraph 6.2 above;
- (c) to the south across Cheong 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 C/R developments; and
- (d) well served by various modes of public transport including franchised buses and public light buses. MTR Jordan Station is located about 140m to the south of 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;
- (b) the Site comprises KIL No. 9931, KIL No. 7861, KIL No. 8825, Remaining Portion of KIL No. 8714, KIL No. 8405, Remaining Portion of KIL No. 8898, Remaining Portion of KIL No. 8620, Remaining Portion of KIL No. 8810, Remaining Portion of KIL No. 8622, KIL No. 8221, KIL No. 8059 and KIL No. 7940 (“the lots”) and two pieces of adjoining government land which are being used as scavenging lanes;
- (c) the lots concerned are held under respective Government Leases or Conditions of Regrant for a term of 150 years commencing 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; and
- (d) as the proposed composite development involves additional government land, if the application is approved by the Board, the lots owner(s) are required to apply to LandsD for a land exchange to implement the proposal. However, there is no guarantee that the application will be approved. Such application, if received, will be considered by LandsD acting in the capacity as a landlord at its sole discretion. If the application is approved, it will be subject to such terms and conditions including, among others, the payment of premium and administrative fee as may be imposed by LandsD.

Traffic

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

- (a) no comment from traffic engineering point of view and the following approval conditions should be imposed should the Board decide to approve the application:
 - (i) the implementation of traffic mitigation measures identified in the TIA for the proposed development to the satisfaction of C for T or of the Board; and
 - (ii) 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 C for T or of the Board.

9.1.3 Comments of the Chief Highway Engineer/Kowloon (CHE/K), HyD:

- (a) no objection to the application and
- (b) other detailed comments are set out at **Appendix IV**.

Environment

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

- (a) insurmountable environmental impacts arising from the proposed development are not anticipated and he has no objection to the application from environmental perspective;
- (b) considering that the development may have potential changes afterwards and to address the outstanding sewerage and noise issue of the proposed development, the following approval conditions are suggested to be imposed should the Board decide to approve the subject planning application:
 - (i) the submission of a revised Sewerage Impact Assessment (SIA) to the satisfaction of DEP or of the Board;
 - (ii) the implementation of the local sewerage upgrading/sewerage connection works identified in the revised SIA to the satisfaction of the Director of Drainage Services or of the Board; and
 - (iii) the submission of a revised Noise Impact Assessment and implementation of the noise measures identified therein for the proposed development to the satisfaction of DEP or of the Board.
- (c) other detailed comments are set out at **Appendix IV**.

Drainage

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

- (a) no comment from sewerage planning perspective; and
- (b) the site location originally is the building development instead of grassland so the surface runoff shall be same as before. Therefore there is no impact at the existing drainage system arising from the proposed development.

Urban Design and Landscape

9.1.6 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) various building and architectural design features have been proposed as summarised in paragraph 1.3 above. Besides, the scavenger lane along the western site boundary would remain as a continuous passageway connecting to Cheong Lok Street. The above measures/features may promote street vibrancy, permeability, visual interest and pedestrian comfort and enable an efficient site configuration; and
- (c) other detailed comments are set out at **Appendix IV**;

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 at-grade planter on G/F at Chi Wo Street, communal open space with planters at 2/F and vertical greening at Saigon Street and Chi Wo Street from G/F to 2/F, are proposed to enhance the landscape quality of the development. Hence, she has no comment to the application from landscape planning perspective; and
- (f) the applicant is reminded that approval of the application under s.16 of Town Planning Ordinance does not imply approval of the SC of greenery requirements under APP PNAP-152 and/or under the lease. The SC of greenery calculation should be submitted separately to BD for approval. Similarly for any proposed tree preservation/removal scheme and compensatory planting proposal, the applicant should approach relevant authority direct to obtain necessary approval as appropriate.

Building Matters

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

- (a) no objection to the application;

- (b) pursuant to regulation 23(2)(a) of Building (Planning) Regulations (B(P)R), street including lanes should be excluded from site area for the purpose of SC and PR calculations unless exempted;
- (c) all building works should be subject to compliance with the Buildings Ordinance (BO); and
- (d) detailed comments under the BO on individual sites for private developments such as PR, SC, means of escape, emergency vehicular access (EVA), 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

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

- (a) no comment on the application subject to water supplies for firefighting and fire service installations being provided to the satisfaction of the D of FS;
- (b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans or referral of application via relevant licensing authority; and
- (c) the EVA provision in the captioned work shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by BD.

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

- (a) Chief Engineer/Construction Division, Water Supplies Department (CE/CD, WSD); and
- (b) District Officer (Yau Tsim Mong), Home Affairs Department.

10. Public Comments Received During Statutory Publication Period

During the statutory public inspection period, a total of six public comments were received from Diocesan Girls' School, Diocesan Girls' Junior School, and individuals expressing concerns on/objecting to the application (**Appendix V**). Their views are summarized as follows:

- (a) there are concerns on rehousing and relocation of existing tenants of the subject building;
- (b) traffic mitigation measures should be incorporated to minimise traffic impact to the area. Local drainage system should be improved to enhance drainage capacity.

Nuisances and environmental impacts should be minimised during the construction stage and after completion; and

- (c) there are concerns on the excessive development intensity, and insufficient provision of canopy and greenery. Adequate community facilities should be provided to meet the local needs.

11. Planning Considerations and Assessments

- 11.1 The applicant seeks planning permission for a proposed 32-storey residential development (110mPD at main roof level) providing a total of 303 domestic units with shop and services/eating place on G/F at the Site zoned “C” on the OZP (**Plan A-1** and **Drawings A-3 to A-10**). Separate accesses will be provided for the commercial and residential portions of the proposed development (**Drawings A-3 to A-4**). Private communal open space will be provided on 2/F (**Drawing A-5**). The proposed maximum PR is about 10.126 including a domestic PR of 9.747 and a non-domestic PR of 0.379. 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 and Land Use Compatibility

- 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 and services/eating place uses 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 C/R in nature (**Plans A-3 to A-5**). There were also two previous and three similar applications in its vicinity which were previously approved by the Committee/Board. 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 will incorporate a setback of 1m from the lot boundary abutting Saigon Street and a setback of 3m from the lot boundary abutting Chi Wo Street (**Drawing A-3**). A recessed corner is proposed at G/F to 2/F at the corner of Saigon Street and Chi Wo Street (**Drawings A-3 to A-5**). Canopies are also proposed along the Saigon Street and the northern part of Chi Wo Street podium façades (**Drawings A-4 and A-5**). Regarding landscaping, street level landscape treatment is proposed along part of the Chi Wo Street frontage (**Drawing A-3**), while vertical greening will be provided at northern and north-eastern part of the façade on G/F to 2/F (**Drawings A-3 to A-5**). Edge planters will also be provided on the private communal open space on 2/F (**Drawing A-5**). CTP/UD&L, PlanD considers that these measures may promote

street vibrancy, permeability, visual interest and pedestrian comfort and enable an efficient site configuration.

Technical Aspects

- 11.4 The Site is situated in the inner-street along Nathan Road. The EA submitted by the applicant 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. The TIA 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. To address FSD's concerns on fire safety aspect, approval conditions under paragraph 12.2(f) below is recommended. Entrances to the commercial and residential portions are also separated in order to prevent nuisance to future residents (**Drawings A-3 to A-4**). Other relevant government departments consulted including DSD, HyD, and WSD have no adverse comments on or no objection to the application.

Previous and Similar Applications

- 11.5 The Site covers two previous applications (Nos. A/K2/220 and A/K2/222) applied for same uses and there are three similar applications (Nos. A/K2/196, A/K2/207 and A/K2/218) for proposed composite C/R developments within "C" zone in Yau Ma Tei area. All applications were approved with conditions by the Committee/Board between 2012 and 2022 mainly on the grounds of land use compatibility and no technical concern. In particular, the similar approved application No. A/K2/218 involving another site to the north is already under construction. The approval of the application is consistent with the previous decisions of the Committee on previous and similar applications.

Public Comments

- 11.6 Regarding the concerns raised in the public comments, the planning assessments above and the departmental comments in paragraph 9 are relevant.
- 11.7 Regarding the concerns on provision of community facilities, the existing and planned provision of major GIC facilities are generally adequate to meet the demand of the planned population in the YMT Planning Area (the Area) in accordance with Hong Kong Planning Standard and Guidelines and the concerned bureaux/departments' assessments, except some social welfare facilities. The Government has been adopting a multi-pronged approach with long, medium and short-term strategies to identify suitable sites or premises for the provision of more welfare services, so as to meet the ongoing welfare service needs of the Area.
- 11.8 The applicant will follow all relevant statutory regulations and practice notes to minimise potential nuisances and environmental impacts arising from the proposed development.

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 17.2.2027, 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 Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (b) the implementation of the local sewerage upgrading/sewerage connection works identified in the revised Sewerage Impact Assessment in planning condition (a) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (c) 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;
- (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 VI**.

- 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 2.12.2022
Appendix Ia	Supplementary Planning Statement with Technical Assessments
Appendix Ib	Further Information received on 30.12.2022
Appendix Ic	Further Information received on 31.1.2023
Appendix Id	Further Information received on 9.2.2023
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Detailed Departmental Comments
Appendix V	Public Comments
Appendix VI	Recommended Advisory Clauses
Drawings A-1 to A-8	Floor Plans
Drawing A-9 to A-10	Section Plans
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
FEBRUARY 2023**