

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/KC/478**

<b><u>Applicant</u></b>	:	Broad Success Limited represented by KJL Limited
<b><u>Site</u></b>	:	7-13 Lam Tin Street, Kwai Chung
<b><u>Site Area</u></b>	:	About 836m <sup>2</sup>
<b><u>Lease</u></b>	:	Lot No. 300 in D.D. 444 (a) held under New Grant No. 3984 dated 17.4.1963 (b) to be expired on 30.6.2047 (c) for industrial purposes excluding offensive trades
<b><u>Plan</u></b>	:	Draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/29
<b><u>Zoning</u></b>	:	“Other Specified Uses” annotated “Business” (“OU(B)”) (a) maximum plot ratio (PR) of 9.5 (b) maximum building height (BH) of 130 metres above Principal Datum (mPD) (c) minimum 4m-wide non-building area (NBA) from the lot boundary abutting Lam Tin Street
<b><u>Application</u></b>	:	Proposed Minor Relaxation of PR Restriction for Permitted Non-Polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods)

**1. The Proposal**

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 9.5 to 11.4 (+20%) for a proposed redevelopment at 7-13 Lam Tin Street (the Site), which falls within an area zoned “OU(B)” on the draft Kwai Chung OZP No. S/KC/29 (**Plan A-1**). The Site is currently occupied by an existing 9-storey industrial building (IB) constructed before 1987 (pre-1987 IB)<sup>1</sup>. The proposal is to redevelop the Site into an IB of about 113.5mPD in height for permitted non-polluting industrial use. According to Schedule II for industrial or industrial-office (I-O) building under the Notes for “OU(B)” zone of the OZP, ‘Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods)’ is a Column 1 use, which is always permitted. Minor relaxation of the PR restriction may be considered by the Town Planning Board (the Board) under section 16 of the Town Planning Ordinance (the Ordinance).

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<sup>1</sup> The Occupation Permit (OP) for the subject demolished IB on the Site was issued on 15.6.1972.

- 1.2 The proposed IB has a total of 19 storeys for non-polluting industrial workshops. The pedestrian entrance and vehicular access are proposed at Lam Tin Street (**Drawing A-1**). Carparking and loading/unloading (L/UL) facilities are located at G/F and 1/F served by car lifts (**Drawings A-1** and **A-2**). To cater for long-term road widening proposal and improve air ventilation, the proposed development has incorporated a full-height NBA of not less than 4m-wide along Lam Tin Street as required under the OZP (**Plan A-2** and **Drawing A-1**). The NBA would mainly be hard paved to form a public footpath with a planter of about 2.5m-wide for greenery at its southern end (**Drawings A-1, A-11** and **A-12**).
- 1.3 Landscape proposals, including vertical greening on building façade of G/F to 2/F facing Lam Tin Street, planters on 1/F, 3/F and 9/F, and roof greenery, are proposed (**Drawings A-1 to A-4, A-6, A-8, A-10 to A-12**). A total greenery of about 20.1% (about 168m<sup>2</sup>) is proposed for the development (**Drawing A-10**). A continuous canopy of 1.2m in width at spilt-level is proposed along Lam Tin Street frontage for weather protection (**Drawings A-10 to A-12**). Recycling water system for irrigation of the vertical greening will be explored at detailed design stage.
- 1.4 Floor plans, section plans and photomontages submitted by the applicant are shown at **Drawings A-1 to A-12**. Major development parameters of the proposed scheme are summarised as follows:

Major Development Parameters	Proposed Scheme
Proposed Use	Workshops (for non-polluting industrial use)
Site Area <sup>[1]</sup>	About 836m <sup>2</sup>
Maximun PR	11.4
Non-domestic Gross Floor Area (GFA)	About 9,531m <sup>2</sup>
Site Coverage (SC)	G/F to 2/F: Not more than 92% 3/F to 8/F: Not more than 80% 9/F to 18/F: Not more than 65%
No. of Storeys	19
BH (at main roof level)	About 113.5mPD
Parking & L/UL Spaces (G/F & 1/F) <ul style="list-style-type: none"> <li>Private Car</li> <li>Motorcycle</li> <li>Light Goods Vehicle</li> <li>Heavy Goods Vehicle</li> </ul>	16 (including an accessible parking space) 2 5(L/LU: 3) 3(L/UL: 1)
NBA under OZP	4m full-height along Lam Tin Street
Greenery Provision	20.1% (about 168m <sup>2</sup> )
Anticipated Year of Completion	2025

Note:

[1] The site area includes the area designated for NBA along Lam Tin Street as required under OZP.

[2] The applicant does not intend to claim the bonus PR under the Building (Planning) Regulation 22(2) for dedication land/area for the purpose of building setbacks.

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

- (a) Application form received on 3.9.2021 (Appendix I)
- (b) Supporting Planning Statement (SPS) with Traffic Impact Assessment (TIA), Environmental Assessment (EA) and Sewerage Impact Assessment (SIA) (Appendix Ia)
- (c) Further Information (FI) received on 28.12.2021 providing responses to departmental comments, including revised TIA and SIA<sup>#</sup> (Appendix Ib)
- (d) FI received on 4.1.2022 providing revised drawings\* (Appendix Ic)
- (e) FI received on 31.1.2022 providing responses to departmental comments, including revised SIA and revised drawings<sup>#</sup> (Appendix Id)
- (f) FI received on 10.2.2022 providing responses to departmental comments, including supplementary information on TIA and technical clarifications\* (Appendix Ie)
- (g) FI received on 4.4.2022 providing response to departmental comments, including revised drawings and technical clarifications\* (Appendix If)
- (h) FI received on 29.4.2022 providing clarifications on the use of the proposed development\* (Appendix Ig)
- (i) FI received on 11.5.2022, 16.5.2022 and 18.5.2022 providing clarifications on the proposed design merits and revised drawings\* (Appendix Ih)

Remarks:

<sup>#</sup> Further information accepted but not exempted from publication and recounting requirement

\* Further information accepted and exempted from publication and recounting requirement

1.6 On 29.10.2021 and 18.3.2022, the Metro Planning Committee (the Committee) agreed to defer making a decision twice as requested by the applicant. Upon receipt of FI on 4.4.2022, 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 as set out in SPS and FIs at **Appendix Ia to Ih** are summarised as follows:

- (a) The proposed development is in line with the intention of the 2018 Policy Address to redevelop pre-1987 IBs, and complies with all eligible criteria for minor relaxation of maximum PR by 20% to make better use of land resources.
- (b) The proposed non-polluting industrial use is a Column 1 use under “OU(B)” zone and is generally in-line with the planning intention of the zone.
- (c) The proposed IB is considered compatible with the surrounding land uses which is predominated with IBs and I-O buildings for non-polluting industrial use. Given

the BH of the proposed scheme is within the BH restriction of 130mPD under OZP, minor relaxation of PR restriction by 20% is considered minor in nature and acceptable.

- (d) The following planning and design merits are proposed:
- (i) a 4m-wide full-height NBA along Lam Tin Street as required under OZP to cater for the long-term road widening proposal and enhance air ventilation;
  - (ii) paving and planter for greenery on street level within the NBA for improving walking environment and visual interest of the streetscape. A continuous canopy of 1.2m in width for weather protection is proposed along Lam Tin Street frontage;
  - (iii) landscape treatments in the form of planters at various floors, vertical greening at building façade and roof greenery for softening the building edges, enhancing visual amenity of the streetscape and improving the overall environmental quality; and
  - (iv) green building design elements, certification under Building Environmental Assessment Method Plus (“BEAM Plus”), and compliance with Sustainable Building Design Guidelines (SBDG) requirements and Building Energy Code design standard.
- (e) The submitted TIA, EA and SIA demonstrate that the proposed development would generate no adverse impacts on traffic, environmental and sewerage aspects.

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

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

### **4. Background**

#### **Policy Initiatives of Revitalisation of IBs**

- 4.1 As set out in the 2018 Policy Address, to provide more floor area to meeting Hong Kong’s changing social and economic needs, and make better use of the valuable land resources, a new scheme to incentivise redevelopment of IBs is announced. To encourage owners to redevelop pre-1987 IBs<sup>2</sup>, there is a policy direction to allow relaxation of the maximum permissible non-domestic PR as specified in an OZP by up to 20% for redevelopment of pre-1987 IBs located outside “Residential”

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<sup>2</sup> Pre-1987 IBs refer to those eligible IBs which were wholly or partly constructed on or before 1.3.1987, or those constructed with their building plans first submitted to the Building Authority for approval on or before the same date.

(“R”) zones in the Main Urban Areas and New Towns into industrial/commercial uses. The relaxation of PR is subject to approval by the Board on a case-by-case basis and the maximum non-domestic PR permissible under the Building (Planning) Regulation (B(P)R)<sup>3</sup>. The Board may approve such application subject to technical assessments confirming the feasibility of allowing such in terms of infrastructure capacity, technical constraints, as well as relevant planning principles and considerations.

- 4.2 The time limit for owners to submit applications is three years, with effect from 10.10.2018. The implementation period of the said measure is extended to 31.10.2024 according to the 2021 Policy Address. Should the application be approved, the modified lease should be executed (with full land premium charged) within three years after the planning permission is granted.

## 5. **Previous Application**

There is no previous application at the Site.

## 6. **Similar Applications**

Since March 2019, the Committee has considered a total of 15 applications for minor relaxation of PR and/or BH in Kwai Chung area relating to the Policy, and all of which were approved with conditions (**Plan A-1** and **Appendix II**). In consideration of these applications, the Committee generally indicated support for the Policy to relax the PR up to 20% as it provides incentives to encourage redevelopment of pre-1987 IBs taking account that relevant technical assessments were submitted to support the technical feasibility and there was no adverse comment from relevant government departments.

## 7. **The Site and Its Surrounding Areas** (Plans A-1 and A-2; photos on Plans A-3 and A-4)

### 7.1 The Site:

- (a) is currently occupied by a 9-storey IB, namely Wing Tat Industrial Building;
- (b) is surrounded by IBs and I-O buildings to the north, east and west;
- (c) abuts Lam Tin Street to the south, where pedestrian entrance and vehicular access are located, and adjoins a service lane along its northern boundary (**Plan A-2**); and
- (d) is served by various modes of public transport including buses and public light buses on Wo Yi Hop Road. MTR Tai Wo Hau Station and Kwai Hing

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<sup>3</sup> Under the new policy, any bonus floor area claimed under section 22(1) or (2) of the B(P)R is not to be counted towards the proposed increase of non-domestic PR by 20% for redevelopment projects.

Station are located in about 1,000m to the northwest and about 900m to the southwest respectively (**Plan A-5**).

7.2 The surrounding areas have the following characteristics (**Plans A-1 to A-5**):

- (a) located within an area zoned “OU(B)” between Lei Muk Road and Wo Yi Hop Road, which is mainly characterised by a mix of industrial and I-O developments. To the east, south, west and north are IBs within the same industrial/business cluster (**Plans A-2 and A-4**);
- (b) five planning applications related to the Policy involving four IBs within the same business area were approved with conditions (**Plan A-1**); and
- (c) to its further north across Lei Muk Road is another “OU(B)” zone. To the further northeast across Wo Yi Hop Road are residential areas (including Shek Yam Estate), the open space (namely Shek Yam Lei Muk Road Park), and other government, institution and community facilities.

## **8. Planning Intention**

- 8.1 The planning intention of the “OU(B)” zone is primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or I-O buildings.
- 8.2 The minimum 4m-wide NBA from the lot boundary abutting Lam Tin Street as stipulated under OZP is imposed to cater for the long-term road widening proposal and enhance the air permeability of the business/industrial area on Wo Yi Hop Road (**Plan A-2**).

## **9. Comments from Relevant Government Departments**

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

### **Policy Perspective**

9.1.1 Comments of the Secretary for Development (SDEV):

- (a) it is Government’s policy to incentivise owners to redevelop old IBs to optimise utilisation of existing industrial stock and make better use of our valuable land resources, while addressing more effectively the issues of fire safety and non-compliant uses. To this end, relaxation of the maximum permissible non-domestic PR by up to 20% may be permitted, on a case-by-case basis, under the current revitalisation scheme for redevelopment of pre-1987 IBs located outside “R” zones

in Main Urban Areas and New Towns. The implementation period of the said measure is now extended to 31.10.2024, according to the 2021 Policy Address;

- (b) he notes that the applicant considers that the proposed redevelopment is in line with the planning intention of that “OU(B)” zone and would help facilitate the transformation of the industrial/business area along Lam Tin Street and the Castle Peak Road/Wo Yi Hop Road. Along this direction, the new building would appear to bring greater benefits in the longer term if it allows flexibly a mix of different uses including commercial ones;
- (c) according to the Notes to the relevant OZP, minor relaxation of the PR restriction may be considered by the Board on application by a proponent, based on the individual merits of a redevelopment proposal. Planning applications should not be approved as of right, and each case should be considered on its own merits. Having examined all the materials submitted, he does not object to the Board approving the subject application. The Board is invited to note the following observations in considering whether the purported planning merits are significant enough as to justify an approved relaxation of the plot ratio restriction as stated in the relevant OZP:
  - (i) as stated in the OZP, this “OU(B)” zone is “intended primarily for general business uses”. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings. The applicant asserts that the new building is intended for accommodating non-polluting industrial activities. However, the subject lease provides a restricted class of permissible users (i.e. traditional manufacturing industries) which, without a lease modification, certainly limits the site potential. Yet, the applicant has advised that he has no intention, at this stage, to initiate a lease modification with LandsD for other Column 1 uses at this “OU(B)” to unleash the site potential fully;
  - (ii) indeed, the preliminary development scheme shown on the application, if materialised, looks similar to some commercial buildings built at other “OU(B)” zones in recent years. We have seen similar industrial “redevelopments” being constructed, and some even being sold to the market problematically as de facto residential studios, with no particular relevance to non-polluting industrial activities in reality. If the subject application is approved by the Board on this occasion, the Building Department (BD), LandsD, the Planning Department (PlanD) and other relevant departments must exercise caution in assessing and approving relevant building plans and other

development-related applications at the downstream to ensure that relevant requirements are being met and lease restrictions are complied with;

- (iii) if the application is approved, it will be for the applicant to devise a detail design for the redevelopment scheme to ensure that the new industrial building will be able to accommodate the purported “non-polluting industrial uses” in accordance with the requirements under the OZP, current land lease and building regulations. Lease modification is desirable if the applicant decides to fully utilise the site potential for a wider list of general business uses to reflect the planning intention of the area; and
- (iv) if the Board considers the proposal having limited planning merits and decides to turn it down, the applicant is free to revise the redevelopment scheme so that it will not be in excess of the maximum total PR as permitted under the OZP.

### **Land Administration**

9.1.2 Comments of the District Lands Officer/Tsuen Wan & Kwai Tsing (DLO/TW&KT) and the Chief Estate Surveyor/Development Control (CES/DC), LandsD:

- (a) the Site falls within Lot No. 300 in D.D. 444, which is held under the New Grant No. 3984 dated 17.4.1963, with a registered site area of 9,000ft<sup>2</sup>. In accordance with the Lease, the Lot shall be used only for industrial purposes excluding offensive trades and no building shall be erected on the Lot except a factory, ancillary offices and quarters for persons essential to the safety and security of the building. Spaces shall be provided for the parking, L/UL of motor vehicles at the rate of not less than 1 vehicle per 10,000ft<sup>2</sup> of GFA but in an event not less than 1 vehicle per 5,000ft<sup>2</sup> or part thereof the site area. There is no restriction on GFA, SC or BH nor building setback requirement under the Lease;
- (b) the applicant should be fully aware that the user restriction under the Lease has a different interpretation from the Board’s definition on Column 1 uses under the planning regime. More specifically, “industrial purpose” under the Lease should involve manufacturing process as decided by court cases. If the proposed development is in breach of the Lease, the Lot owner should apply to LandsD for a lease modification prior to its redevelopment; and
- (c) other detailed comments are at **Appendix III**.



### **Building Matters**

#### 9.1.3 Comments of the Chief Building Surveyor/New Territories West, (CBS/NTW), BD:

- (a) for any building proposal to be submitted to BD for approval under Buildings Ordinance (BO), requirements regarding the measures to deter misuse of industrial buildings for residential use as stipulated in the Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-159 should be followed and complied with;
- (b) detailed comments will be given during the building plan submission stage; and
- (c) other detailed comments are at **Appendix III**.

### **Traffic**

#### 9.1.4 Comments of the Commissioner for Transport (C for T):

- (a) no in-principle objection to the application from traffic engineering perspective given that:
  - (i) the TIA illustrated that the traffic impact arising from the subject redevelopment to the adjacent road network within the area of influence would be acceptable; and
  - (ii) the applicant demonstrated that the redevelopment proposal would accommodate the high-end provision of parking and L/UL facilities within the redevelopment; and
- (b) should the application be approved, the following approval condition is suggested:

the design and provision of parking facilities, L/UL spaces and vehicular access for the proposed development to the satisfaction of the C for T or of the Board.

#### 9.1.5 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

no comment on the application from highways' maintenance point of view subject to:

- (a) no further comment from the Transport Department (TD) on traffic perspective on the TIA report and the proposed modification works (i.e. the paving and the associated roadworks within the NBA along

Lam Tin Street) which should be constructed as per HyD's standard; and

- (b) that the applicant should be responsible for management and maintenance of the proposed planters within the NBA along Lam Tin Street, and reinstatement of the surrender area to be free from any structures/objects to facilitate the subsequent road widening works upon request from the concerned government departments.

### **Environment**

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

- (a) no objection to the application as:
  - (i) the applicant has committed to address the potential land contamination at the approval condition stage should the application be approved; and
  - (ii) the SIA concluded that no adverse impact on the existing sewerage system is anticipated, and incorporation of relevant approval conditions is required;
- (b) it is recommended to impose the following approval conditions:
  - (i) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to the development of the site to the satisfaction of DEP or of the Board;
  - (ii) the submission of an updated SIA to the satisfaction of DEP or of the Board; and
  - (iii) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated SIA to the satisfaction of the Director of Drainage Services or of the Board; and
- (c) since demolition of the existing IB and excavation works would be required, the applicant is advised to 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 redevelopment.

### **Urban Design, Visual and Landscape**

#### **9.1.7 Comments of the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD:**

##### *Urban Design and Visual Impact*

- (a) the proposed minor relaxation of PR does not involve additional BH beyond what is permitted under the OZP. Given the planning context, it is unlikely that the proposed development will induce any significant adverse effects on the visual character of the surrounding townscape;
- (b) the proposed development has incorporated 4m-wide full-height setback as NBA along Lam Tin Street as per the OZP requirement. Landscape treatments in the form of planting area, vertical greening and rooftop greening are provided. A canopy for weather protection is also proposed. The above design measures incorporated may promote visual interest and pedestrian comfort;

##### *Landscape*

- (c) the Site is situated in an area of industrial urban landscape character dominated by IBs. The Site is currently occupied by an existing IB without any landscape resources. The proposed development is considered not incompatible with the landscape setting in proximity;
- (d) landscape provisions, including vertical greening and planters, are proposed to enhance the landscape quality of the development. Hence, she has no objection to the application from landscape planning perspective;
- (e) the applicant is reminded that approval of section 16 application under the 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; 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.

#### **9.1.8 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):**

the proposed development consists of one tower with PR of 11.4 and BH of 113.5mPD. Since the adjacent “OU(B)” areas with BH restriction of

130mPD are permitted under OZP, he has no comment from architectural and visual point of view.

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

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (c) Commissioner of Police (C of Police);
- (d) Director of Fire Services (D of FS);
- (e) District Officer (Kwai Tsing), Home Affairs Department (DO(K&T), HAD); and
- (f) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD).

## **10. Public Comments Received During Statutory Publication Period**

During the statutory public inspection periods, a total of four public comments were received, including one from the legal representative of the owner of the adjoining IB at 1-5 Lam Tin Street, and three submitted by two individuals (**Appendix IV**). The owner of the adjacent IB urged the Committee to take into account the building and structural safety, traffic, daylight, air ventilation and environmental impacts arising from the proposed redevelopment when considering the application. Besides, an individual suggested that minor relaxation of PR restriction could meet public interest; and another individual expressed concern on the benefits of greening measures, the precedent effects of approving application without strong justifications and planning merits, and the need to ensure that the green measures adopted were sustainable and permanent.

## **11. Planning Considerations and Assessments**

11.1 The application is for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. +20%) for a proposed 19-storey IB development at the Site zoned “OU(B)” for permitted non-polluting industrial use. The proposed development is generally in line with the planning intention of the “OU(B)” zone, which is primarily for general business uses and permits non-polluting industrial uses. The proposed BH of 113.5mPD complies with the BH restriction of 130mPD under OZP.

### **Policy Aspect**

11.2 The existing IB with an OP issued on 15.6.1972 can be regarded as an eligible pre-1987 IB under the Government’s new policy on revitalising IBs. Having examined the related submission, the Development Bureau (DEVB) does not object to the Board approving the application based on the individual merits of the redevelopment proposal. Regarding DEVB’s concern on the possible use of the proposed building other than non-polluting industrial purpose, there is prevailing development control mechanism at the building plan submission stage to ensure

that the relevant requirements are met. CBS/NTW, BD also indicates that for any building proposal submitted for BD's consideration, requirements regarding the measures to deter misuse of industrial buildings for residential use as stipulated in the PNAP APP-159 should be followed and complied with.

### Technical Aspects

- 11.3 The proposed minor relaxation of PR restriction generally follows the aforesaid policy on revitalisation of pre-1987 IBs, and consideration of such application is subject to technical assessments confirming the feasibility of the proposed development. In support of the application, the applicant has submitted TIA, EA and SIA, which demonstrate that the proposed development would not cause adverse traffic, environmental and sewerage impacts to the surrounding areas. C for T has no in-principle objection to the application subject to the incorporation of approval condition set out in paragraph 12.2(a) below. DEP has no objection to the application from environmental perspective subject to the imposition of approval conditions set out in paragraphs 12.2(b), (c) and (d) below. Other relevant Government departments, including FSD and WSD, have no objection to/adverse comment on the application.

### Planning and Design Merits

- 11.4 The proposed development has incorporated a 4m-wide full-height NBA along Lam Tin Street as required by OZP (**Drawing A-1**). A continuous canopy of 1.2m in width for weather protection is also proposed (**Drawings A-10 and A-12**). Landscape proposals, including planters, vertical greening and roof greenery are proposed, resulting in a total greenery of about 20.1% (about 168 m<sup>2</sup>) (**Drawings A-10 to A-12**). CTP/UD&L, PlanD considers that the proposed development would unlikely induce any significant adverse effects on the visual character of the surrounding townscape and the proposed design measures may promote visual interest and pedestrian comfort.
- 11.5 On the sustainability building design aspect, the applicant has indicated that the proposed development has taken into account the relevant requirements. Besides, the applicant has demonstrated effort in building design improvement by introducing greenery provisions as mentioned in paragraph 11.4 above and indicated that BEAM Plus and SBDG requirements would be observed.

### Public Comments

- 11.6 Regarding the concerns raised in the public comments, the planning assessment above and departmental comments in paragraph 9 are relevant.

## 12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and have taken into account the public comments mentioned in paragraph 10 above, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application on the terms of the application as submitted to the Board, it is suggested that the permission shall be valid until 20.5.2026, 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 design and provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the Site to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (c) the submission of an updated Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment in (c) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

### Advisory clauses

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

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

The applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of PR restriction.

## 13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or to refuse to grant permission.

13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.

13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

#### **14. Attachments**

<b>Appendix I</b>	Application Form received on 3.9.2021
<b>Appendix Ia</b>	Supporting Planning Statement
<b>Appendix Ib</b>	FI received on 28.12.2021
<b>Appendix Ic</b>	FI received on 4.1.2022
<b>Appendix Id</b>	FI received on 31.1.2022
<b>Appendix Ie</b>	FI received on 10.2.2022
<b>Appendix If</b>	FI received on 4.4.2022
<b>Appendix Ig</b>	FI received on 29.4.2022
<b>Appendix Ih</b>	FI received on 11.5.2022, 16.5.2022 & 18.5.2022
<b>Appendix II</b>	Similar Applications
<b>Appendix III</b>	Detailed Departmental Comments
<b>Appendix IV</b>	Public Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Drawings A-1 to A-8</b>	Floor Plans
<b>Drawings A-9 to A-10</b>	Section Plans
<b>Drawing A-11 to A-12</b>	Illustrative Diagrams of Planning and Design Merits
<b>Drawing A-13</b>	Planter Drainage and Managements
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plans A-3 to A-4</b>	Site Photos
<b>Plan A-5</b>	Pedestrian Access Network in Kwai Chung

**PLANNING DEPARTMENT  
MAY 2022**