

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/KC/496

- Applicant** : OXO YW Limited represented by KJL Limited
- Site** : Kwai Chung Town Lot No. 145 (KCTL 145) and adjoining Government Land, 7-11 Wing Kin Road, Kwai Chung
- Site Area** : About 964m² (including about 35m² of Government Land)
- Lease** : KCTL 145 (about 929m²)
(a) subject to New Grant No. 4708 dated 8.1.1970 and No Objection Letter dated 13.10.2016
(b) to be expired on 30.6.2047
(c) for manufacture of acid and /or any other offensive trade or trades
- Plan** : Draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/31
[currently in force]

Approved Kwai Chung OZP No. S/KC/30
[in force at the time of submission. The zoning and development restrictions for the site remain unchanged on the current OZP.]
- Zoning** : “Industrial” (“I”)
(a) maximum plot ratio (PR) of 9.5
(b) maximum building height (BH) of 105 metres above Principal Datum (mPD)
- Application** : Proposed Minor Relaxation of PR and BH Restrictions for Permitted Warehouse (excluding Dangerous Goods Godown)

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. +20%) and BH restriction from 105mPD to 115.2mPD (i.e. +9.7%) for a proposed development at 7-11 Wing Kin Road, Kwai Chung (the Site), which falls within an area zoned “I” on the draft Kwai Chung OZP No. S/KC/31 (**Plan A-1**). The Site includes a strip of government land recessed from Wing Chong Street of about 35m² (i.e. about 3.6% of the total site area) currently under maintenance by the Highways Department’s (HyD) (**Plan A-2**). The Site is currently mainly occupied by an existing two-storey industrial building (IB) constructed before 1987 (pre-1987 IB), with its Occupation Permit (OP) issued on

6.6.1972. The proposal is to redevelop the existing IB into a 22-storey (including 3 basement levels) IB for permitted warehouse use. According to the Notes for “I” zone of the OZP, ‘Warehouse (excluding Dangerous Goods Godown)’ is a Column 1 use, which is always permitted. Minor relaxation of the PR and BH restrictions may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance (the Ordinance).

- 1.2 The Site is the subject of a previous planning application No. A/KC/457 submitted by another applicant for the proposed offensive trades (lard boiling factory) use, which was approved with conditions by the Metro Planning Committee (the Committee) of the Board on 17.3.2020 (see paragraph 5 below for details).
- 1.3 The proposed IB has a total of 22 storeys with a BH of not more than 115.2mPD including three basement levels and a refuge floor (**Drawings A-1 to A-10**). The proposed minor relaxation of BH restriction is mainly to accommodate the proposed PR and to fulfil the setback requirements under Sustainable Building Design Guidelines (SBDG) and Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-132, and the Kwai Chung Outline Development Plan (ODP) No. D/KC/D (the ODP) as mentioned in paragraph 1.4 below. The pedestrian entrances are proposed at Wing Kin Road and Wing Chong Street, and vehicular access is proposed at Wing Kin Road (**Drawing A-4 and Plan A-2**). To minimize the BH of the proposal, except loading/unloading (L/UL) facilities for heavy goods vehicles (HGV) which are provided on G/F, L/UL facilities for light goods vehicles (LGV), as well as parking spaces for private car and motorcycle are all provided on B1/F and B2/F to be served by vehicle lift (**Drawings A-2 to A-4**). Besides, fire services and sprinkler pump room and the associated water tanks are located on B3/F (**Drawing A-1**).
- 1.4 To realise the planned setback set out under the ODP, the proposed development has incorporated a full-height setback of 4.1m along frontage of Wing Kin Road for road widening. A setback of about 2.948m from the application site abutting Wing Chong Street is also proposed to fulfil the setback requirement in SBDG (**Drawings A-4 and A-10**). Besides, further voluntary building setbacks of about 5.5m at 8/F and above from Wing Kin Road and about 4.745m to 7.64m at 4/F and above from Wing Chong Street are also proposed to enhance air ventilation and visual permeability (**Drawing A-10**).
- 1.5 Landscape proposals, including planters at the building edges of G/F, 1/F, 4/F and 8/F, as well as vertical greenery on the building façade of G/F to 1/F fronting Wing Chong Street are proposed (**Drawings A-4, A-5, A-7, A-8 and A-10**). A total greenery of about 20% (about 195m²) is proposed for the development. Canopy of 1.5m-wide and seating bench are proposed along the frontage at Wing Kin Road to serve the public and promote pedestrian comfort (**Drawings A-4, A-5, A-10 and A-11**).

- 1.6 Floor plans, section plan, landscape plans and photomontages submitted by the applicant are shown at **Drawings A-1 to A-14**. Major development parameters of the proposed scheme are summarised below:

Major Development Parameters	Proposed Scheme
Proposed Use	‘Warehouse (excluding Dangerous Goods Godown)’
Site Area*	964.2m ² (including 35.169 m ² of Government Land)
PR	Not more than 11.4
Gross floor area (GFA) (Non-domestic only)	About 10,991.88m ²
Site Coverage (SC)	Not more than 80%
No. of Storeys	22 (including 3 basement levels and 1 refuge floor)
BH (at main roof level)	Not more than 115.2mPD
Floor Use/Floor-to-Floor Height (About) <ul style="list-style-type: none"> • B3/F • B1/F & B2/F • G/F • 1/F • 2/F to 18/F • 8/F 	M&E (5.5m) Carpark & L/UL (4.5m) L/UL (6m) M&E (6.2m) Warehouse (5.5m to 5.6m) Refuge floor (5.5m)
Parking Spaces <ul style="list-style-type: none"> • Private Car • Motorcycle L/UL Spaces <ul style="list-style-type: none"> • LGV • HGV 	11 (including 1 accessible parking space) 4 12 4
Greenery Provision	About 20% (about 195m ²)
Anticipated Year of Completion	2028

* The site area includes the area dedicated for the building setback and subject to the setting out of site boundary.

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

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|-----|---|---------------|
| (a) | Application form received on 15.9.2022 | (Appendix I) |
| (b) | Supporting Planning Statement (SPS) received on 15.9.2022 | (Appendix Ia) |
| (c) | Further Information (FI) received on 17.1.2023* | (Appendix Ib) |
| (d) | FI received on 1.3.2023* | (Appendix Ic) |
| (e) | FI received on 22 and 25.5.2023 [#] | (Appendix Id) |
| (f) | FI received on 14.6.2023 [#] | (Appendix Ie) |

Remarks:

* accepted but not exempted from publication and recounting requirement

[#] accepted and exempted from publication and recounting requirement

- 1.8 On 11.11.2022 and 21.4.2023, the Committee agreed to defer making a decision on the application for two months at the request of the applicant.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are set out in the SPS and FI at **Appendices Ia to Ie** which 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 the relaxation of maximum PR restriction by 20% (the Policy), which can provide more floor areas to make better use of land resource.
- (b) The proposed industrial use is within the “I” zone and is generally in line with the planning intention of the “I” zone primarily for general industrial uses. The proposed development is compatible with the surrounding land use with industrial/office buildings in the vicinity.
- (c) The minor relaxation of BH restriction from 105mPD to 115.2mPD (i.e. +10.2m or +9.7%) is proposed to accommodate the proposed PR and fulfilling the setback requirements under SBDG, PNAP APP-132 and the ODP. In order to minimise the resultant building height, the proposed scheme has included three basement levels for parking and fire services facilities and installations.
- (d) The following planning and design merits are proposed:
 - (i) despite the relatively small site area, there will be full-height setback of about 4.1m and 2.948m with paving at the frontage of Wing Kin Road and Wing Chong Street respectively, and other recessed facades of upper floors along Wing Kin Road and Wing Chong Street as stated in paragraph 1.4 above for better air ventilation, streetscape and visual permeability;
 - (ii) landscape treatments, canopy and seating bench as stated in paragraph 1.5 above are proposed for enhancing the pedestrian environment, visual quality and softening the building edge. The landscape proposals achieves an overall greenery coverage of about 20% (about 195m²); and
 - (iii) proposed development scheme in terms of building separation, building setback and site coverage of greenery complies with the requirements of SBDG and PNAP APP-132.
- (e) The submitted Traffic Impact Assessment (TIA), Sewerage Impact Assessment (SIA) and Visual Impact Assessment (VIA) demonstrate that the proposed development would not generate adverse impacts from visual, traffic and sewerage aspects.

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

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

- 3.2 The “owner’s consent/notification” requirement as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 16 of the Town Planning Ordinance (TPB-PG No.31A) is not applicable on the government land portion.

4. Background

Policy Initiatives of Revitalisation of IBs

- 4.1 As set out in the 2018 Policy Address (PA), 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 IBs¹, 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” 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 Building (Planning) Regulations (B(P)R)². 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 As announced in the 2021 Policy Address, the implementation period of the current revitalisation scheme will be extended to October 2024. 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

The Site is the subject of a previous application (No. A/KC/457)³ for proposed offensive trades (lard boiling factory), which was approved with conditions by the Committee on 17.3.2020. The application does not involve minor relaxation of PR or BH, and is not related to the policy initiatives of revitalisation of IBs. The application was approved mainly on the consideration that the proposed development is generally in line with the planning intention of “I” zone; the proposed use is considered not incompatible with surrounding land uses within the established industrial area in southwest Kwai Chung; and there was no adverse comment from concerned government departments. The respective building plan submission for the proposed use was approved on 17.9.2020.

¹ 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.

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

³ Application No. A/KC/457 only covers KCTL 145 but excludes the strips of the adjoining government land along Wing Chong Street.

However, the approved scheme has not been further proceeded and the existing IB has not been demolished.

6. Similar Applications

- 6.1 Since March 2019, the Committee has considered a total of 21 applications for minor relaxation of PR and/or BH in Kwai Chung area relating to the Policy (all of them are located at Central Kwai Chung area with a distance of over 1.2km away from the Site), and all of which were approved with conditions (**Plan A-5** and **Appendix II**). Among the applications, 7 and 14 of them falls within “I” and “Other Specified Uses” annotated “Business” (“OU(B)”) zones respectively. Approval of these applications are mainly on the considerations that policy support to relax the PR up to 20% was given; planning and design merits were proposed; and there was no adverse comment from relevant government departments.
- 6.2 Among the 21 applications, four approved applications, (i.e. Applications No. A/KC/466, A/KC/471, A/KC/480 and A/KC/483), are for minor relaxation of both PR and BH restrictions for permitted industrial use; permitted office, shop, service and eating place uses; or information technology and telecommunications industries uses, relating to the Policy, which were approved on 29.5.2020, 14.5.2021, 24.12.2021 and 14.1.2022 respectively.

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 is:

- (a) currently occupied by a two-storey IB, namely Hopeful Industrial Materials Merchants Ltd., for storage area for non-domestic use and dangerous goods stores, according to the OP;
- (b) bounded by Wing Kin Road and Wing Chong Street to its northeast and southwest respectively. The existing pedestrian entrances and vehicular access are located at Wing Kin Road; and
- (c) served by public transport with green minibus stops at Wing Kei Road.

7.2 The surrounding areas have the following characteristics:

- (a) the Site is located within the established industrial area at the southwest Kwai Chung. It is surrounded by IBs within the same “I” zone with a BH restriction of 105mPD;
- (b) to its northeast across Wing Kin Road is a leather tannery factory (an offensive trade);

- (c) to the further east across Tsuen Wan Road is another industrial cluster zoned “I” under active operation with BH restrictions mainly of 90mPD in the southeast and 120mPD in the northeast;
- (d) to the further south across Kwai Hei Street is Kwai Chung Park (former Gin Drinkers Bay Landfill);
- (e) to the further southwest and west are Kwai Chung Crematorium and Columbarium and Tsuen Wan Chinese Permanent Cemetery; and
- (f) to the further north is a proposed public columbarium.

8. Planning Intention

- 8.1 The planning intention of the “I” zone is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. Information technology and telecommunications industries, office related to industrial use, and selected uses akin to industrial production and would not compromise building and fire safety are also always permitted in this zone.
- 8.2 According to the Explanatory Statement of the OZP, to provide incentive for developments/redevelopments with design merits/planning gains, each application for minor relaxation of BH restriction under section 16 of the Ordinance will be considered on its own merits and the relevant criteria for consideration of such relaxation are as follows:
 - (a) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus PR granted under the Buildings Ordinance (BO) in relation to surrender/dedication of land/area for use as public passage/street widening;
 - (c) providing better streetscape/good quality street level public urban space;
 - (d) providing separation between buildings to enhance air ventilation and visual permeability;
 - (e) accommodating building design to address specific site constraints in achieving the permissible PR under the OZP; and
 - (f) other factors such as site constraints, the need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape and visual impacts would be resulted from the innovative building design.

- 8.3 As stated in the ES of the ODP, road widening proposals to alleviate traffic problems have been proposed along the major roads in Kwai Chung Industrial Area. Efforts would be made to negotiate with developers to surrender area proposed for road widening upon redevelopment (**Plan A-2**).

9. **Comments from Relevant Government Departments**

- 9.1 The following government bureaux/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) Development Bureau's (DEVB's) special time-limited arrangement to incentivise private owners to redevelop pre-1987 IBs by relaxation of the maximum permissible non-domestic PR on a case-by-case basis does not apply to "special factories such as those located in industrial estates, storage premises in container terminals and flatted factories built by the Housing Authority, and those buildings on lots supporting specific industries such as cargo handling uses, ship building and repairing, oil storage and refining and production of associated chemical by-product, manufacture of polystyrene plastics, manufacture and storage of chlorine, hydrogen and textile chemicals, etc.". This is set out in DEVB's paper tabled at the Legislative Council Panel on Development in December 2018 (LC Paper No. CB(1)323/18-19(03));
- (b) as DEVB read the advice given by the Lands Department (LandsD), it has come to their attention that the user of the subject lot is restricted to the manufacture of acid and/or for the purposes of carrying on thereon any other offensive trade or trades only, as specified on the land lease. Given that the Site was granted for a "special factory" purpose, the special time-limited arrangement mentioned in paragraph 9.1.1(a) above is not, strictly speaking, directly relevant to the redevelopment of this lot; and
- (c) notwithstanding the above, as DEVB wishes to encourage redevelopment of existing IBs in "I" zones into IBs meeting present day building standards for conventional "industrial/godown uses" and/or "modern industrial uses", this proposal of redeveloping the existing 2-storey IB into a new 19-storey (above ground) IB with a PR increase for warehouse use may go some way in furthering this cause. In addition, this proposal is in line with the planning intention of the "I" zone, which is intended for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. The extra 20% PR provision being sought will bring about 1,800m² of industrial GFA additionally,

thereby contributing to the production of maximum possible industrial space in the area hence not objectionable in this regard.

9.1.2 Comments of the Director-General of Trade and Industry (DG of TI):

according to the 2020 Area Assessments of Industrial Land in the Territory, the Southwest Kwai Chung area (where the subject IB is located) is recommended to be retained as “I” zone considering the steadily high usage of floor space for industrial operations in the occupied IBs. As such, he has no objection to the application since it is in line with the planning intention of “I” zone which is intended primarily for general industrial uses to ensure an adequate supply of industrial floor space.

Land Administration

9.1.3 Comments of the District Lands Officer/Tsuen Wan & Kwai Tsing (DLO/TW&KT), LandsD:

- (a) the Site comprises KCTL 145, which is subject to the New Grant No. 4708 dated 8.1.1970 and a No Objection Letter dated 13.10.2016, and a strip of government land recessed from Wing Chong Street currently under the HyD’s maintenance. The lot is restricted for the manufacture of acid and/or any other offensive trade or trades. Spaces shall be provided for parking, L/UL of motor vehicles at the rate of not less than 1 vehicle for each 10,000ft² or part thereof of GFA or not less than 1 vehicle for each 5,000ft² or part thereof of the site area, whichever is the greater;
- (b) as the proposed development for ‘Warehouse (excluding Dangerous Goods Godown)’ use is not permissible under the Lease and additional government land is proposed in the Site, if planning approval is given, the Lot owner should apply for a land exchange from LandsD prior to its implementation of the proposed development. Upon receipt of the application, it will be considered by LandsD acting in the capacity as landlord at its sole discretion. There is no guarantee that any application will be approved. In the event that an application is approved, it will be subject to such terms and conditions as the government shall see fit, including, among others, payment of premium and administrative fee; and
- (c) LandsD reserves comment on the proposed schematic design which would only be examined in detail during the building plan submission stage upon completion of a land exchange, if applicable. There is no guarantee that the schematic design presented in the subject planning application will be acceptable under the Lease if it is so reflected in the future building plan submission(s).

Building Matters

9.1.4 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) detailed comments under BO will be given during the building plan submission stage; and
- (b) other detailed comments are at **Appendix III**.

Traffic

9.1.5 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;
- (b) should the application be approved, the following approval conditions are suggested:
 - (i) the submission of a revised Traffic and Transport Impact Assessment to the satisfaction of the C for T or of the Board; and
 - (ii) the design and provision of vehicular access and car parking and L/UL facilities for the proposed redevelopment to the satisfaction of the C for T or of the Board; and
- (c) the following advisory clause is also suggested:

the turntable should be well maintained in an operable condition.

Environment

9.1.6 Comments of the Director of Environment Protection (DEP):

- (a) no objection to the application as:
 - (i) the nearest noise sensitive receivers are at least 200m away from the Site separated by existing industrial buildings and

Tsuen Wan Road, and hence adverse noise impacts are not anticipated;

- (ii) the applicant has committed to address the potential land contamination and landfill gas hazard issues at the approval condition stage should the application be approved; and
 - (iii) the Sewerage Impact Assessment (SIA) concluded that no adverse impact on the existing sewerage system is anticipated;
- (b) it is recommended to impose the following approval conditions:
- (i) the submission of a revised 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;
 - (iii) the submission of a Landfill Gas Hazard Assessment and the implementation of the mitigation measures identified therein before operation of the use to the satisfaction of DEP or of the Board; and
 - (iv) the submission of a Land Contamination Assessment and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of DEP or of the Board; and
- (c) since demolition of the existing industrial building 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 development.

Fire Safety

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

- (a) no specific comment on the application; and
- (b) the applicant is advised that detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. In addition, the arrangement of emergency vehicular access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Building 2011, which is administered by the BD submission.

Urban Design, Visual and Landscape

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

Urban Design and Visual Impact

- (a) the Site is sandwiched between Wing Kin Road and Wing Chong Street respectively. It forms part of an IB cluster which is zoned “I” with an intended BH of 105mPD. To the further east across Tsuen Wan Road is another industrial building cluster with intended BHs mainly of 90mPD in the southeast and 120mPD in the northeast. Given the context and as illustrated in the VIA, it is unlikely that the proposed development with a BH of 115.2mPD will induce any significant adverse effect on the visual character of the surrounding townscape;
- (b) the proposed development has incorporated a number of building setbacks as stated in paragraph 1.4 above. Landscape treatments, including edge planters and vertical greenery are provided. Canopy and seating bench are also introduced. The above design measures may promote visual interest and pedestrian comfort;

Landscape

- (c) the Site is situated in an area of industrial urban landscape character predominated by a mix of commercial, industrial and industrial-office development. The Site is currently occupied by an existing IB without any landscape. The proposed development is considered not incompatible with the landscape setting in proximity;
- (d) landscape features 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 of the long-term commitment in providing regular and proper maintenance to the vertical greening for healthy and sustainable plant growth; and
- (f) the applicant is reminded that approval of the section 16 application under the Ordinance does not imply approval of the site coverage of greenery requirements under the Practice Notes for Authorised Persons (PNAP) APP-152 and/or under the lease. The site coverage of greenery calculation should be submitted separately to BD for approval.

9.1.9 Comments of the Chief Architect/Advisory and Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD):

he has no comment from architectural and visual impact point of view. It is noted that the proposed development mainly consist of one tower with PR of 11.4 and BH of about 115.2mPD which may not be incompatible with the adjacent “I” zone with a BH restriction of 105mPD.

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

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

10. Public Comments Received During Statutory Publication Period (Appendix IV)

- 10.1 During the statutory public inspection periods, a total of 12 public comments, including two from Lions College, five from four private companies (two from the same company) and five from other four individuals (two from the same individual), were received.
- 10.2 Among the public comments, Lions College, four private companies and three individuals supported the application as the proposal could address the safety concerns and nuisances of the existing old IB; supply additional floor spaces for godown purpose; enhance air ventilation/visual aspects; and have no adverse environmental and traffic concerns. An individual considered that the proposed BH was unacceptable and queried the sufficiency of the proposed design merits.

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%) and BH restriction from 105mPD to 115.2mPD (i.e.+9.7%) for permitted warehouse use at the Site zoned “I”. The proposed development is in line with the planning intention of the “I” zone, which is primarily for general industrial uses.

Policy Aspect

- 11.2 As stated in paragraph 9.1.1, DEVB considers that the Policy on revitalising IBs does not apply to the Site. Notwithstanding this, the subject proposal is to redevelop the existing IB in “I” zone into IB meeting the current building standards

and is in line with the planning intention of the “I” zone for general industrial uses with extra provision of industrial GFA. DEVB considers the application not objectionable. DG of TI has no objection to the application neither and considers that it is in line with the planning intention of “I” zone.

Technical Aspects

- 11.3 The proposed minor relaxation of PR restriction by 20% generally follows the 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 submitted various technical assessments to demonstrate that the proposed development would not cause adverse traffic and sewerage impacts to the surrounding areas. C for T has no in-principle objection to the application subject to the incorporation of approval conditions set out in paragraphs 12.2(a) and (b) below. DEP has no objection to the application subject to the incorporation of approval conditions in relation to sewer, landfill gas hazard and land contamination aspects as set out in paragraphs 12.2(c) to (f) below. Other relevant government departments, including the Fire Services Department, DSD and WSD, have no objection to/adverse comments on the application.
- 11.4 According to the applicant, the minor relaxation of BH restriction from 105mPD to 115.2mPD (i.e. +10.2m or +9.7%) is proposed to accommodate the proposed PR and fulfilling the setback requirements under SBDG, PNAP APP-132 and the ODP as mentioned in paragraph 2(c) above. In order to minimise the resultant building height, the proposed scheme has included three basement levels for accommodating parking/L/UL facilities and fire services facilities. The Site with an area of about 964m² is located in the midst of an IB cluster which is zoned “I” with BHR of 105mPD. To the further east across Tsuen Wan Road is another IB cluster with BHRs mainly of 90mPD in the southeast and 120mPD in northeast (**Plan A-1**). Given the context and as illustrated in the VIA, CTP/UD&L of PlanD considers that the proposed development with a BH of 115.2mPD will unlikely induce any significant adverse effect on the visual character of the surrounding townscape. CA/ASC of ArchSD has no comment on the application from the visual impact point of view.

Planning and Design Merits

- 11.5 The proposal would facilitate redevelopment of the two-storey old IB into a warehouse meeting the current building standards. The proposed development has incorporated a full-height setback along Wing Kin Road as required under the ODP and a setback of about 2.948m from the application site abutting Wing Chong Street to fulfil the setback requirements under SBDG. In addition, further voluntary building setbacks of about 7.64m at 8/F and above from Wing Kin Road and about 4.745m to 7.64m at 4/F and above from Wing Chong Street are proposed to enhance air ventilation and visual permeability (**Drawing A-10**). Landscape proposals, including planters at the proposed setback area at Wing Chong Street, at the building edge of G/F, 1/F, 4/F and 8/F, as well as vertical greenery on the building façade of G/F to 1/F frontage Wing Chong Street are proposed (**Drawings**

A-4, A-5, A-7, A-8 and A-10). A total greenery of about 20% (about 195m²) is proposed for the development. Canopy of 1.5m-wide and seating bench are proposed along the frontage at Wing Kin Road (**Drawings A-4, A-5 and A-11**). On the sustainable and green building design aspect, the applicant indicates that relevant SBDG have been taken into account in proposing the aforesaid setbacks and greenery measures. CTP/UD&L, PlanD considers that the above design measures may promote visual interest and pedestrian comfort and enhance the landscape quality of the development. CA/CMD2, ArchSD has no comment on the application from architectural point of view.

- 11.6 Given the above, it is considered that the proposed scheme generally meets the criteria for considering application for minor relaxation of BH restriction as mentioned in paragraphs 8.2 (c), (d) and (f) above, in respect of better streetscape, separation between buildings and planning and design merits.

Similar Applications

- 11.7 The Committee has approved various similar applications mainly on consideration that policy support was given, no adverse traffic and environmental impacts were anticipated, planning and design merits such as greening, canopy and building setbacks were proposed and no adverse departmental comment was received. Approval of the current application is consistent with the previous decisions of the Committee on similar applications.

Public Comments

- 11.8 Regarding the public comments received, the planning assessments above and departmental comments in paragraph 9 are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having 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 14.7.2027, 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 Traffic and Transport Impact Assessment to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (b) the design and provision of vehicular access, car parking and loading and unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the revised Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (e) the submission of a Landfill Gas Hazard Assessment and the implementation of the mitigation measures identified therein before operation of the use to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (f) the submission of a Land Contamination Assessment 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.

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 and BH restrictions.

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**

Appendix I	Application Form received on 21.9.2022
Appendix Ia	Supporting Planning Statement received on 21.9.2022
Appendix Ib	FI received on 17.1.2023
Appendix Ic	FI received on 1.3.2023
Appendix Id	FI received on 22 and 25.5.2023
Appendix Ie	FI received on 14.6.2023
Appendix II	Similar Applications
Appendix III	Detailed Departmental Comments
Appendix IV	Public Comments
Appendix V	Recommended Advisory Clauses
Drawings A-1 to A-9	Floor Plans
Drawings A-10	Schematic Sections
Drawings A-11 to A-13	Photomontages
Drawing A-14	Section for Standard Pallet Racking System
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 and A-4	Site Photos
Plan A-5	Similar Applications

**PLANNING DEPARTMENT
JULY 2023**