

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TW/521

- Applicant** : Metex House Limited represented by Ove Arup & Partners Hong Kong Limited
- Site** : 18-32 Fui Yiu Kok Street, Tsuen Wan
- Site Area** : About 1,540m²
- Lease** : Lot No. 483 in D.D. No. 443 (New Grant No. 4368) (566.7m²) and Tsuen Wan Town Lot (TWTL) No. 131 (New Grant No. 4723) (973.6 m²)
- (a) to expire on 30.6.2047;
- (b) restricted for general industrial and/or godown purposes excluding offensive trades;
- (c) subject to the erection of “a building or buildings” restriction; and
- (d) no plot ratio (PR), gross floor area (GFA), site coverage (SC) or building height (BH) restrictions.
- Plan** : Draft Tsuen Wan Outline Zoning Plan (OZP) No. S/TW/34
- Zoning** : “Industrial” (“I”)
- (a) maximum PR restriction of 9.5; and
- (b) maximum BH restriction of 100 metres above Principal Datum (mPD).
- Application** : Proposed Minor Relaxation of PR Restriction for Permitted Industrial Use

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. 1.9 or +20%) at 18-32 Fui Yiu Kok Street (the Site) in the Tsuen Wan East Industrial Area (TWEIA). The Site falls within an area zoned “I” on the draft Tsuen Wan OZP No. S/TW/34 (**Plan A-1**). It is currently occupied by two existing

industrial buildings (IBs), namely Metex House¹ and Fu Yuen Industrial Building², which were both constructed before 1987 (pre-1987 IB). The proposal is for development of a 24-storey (including 2 basement levels) IB with a maximum BH of 100mPD for permitted ‘Industrial’ use (i.e. workshop). According to the Notes for the “I” zone of the OZP, “Industrial Use” is a Column 1 use which is always permitted within the zone. Minor relaxation of the PR restriction may be considered by the Board on application under section 16 of the Town Planning Ordinance.

- 1.2 The applicant intends to claim bonus PR under Section 22 of Building (Planning) Regulations (B(P)R) for the proposed setback area fronting Fui Yiu Kok Street which will be determined during detailed design stage, subject to approval by the Building Authority (BA). Such bonus PR has not been reflected in this application.
- 1.3 According to the applicant, the proposed scheme will incorporate a voluntary 1m full height building setback on G/F fronting Fui Yiu Kok Street (**Drawing A-3**). The 1m setback area will be paved by the applicant and open for public use at all time. A 1m wide canopy above the main entrance will be provided for sheltering from rain within this setback area (**Drawings A-7 and A-8**). No part of the building to be built up within 7.5m from the centreline of Fui Yiu Kok Street (**Drawing A-9**).
- 1.4 While the SC of G/F will not be more than 95.9%, the SC of the upper floors will be reduced to not more than 60% with a voluntary full height building setback of 6.3m from 1/F and above fronting Fui Yiu Kok Street (**Drawing A-6**).
- 1.5 The main entrance of the building block will be located at the eastern corner of the Site, and the vehicular run in/out will be located at the western corner. Car parking spaces will be located at basement levels accessed by two car lifts.
- 1.6 Greenery features include vertical greenery on G/F and 1/F building façade/edge facing Fui Yiu Kok Street, in which the landscaped area on 1/F flat roof will be provided for tenants’ and visitors’ use only (**Drawings A-4, A-7 to A-9**). The total resultant greenery coverage is about 21% (about 324m²) with the proposed greenery area at 1/F and vertical greenery at G/F (**Drawing A-9**). An automatic irrigation system connected to rainwater recycling tank and water tank with pumps will be provided for the vertical greening on G/F and 1/F building façade/edge (**Drawing A-10**).
- 1.7 Relevant floor plans and schematic sections submitted by the applicant are shown at **Drawings A-1 to A-10**. Major development parameters of the proposed scheme (**Appendix Ia**) are as follows:

Major Development Parameters	Proposed Scheme
Site Area	About 1,540m ²
PR	Not more than 11.4
Total Gross Floor Area (GFA)	About 17,556m ²
BH (main roof)	100mPD

¹ The Occupation Permit (OP) for Metex House was issued on 7.5.1974.

² The OP for Fu Yuen Industrial Building was issued on 27.2.1970.

Major Development Parameters	Proposed Scheme
SC <ul style="list-style-type: none"> • G/F • 1/F to 25/F 	Not more than 95.9% Not more than 60%
No. of Block	1
No. of Storeys	24 (including two basement levels but excluding a transfer plate)
Proposed Uses	Workshops
Parking Spaces and Loading/Unloading Bays (L/UL) <ul style="list-style-type: none"> • Private Car • Motorcycle • Light Goods Vehicle (LGV) • Heavy Goods Vehicle (HGV) • Waiting Space 	18 (including one accessible parking space) 2 17 (9 to be used as LGV parking spaces) 9 (5 to be used as HGV parking spaces) 1
Building Setbacks along Fui Yiu Kok Street <ul style="list-style-type: none"> • G/F • 1/F and above 	About 1m About 6.3m
Total Greenery Ratio	About 21% (about 324m ²)
Anticipated Year of Completion	2025

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

- (a) Application form received on 28.1.2021 (Appendix I)
- (b) Supporting Planning Statement (SPS) received on 28.1.2021 (Appendix Ia)
- (c) Clarification letter received on 2.2.2021 (Appendix Ib)
- (d) Further information (FI) received on 19.3.2021 (Appendix Ic) responding to departmental and public comments, and enclosing architectural drawings and revised technical assessments[#]
- (e) FIs received on 5.5.2021 and 6.5.2021 responding to departmental and public comments* (Appendix Id)

Remarks:

[#] accepted but not exempted from publication and recounting requirement

* accepted and exempted from publication and recounting requirement

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are set out in Section 5 of SPS at **Appendix Ia** and FIs at **Appendices Ic** and **Id** are summarised as follows:

In Line with Government's Policies for Revitalising IBs

- (a) The proposed development with PR relaxation by 20% is in line with the 2018 Policy Address to optimise the use of vacant or underutilized IBs in a better way and provide more floor area through the introduction of IBs revitalisation policy to meet Hong Kong's changing economic and social needs.

Complied with Recommendations in the 2014 Area Assessments

- (b) According to "2014 Area Assessments of Industrial Land in the Territory", TWEIA was recommended to be retained as "I". The proposed development echoes with the recommendations to ensure an adequate supply of industrial floor space in the area and provide employment for the labour force in the Tsuen Wan New Town.

Planning and Design Merits of the Proposed Development

- (c) The proposed low podium design of 5.6m high, and voluntary full height building setbacks of 1m (G/F) and 6.3m (1/F and above) wide fronting Fui Yiu Kok Street would attain visual enhancements and permeability, as well as enhance wind and sunlight penetration at Fui Yiu Kok Street. The setback area at pedestrian level would be paved to provide pleasant walking environment by widening the sidewalk spacing. Additional tree planting will not be provided in order to make available the full width of the setback area for pedestrian circulation. A 1m wide canopy above the main entrance will be provided but a full-length canopy will not be adopted as it may affect sunlight penetration.
- (d) Vertical greenery along G/F and 1/F building façade facing Fui Yiu Kok Street would be provided with an automatic irrigation system connected to rainwater recycling tank and water tank with pumps. The possibility of using greywater for irrigation may be further considered during the detailed design stage to investigate the system and associated facilities by building services engineers.
- (e) The proposed landscape area on 1/F flat roof would provide visual interest across the façade of the proposed development and enhance the visual quality along Fui Yiu Kok Street.
- (f) The proposed development has adopted green building design by provision of greenery at the 1/F flat roof and application of low-e glass curtain wall to reduce solar heat gain of the building and reduce the cooling load and energy consumption. For Sustainable Building Design Guidelines (SBDG), the Site is less than 20,000m² in area with continuous projected façade of less than 60m and thus the requirement on building separation might not be applicable. Nevertheless, features of the proposed development in relation to building setback and greenery provision as identified in the SBDG are complied with.

- (g) The proposed scheme would apply for BEAM Plus certification and the proposed rating will be confirmed during detailed design stage.

Contributing to the Transformation of TWEIA

- (h) Upon the planning approval, the existing two IBs at the Site will be redeveloped into an IB that meets present-day building standards for conventional “industrial/godown uses” and/ or “modern industrial uses”. The proposed development would increase the provision of industrial floor spaces as well as facilitate the transformation of TWEIA in supporting the economy of Hong Kong.

Accommodating the Additional PR with No Exceedance to the BH Restriction in the Area

- (i) To minimise potential adverse visual impacts of the proposed IB, efforts have been made to reduce the BH. The proposed BH of 100mPD has been optimised to accommodate the increase in PR and for the incorporation of building setbacks. All car parking spaces are provided in basement levels to minimise the building bulk. The resultant BH of the proposed development does not exceed the BH restriction stipulated in the “I” zone of the OZP and is considered compatible with the building height profile of the surrounding area.

Fully Respecting the Planning Intention of the “I” Zone

- (j) The proposed development is for industrial use, which is a Column 1 use always permitted under the “I” zone. The proposed minor relaxation of PR is intended to optimise the development potential for valuable land resources, therefore fully respecting the planning intention of the “I” zone of the OZP.

No Adverse Traffic and Sewerage Impacts

- (k) The submitted Sewerage Impact Assessment (SIA) and Traffic Impact Assessment (TIA) have demonstrated that the proposed development is anticipated to generate no adverse impacts to the surrounding area.

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

The applicant is one of the current land owners. In respect of the other current land owner(s), the applicant 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 Board Guidelines (TPB PG-No. 31A) by posting site notice and giving notification. 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 2018 Policy Address (PA), to provide more floor area in 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 IBs constructed before 1987³, 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 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 B(P)R⁴. 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. 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**

Part of the Site (i.e. Metex House) was the subject of a previous application (No. A/TW/516) submitted by the same applicant (**Plan A-1**) for proposed minor relaxation of the PR restriction from 9.5 to 11.4 (+20%) for permitted 'Industrial' use, which was approved with conditions by the Metro Planning Committee (the Committee) on 12.6.2020. That part of the Site was also the subject of another planning application (No. A/TW/415) (**Plan A-1**) for proposed wholesale conversion of the existing IB for 'Shop and Services' and 'Eating Place' uses, which was rejected by the Committee on 5.8.2011 on the grounds of unacceptable car parking proposals and setting of an undesirable precedent for similar application without the provision of necessary supporting car parking and L/UL facilities.

6. **Similar Applications**

- 6.1 Since March 2019, the Committee has considered a total of 20 applications for minor relaxation of PR and/or BH in the Yau Tsim Mong, Cheung Sha Wan, Kwai Chung and Tsuen Wan area relating to the Policy, including 7 applications (No. A/TW/505, A/TW/508, A/TW/509, A/TW/514, A/TW/516, A/TW/517 and A/TW/518) in Tsuen Wan (**Plan A-1**). Out of the 20 similar applications, 19 applications were approved with conditions. The remaining one (No. A/K5/829) for minor relaxation of PR restriction for proposed industrial development was submitted to the

³ 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 BA for approval on or before the same date.

⁴ 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.

Committee for consideration on 30.4.2021. The Committee decided to defer a decision on the application (**Appendix III**). 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.

- 6.2 Out of the 7 approved applications in Tsuen Wan, 3 applications (Nos. A/TW/505, A/TW/514 and A/TW/516) are located in TWEIA and were approved with conditions on 1.11.2019, 29.5.2020 and 12.6.2020 respectively. Application No. A/TW/516 covers part of the Site while Application Nos. A/TW/505 and A/TW/514 are located to the further southeast and east respectively of the Site (**Plan A-1**). The other 4 applications (Nos. A/TW/508, A/TW/509, A/TW/517 and A/TW/518) are located in the Chai Wan Kok Industrial/Business Area.

7. The Site and Its Surrounding Areas (Plans A-1 to A-3 and photos on Plans A-4 to A-5)

7.1 The Site is:

- (a) abutting Fui Yiu Kok Street within TWEIA; and
- (b) currently occupied by a 11-storey IB and a 9-storey IB with OPs issued on 7.5.1974 and 27.2.1970 respectively for workshop use.

7.2 The surrounding areas have the following characteristics (Plans A-2 to A-5**):**

- (a) the neighbouring buildings to the east, south and west are mainly IBs in TWEIA under active operation;
- (b) to the north across Fui Yiu Kok Street are three service apartment developments, namely Indi Home, H Cube and Chelsea Court, with commercial use in their respective podium; and
- (c) is well served by various modes of public transport including bus, public light bus and taxi. MTR Tsuen Wan West Station is located about 600m to the west and accessible through the pedestrian access network in Tsuen Wan (**Plan A-6**).

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 and office related to industrial use are also always permitted in this zone.
- 8.2 As stated in the Explanatory Statement of the OZP, provision of industrial land in Tsuen Wan has been made in conjunction with the industrial land planned for Kwai

Chung and Tsing Yi to ensure that sufficient land is set aside for industrial developments to provide employment for the labour force in Tsuen Wan New Town.

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) the current measure allowing an increase in maximum permissible PR for redevelopment of pre-1987 IBs does not come as of right, and every application is to be considered on a case-by-case basis;
- (b) having considered the information provided, he provides policy support for this application on the understanding that the redevelopment proposal, amalgamating both sites at 24-32 and 18-22 Fui Yiu Kok Street, if materialised, would help address the long-run shortfall of industrial floor space in the territory by timely supplying about 17,000m² of industrial GFA in total; and
- (c) other detailed comments on the application are provided at **Appendix V**.

Land Administration

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

- (a) TWTL 131 with a site area of 10,480 ft² (or about 973.6m²) is governed by New Grant No. (NG) 4723. D.D. 443 Lot 483 with a site area of 6,100 ft² (or about 566.7m²) is governed by NG 4368 as varied or modified by a Modification Letter dated 30.4.1969. TWTL 131 and D.D. 443 Lot 483 are restricted for general industrial and/or godown purposes excluding any offensive trade and subject to the erection of “a building or buildings” restriction. There is no PR, total GFA or BH restrictions under NGs. According to the recent Land Registry record, the current registered owner of TWTL 131 is “Metex House Limited” while D.D. 443 Lot 483 is under multiple ownerships of 9 registered owners;
- (b) upon receipt of the lease modification/land exchange application which should be jointly submitted by all owners of the Lots, the application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that the application is approved, it will

be subject to such terms and conditions as LandsD shall deem appropriate to do so, including, among others, payment of premium and administrative fee. LandsD will impose such appropriate terms and conditions including user restriction for modern industrial use, the 5-year time limit for completion of the development, payment of full premium and administrative fee, other conditions applicable to 2018 IB revitalisation measure etc. There is no guarantee that the application, if received by LandsD, will be approved;

- (c) to be qualified for the measure on relaxation of the maximum permissible non-domestic PR by 20% for redevelopment project, the building has to be pre-1987 IBs located outside “Residential” zones in Main Urban Areas and New Towns and subject to the maximum non-domestic PR allowed under the B(P)R. Pre-1987 IB refers to those wholly or partly constructed on or before 1.3.1987 or those constructed with building plans first submitted to BA for approval on or before 1.3.1987; and
- (d) other detailed comments on NGs and lease modification/land exchange application are provided at **Appendix V**.

Traffic

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

- (a) no objection in principle to the application; and
- (b) should the application be approved, the following condition is recommended to be incorporated:

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.

Environment

9.1.4 Comments of the Director of Environment Protection (DEP) and the Chief Engineer/Mainland South, DSD (CE/MS, DSD):

- (a) no objection to the application; and
- (b) should the application be approved, it is recommended to impose the following conditions:

Approval conditions for Sewerage Impact Assessment

- (i) the submission of an updated SIA for the proposed development to the satisfaction of the DEP or of the Board;

- (ii) the implementation of the local sewerage upgrading/sewerage connections works as identified in the updated SIA in condition (i) above to the satisfaction of the Director of Drainage Services or of the Board;

Approval condition for land contamination assessment

- (iii) 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 DEP or of the Board; and

Advisory clause for waste management

- (iv) the applicant is advised to minimize the generation of 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.

Urban Design, Visual and Landscape

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

Urban Design and Visual

- (a) the Site with an area of about 1,540m² fronting Fui Yiu Kok Street is located within TWEIA. It is surrounded by a cluster of IBs within the same “I” zone with BH ranging from 32mPD to 103mPD. The proposed relaxation of PR does not involve additional BH beyond what is permitted in the OZP. Given the 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 a 1m aboveground voluntary setback along Fui Yiu Kok Street. A low podium design of 5.6m (i.e. 10.1mPD) has been adopted, and building setback of about 6.3m from Fui Yiu Kok Street has been provided from 1/F and above, which may reduce the perceivable mass at the building’s low zone. A section of weather protection canopy is provided above the entrance of the building. Landscape treatment in the form of peripheral planters is provided at 1/F and vertical greenery is provided along the podium façade facing Fui Yiu Kok Street. The above design measures may promote visual interest and pedestrian comfort;

Landscape

- (c) with reference to the aerial photo of 2020, the Site is situated in an area of industrial urban landscape character, dominated by industrial and commercial buildings. The Site is currently occupied by IBs without

any existing landscape resource. The proposed development is considered not incompatible with the surrounding environment. In view that significant adverse landscape impact arising from the development is not anticipated, she has no objection to the application from landscape planning perspective; and

- (d) other detailed comments on greenery are provided at **Appendix V**.

9.1.6 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchsD):

- (a) no comment from the architectural and visual impact point of view; and
- (b) the proposed development consists of a 22-storey tower with BH of 100mPD, which may not be incompatible with adjacent industrial developments with BHR of 100mPD permitted in the OZP.

Building Matters

9.1.7 Comments of the Chief Building Surveyor/NTW, Buildings Department (CBS/NTW, BD):

- (a) no objection under the Buildings Ordinance (BO) to the proposed minor relaxation of PR restriction;
- (b) the proposed canopy at 1/F if projecting not more than 2m “above main entrance of the building”, such a portion may not be counted for SC and PR calculations subject to the requirements under PNAP APP-19;
- (c) regarding the voluntary 1m setback area on street level for dedication of public passage, any application for bonus PR and SC with justifications under B(P)R 22 will be referred to the relevant Government departments for advice and the Building Committee I for decision during the building plan submission stage. The applicant is reminded of the requirements under PNAP APP-108; and
- (d) detailed comments will be given in the building plan submission stage.

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 Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD);
- (c) Commissioner of Police (C of P);
- (d) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (e) Director-General of Trade and Industry (DG of TI);
- (f) Director of Fire Services (D of FS); and
- (g) District Officer (Tsuen Wan), Home Affairs Department (DO(TW), HAD).

10. Public Comments Received During Statutory Publication Period

During the statutory public inspection periods, a total of 6 public comments (**Appendix IV**) were received, including 1 supporting comment from an individual, 3 objections from the representative of the Incorporated Owners of Indihome (1 each in the 2 periods) and a Tsuen Wan District Council member, and 2 comments providing views on the proposed development from an individual (1 each in the 2 periods). The supporting comment is to point out that the existing IBs at the Site are too old and the proposed development could improve the general environment of the area. The objections are mainly on the grounds that the proposed development would (i) obstruct residents' view nearby; (ii) cause adverse impacts to air quality and traffic; and (iii) increase traffic flows, L/UL activities and parking demand, and thus resulting in traffic congestion and illegal parking in the area. The remaining public comments express concern on the implementation of the proposed greenery measures.

11. Planning Considerations and Assessments

11.1 The application is for minor relaxation of PR restriction from 9.5 to 11.4 (by 20%) to facilitate redevelopment of existing IBs at the Site, which falls within an area zoned "I", into a 24-storey IB development (including two basement levels) for permitted 'Industrial' use. The proposed development is generally in line with the planning intention of the "I" zone in TWEIA, which is primarily for general industrial use. The proposed BH of about 100mPD complies with the BH restriction under the OZP.

Policy Aspect

11.2 The existing IBs at the Site with an OP issued on 27.2.1970 and 7.5.1974 respectively can be regarded as eligible pre-1987 IBs under Government's new policy on revitalising IBs. DEVB gives in-principle policy support to the application, with the initiative to incentivise redevelopment of old IBs to help address the long-run shortfall of industrial floor space in the territory.

Technical Aspect

11.3 The proposed minor relaxation of PR from 9.5 to 11.4 (i.e. +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. To support the application, the TIA submitted demonstrates that the proposed development will not cause adverse traffic impact to the surrounding areas. In this regard, C for T has no in-principle objection to the application subject to the imposition of an approval condition as set out in paragraph 12.2(a) below. DEP and CE/MS, DSD have no objection to the application subject to the imposition of approval conditions set out in paragraphs 12.2(b) to (d) below respectively so as to address the concern on the sewerage aspect. Other relevant Government departments consulted including D of FS and CHE/NTW, HyD have no objection to/no comment on the application.

Planning and Design Merits Aspect

- 11.4 The proposed scheme will incorporate a 1m aboveground voluntary setback along Fui Yiu Kok Street (**Drawing A-7**). A low podium design of 5.6m (i.e. 10.1mPD) will be adopted, and building setback of about 6.3m from Fui Yiu Kok Street will be provided from 1/F and above, which may reduce the perceivable mass at the building's low zone (**Drawing A-9**). A section of weather protection canopy will be provided above the entrance of the building. Landscape treatment in the form of peripheral planters will be provided at 1/F as well as vertical greenery along the podium façade facing Fui Yiu Kok Street (**Drawing A-7**). With the proposed landscape area and vertical greenery on G/F and 1/F, a total greenery coverage of about 21% (about 324m²) will be achieved (**Drawing A-4** and **Drawing A-9**). CTP/UD&L, PlanD considers that proposed measures including setback/low podium design and provision of greenery may promote visual interest and pedestrian comfort.
- 11.5 On the sustainability building design aspect, the applicant applied low-e glass curtain wall and indicates that the relevant SBDG requirements in terms of building separation, building setback and SC of greenery have been taken into account. The applicant also intends to apply for BEAM Plus certification. Detailed proposed measures on green building design could be considered at the detailed building design stage upon building plans submission.

Public Comments

- 11.6 Regarding the objections/concerns raised in the public comments, the planning assessments above and departmental comments in paragraph 9 above 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 14.5.2025, 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 an updated Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;

- (c) the implementation of the local sewerage upgrading/sewerage connection works as identified in the updated Sewerage Impact Assessment in condition (b) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (d) 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.

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 applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of plot ratio 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

Appendix I	Application form received on 28.1.2021
Appendix Ia	SPS received on 28.1.2021
Appendix Ib	Clarification letter received on 2.2.2021
Appendix Ic	FI received on 19.3.2021
Appendix Id	FIs received on 5.5.2021 and 6.5.2021
Appendix II	Previous applications
Appendix III	Similar applications
Appendix IV	Public comments received during the statutory publication periods
Appendix V	Detailed departmental comments
Appendix VI	Recommended advisory clauses
Drawings A-1 and A-2	Basement Plans
Drawing A-3	G/F Plan

Drawing A-4	1/F Plan
Drawing A-5	2/F to 25/F Plan
Drawing A-6	Development Schedule and Section Plan
Drawing A-7	Summary of Planning and Design Merits
Drawing A-8	Architectural Artist Rendering
Drawing A-9	Master Layout Plan
Drawing A-10	Proposed Vertical Greening System
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4 to A-5	Site Photos
Plan A-6	Pedestrian Access Network in Tsuen Wan

PLANNING DEPARTMENT
MAY 2021