

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

**APPLICATION NO. A/FSS/283**

<b><u>Applicant</u></b>	Hong Kong Housing Society (HKHS) represented by Knight Frank Perry Limited
<b><u>Site</u></b>	No. 5 Lok Yip Road, Fanling, New Territories
<b><u>Site Area</u></b>	About 815m <sup>2</sup>
<b><u>Lease</u></b>	<p>Fanling Sheung Shui Town Lot (FSSTL) No. 261</p> <p>(a) held under New Grant No. 22606 dated 29.3.2018;</p> <p>(b) restricted to industrial, godown (excluding storage of any dangerous goods), office in direct support of an industrial operation, office ancillary to godown, showroom ancillary to factories etc.;</p> <p>(c) maximum gross floor area (GFA) of 4,075m<sup>2</sup>;</p> <p>(d) height restriction of 65m above the mean site formation level; and</p> <p>(e) parking requirements</p>
<b><u>Plan</u></b>	Approved Fanling/Sheung Shui Outline Zoning Plan (OZP) No. S/FSS/24
<b><u>Zoning</u></b>	<p>“Industrial” (“I”)</p> <p>[Restricted to a maximum plot ratio (PR) of 5.0 and a maximum building height (BH) of 65m (excluding basements) or the PR and height of the existing building, whichever is greater]</p>
<b><u>Application</u></b>	Proposed Shop and Services (Showroom) and Office (Wholesale Conversion of an Existing Industrial Building)

**1 The Proposal**

- 1.1 The applicant seeks planning permission for wholesale conversion of an existing nine-storey industrial building (IB) at No. 5 Lok Yip Road (namely Kawada Plaza (Phase II)), Fanling (the Site) to a commercial building with shop and services (showroom) and office (**Plan A-1**). The Site with site area of about 815m<sup>2</sup> is zoned “I” on the OZP and subject to a maximum PR of 5.0, and a maximum BH of 65m (excluding basements). According to the Notes of the OZP, ‘Shop and Services (not elsewhere specified) (ground floor only, except in wholesale conversion of an existing building and Ancillary Showroom which may be permitted on any floor)’ and ‘Office

(not elsewhere specified)' are Column 2 uses within "I" zone requiring planning permission from the Town Planning Board (the Board).

- 1.2 According to the applicant, the IB after wholesale conversion will be used as a sales centre and supporting office to host sales event for displaying the show flats of HKHS's housing developments. The proposed development aims at serving some special housing projects developed by HKHS, including the three Dedicated Rehousing Estates (DREs) at Pak Wo Road, Fanling, Hung Shui Kiu and Kwu Tung North which provide rehousing options for the eligible residents affected by Government's clearance exercises at the New Development Areas (NDAs).
- 1.3 According to the applicant, the proposed conversion mainly involves alterations and addition works such as removal of partition walls, which does not involve any change to the existing building bulk. However, the proposed PR will be slightly increased from 4.95 to 5 (+0.05/+1.01%) mainly due to the provision of double-deck parking system to fulfil the parking requirement as stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG)<sup>1</sup>. The proposed PR does not exceed OZP restriction. The floor/section plans of the proposed scheme submitted by the applicant are shown at **Drawings A-1 to A-11**. A comparison of the development parameters of the existing building and the proposed scheme upon conversion are as follows:

	Existing Building	Proposed Wholesale Conversion
Site Area	815m <sup>2</sup>	no change
Plot Ratio	4.95	5 (+0.05/+1.01%)
Gross Floor Area (GFA)	Total: 4,034.4m <sup>2</sup>	Total: 4,075m <sup>2</sup> (+40.6m <sup>2</sup> /+1.01%)  Office: 1,796m <sup>2</sup> Showroom: 1,826m <sup>2</sup> Internal Transport Facilities: 453m <sup>2</sup>
Site Coverage	65.7% (above 15m) 90.5% (below 15m)	No change
Building Height	35.995m/48.05mPD 9 storeys	No change
Main Uses	G/F: lobby, workshop and car park 1/F: workshop 2/F: car park and plant rooms 3/F to 8/F: workshop	G/F: lobby, showroom and car park 1/F: showroom 2/F: car park and plant rooms 3/F to 4/F: showroom 5/F to 8/F: office
Internal Transport Facilities	<u>Private car parking space</u> 5 (including 1 disabled parking space)  <u>Motorcycle parking space</u> 1  <u>Loading/unloading bays</u>	<u>Private car parking space</u> 16 (including 1 disabled parking space)  <u>Motorcycle parking space</u> 2  <u>Loading/unloading bays</u>

<sup>1</sup> According to the applicant, the floor spaces for upper deck may be GFA accountable, subject to the detailed design under general building plan submission stage.

	4 LGV + 2 M/HGV	1 LGV + 2 M/HGV
--	-----------------	-----------------

- 1.4 To tie in with the completion of Pak Wo Road and Hung Shui Kiu Phase 1 DREs in 2023, the sales exercise of the sales flats therein is proposed to be launched in 2023 tentatively. Since the sales flats of the DREs will be reserved for eligible residents for a holding period up to five years after the issuance of the Occupation Permit (OP) of the respective DRE, the proposed development would be needed to support the DREs for at least 14 years until 2034 (the last batch of DRE is scheduled to be completed in 2029), and the applicant stated that HKHS may take on more DREs and that the operation of the proposed development will likely go beyond 2034.
- 1.5 In order to avoid overburdening the existing traffic capacity, it is proposed that only eligible households are invited to visit the proposed sales centre. Various timeslots set by HKHS will be assigned to eligible households prior to the sales events and the number of visitors will be restricted to achieve a better crowd control/management. Entry to the sale centre would normally be denied should anyone attempt to attend sales event without invitation or appointment. In addition, the converted building will be provided with central air conditioning system and well gasketed window.
- 1.6 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 28.5.2021 **(Appendix I)**
  - (b) Supporting planning statement **(Appendix Ia)**
  - (c) Further information (FI) received on 9.7.2021<sup>#</sup> **(Appendix Ib)**
  - (d) FI received on 19.7.2021<sup>#</sup> **(Appendix Ic)**
- <sup>#</sup> Exempted from publication

## 2 **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the supporting planning statement at **Appendix Ia**. They are briefly summarized as follows:

### Strategic Location for the Proposed Sales Centre to Support HKHS's Housing Developments

- (a) taking into consideration of the home and job locations of the eligible residents who are mainly residing in the New Territories, the sales centre is proposed at the Site in On Lok Tsuen Industrial Area (OLTIA), Fanling, which is located within an accessible walking distance from/to Fanling MTR Station to provide immense convenience to the eligible residents within the same district;
- (b) the floor-to-floor height of the existing commercial buildings in Fanling and Sheung Shui cannot meet the high headroom requirement of the showrooms with model units. Hence, it is proposed to convert the IB at the Site which possesses ample floor-to-floor height and accessible location for showcasing the show flats to the eligible residents. It is also preferred to have office space within the same building of the proposed sales centre to support the operational needs.

Limited Supply of Land for Commercial Uses within the District

- (c) according to the Notes of the OZP, ‘Shop and Services’ and ‘Office’ are Column 2 uses requiring planning permission in most of the zonings in the OZP. While these uses are always permitted within “Commercial/Residential” (“C/R”) and “Other Specified Uses” annotated “Transport Interchange with Commercial Uses above” (“OU(TICU)”), the areas zoned “C/R” in Fanling and Sheung Shui are Luen Wo Hui and Shek Wu Hui which are mainly residential uses, while the area zoned “OU(TICU)” is occupied by Landmark North which cannot meet the operational requirements of the proposed sale centre e.g. the high headroom requirement;

Planning Intention of “I” Zone would not be Jeopardized

- (d) as compared with the area of the entire subject “I” zone (i.e. 32.62ha), the area of the Site (i.e. 850m<sup>2</sup>) is equivalent to 0.25% of the “I” zone. Conversion of the Site for commercial uses would not result in substantial loss of the industrial land. The proposed development would not jeopardize the planning intention of “I” zone;

Compatible with the Surrounding Areas

- (e) the IBs in OLTIA are mainly occupied by warehouses and offices which create minimal environmental impacts. It is unlikely that the proposed development would create any industrial/commercial interface issues. The existing and proposed planters at the flat roof of 2/F and 3/F (**Drawings A-3 and A-4**) can act as a buffer and soften the existing building bulk. As such, it is considered the proposed development is not incompatible with its surrounding environment from land use planning perspective;

Compliance with Town Planning Board Guidelines No. 25D for ‘Use/ Development within “Industrial” Zone’

- (f) the proposed development is in compliance with Town Planning Board Guidelines No. 25D as the Site is highly accessible by public transport and located within 15 minutes walking distance from Fanling MTR Station. The accessibility of the Site is expected to be updated with the implementation of Fanling North and Kwu Tung North NDAs. In addition, the applicant has demonstrated efforts to meet the parking requirement under HKPSG despite the constraints of the internal layout and GFA by adopting double-deck parking system;

Approval of Similar Applications

- (g) there are four similar applications within the same “I” zone approved by the Rural and New Town Committee (the Committee) of the Board between 2015 and 2016 on the grounds that there was a lack of supply of large-scale commercial/office building in Fanling area; and the proposed uses generally complied with the Town Planning Board Guidelines No. 25D. Approval of the current application will not set an undesirable precedent; and

No Adverse Impacts on Technical Aspects

- (h) the submitted traffic impact assessment and environmental assessment conclude that no adverse traffic and environmental impacts are anticipated.

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

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines in Satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A)

by sending request for consent to the “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

#### **4 Town Planning Board Guidelines**

Town Planning Board Guidelines No. 25D for ‘Use/Development within “Industrial” Zone’ (TPB PG-No. 25D) is relevant to this application. Although the current application is for wholesale conversion of an IB to sales centre with supporting office, the following main planning criteria for a proposed development of office building are relevant:

- (a) any proposal for the development of office building should demonstrate that there is a shortfall in the provision of office and other commercial floor space to serve the industrial activities in the area, and there are no suitable alternative sites to accommodate the proposed office building in the vicinity;
- (b) the location of the proposed office building should be easily accessible to public transport facilities, in particular railway stations, to minimize the potential traffic generation;
- (c) favourable consideration may be given to proposed office development on sites within the part of an industrial area requiring renewal or restructuring, and the proposed development will induce significant improvement to the general amenity and environment of the area, or will alleviate existing interface problems by providing an environmental of the area, or will alleviate existing interface problems by providing an environmental buffer between the existing industrial and residential or other environmentally sensitive uses, such as school and community facilities; and
- (d) there should be an adequate provision of parking and loading/unloading facilities within the site in accordance with the HKPSG and to the satisfaction of the Transport Department.

#### **5 Background**

On 14.8.2015, the Board noted the findings, key observations and recommendations of 2014 Area Assessments of Industrial Land in the Territory (the 2014 Area Assessments). For the subject OLTIA, it was suggested that the whole industrial area should be retained as “I” zone. Consideration would be also given to suitable sites in the area for commercial/office and/or logistic/warehousing developments. Relevant extract of the 2014 Area Assessments is attached at **Appendix II**.

#### **6 Previous Applications**

- 6.1 The Site is the subject of two previous Applications (Nos. A/FSS/118 and 132) for petrol liquefied petroleum gas (LPG) filling station and proposed petrol/liquefied gas filling station respectively before the development of the Site for Kawada Plaza (Phase II). The applications were approved by the Committee on 5.11.1999 and 4.5.2001 respectively on grounds that the proposed developments were considered compatible with the surrounding industrial developments in OLTIA; and generally meets the guidelines for petrol/LPG filling station development. The proposed LPG and petrol/

LPG filing stations did not commence and the planning permissions were subsequently lapsed.

- 6.2 Details of the applications are summarized at **Appendix III** and their location are shown on **Plan A-1**.

## **7 Similar Applications**

- 7.1 There are four similar applications (Nos. A/FSS/233, 245, 247 and 248) for wholesale conversion for shop and services, eating place, office and/or private club within the same “I” zone, which were approved by the Committee between 2015 and 2016. Details of the applications are summarized at **Appendix IV** and their location are shown on **Plan A-1**.
- 7.2 The four similar applications were approved by the Committee mainly on grounds that the proposed wholesale conversions were in-line with the Government’s policy of optimising the use of IBs and encouraging the redevelopment or conversion of IBs; the development was generally in line with the TPB-PG No. 25D and would not have significant adverse impacts on the surrounding areas. Applications Nos. A/FSS/233, 245 and 247 commenced with approved building plans and/or executed special waiver, but have not yet implemented, while application No. A/FSS/248 did not commence.

## **8 The Site and Its Surrounding Areas (Plans A-1 to A-4)**

- 8.1 The Site is:
- (a) located within the OLTIA; and
  - (b) currently occupied by a nine-storey IB with an Occupation Permit (OP) issued on 16.9.2020 mainly for workshop use, with vehicular access at On Lok Mun Street and pedestrian access at Lok Yip Road.
- 8.2 The Site is mainly surrounded by existing IBs. According to the survey undertaken in January 2014 under the 2014 Area Assessments, the main uses of the IBs in OLTIA are warehouse/ storage (about 52.9%) (**Appendix II**). To the northwest of OLTIA is Luen Wo Hui which is an existing market town occupied mainly by mixed residential and commercial uses. To the further northwest is Fanling North NDA with the first population intake in 2023 the earliest. The immediate surrounding areas have the following characteristics:
- (a) to the immediate northeast is a site under construction, further northwest is an IB known as Chinahua Industrial Building;
  - (b) to the southeast is an IB known as Kawada Plaza;
  - (c) to the southwest across Lok Yip Road are cluster of IBs and refuse collection point; and
  - (d) to the northwest is cluster of IBs.

## 9 Planning Intention

The planning intention of the “I” zone in OLTIA 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 the zone.

## 10 Comments from Relevant Government Departments

10.1 The following Government departments have been consulted on the application and the public comments received, and their views are summarized as follows:

### Support to Implementation of NDA Development

10.1.1 Comments of the Secretary of Development (SDEV):

- (a) the application is for proposed wholesale conversion of an existing industrial building in OLTIA for shop and services (showroom) and office uses. According to the applicant, the proposed showroom and the supporting office uses is intended for establishment *of* a sale centre for HKHS’s special housing projects, including DRE which are intended to receive eligible residents affected by the Government projects including the various on-going NDAs in the New Territories; *and*
- (b) *from his perspective of facilitating development clearance, he supports the application. Given the importance of timely delivery of development projects to increase housing land supply, it is his policy objective to be as facilitating as possible to the reasonable requests and needs of development clearerees. The proposal of HKHS to set up a sales centre with showrooms will bring about a dedicated physical location of clearere households to make enquiries and seek assistance in relation to the purchase of subsidised sale flats of the DREs. This would help address clearere households’ long-standing concerns about the lack of a solid information channel on these flats (which is necessary to assist them to make an informed decision on whether to purchase or rent flats in DREs as their rehousing arrangement). The initiative of HKHS in being more forthcoming to the needs of development clearerees is also worthy of his support. Having regard to past experience in engaging development clearerees, it is important for the service to be placed at a location that is conveniently accessible by them. As far as he understands, the Site is easily accessible in New Territories. Hopefully, the centre would benefit clearerees of the New Territories where considerable development projects are being planned in the pipeline. From NDA implementation perspective, he welcomes the initiative intended to better serve the affected residents with a dedicated showroom at a relatively convenient location and he trusts that the relevant departments would offer technical and site-specific comments on the proposal.*

**Land Administration****10.1.2 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):**

- (a) the Site is held under Fanling Sheung Shui Town Lot No. 261 which is governed by the Conditions of Exchange under New Grant No. 22606 dated 29.3.2018 for a term of 50 years commencing from 29.3.2018 and is restricted to industrial, godown (excluding storage of any dangerous goods), office in direct support of an industrial operation, office ancillary to godown, showroom ancillary to factories, etc. purposes. The site area of the lot is 815m<sup>2</sup> and the lease conditions contain amongst others, a maximum gross floor area of 4,075m<sup>2</sup>, a height restriction of 65m above the mean formation level of the lot and parking requirements. Certificate of Compliance in respect of the subject lot was issued on 2.2.2021; and
- (b) the proposed alterations and addition works would be in breach of user and parking provisions clauses under the lease. Therefore, if the application is approved, the lot owner will need to apply to LandsD for a lease modification or a waiver to effect the proposed uses. LandsD acting in the capacity of landlord will consider the application which, if approved, will be subject to such terms and conditions as considered appropriate including the payment of premium/waiver fee and administrative fee. There is no guarantee that such application will be approved. Besides, the proposed alterations and additions works would be scrutinized in building plan submission stage.

**Industrial Floor Space Demand****10.1.3 Comments of the Director-General of Trade and Industry (D-G of TI):**

- (a) he has reservation on the application; and
- (b) according to the 2014 Area Assessments, it was revealed that the total industrial stock in Hong Kong would not be able to meet the future demand for industrial uses. The 2014 Area Assessments had also recommended retaining the OLTIA (where the Site is located) as "I" zone to act as employment node to serve the existing and new population in North District. He understands that the existing building for the application was only granted with the OP in 2020 and hence the Government's policy on revitalisation of industrial buildings should not be relevant to the application. As such, he is concerned over the further depletion of industrial premises resulting from the approval of the application and has reservation on this application.

**Traffic****10.1.4 Comments of the Commissioner for Transport (C for T):**

- (a) he considers the traffic assessment for the proposed sales centre



(**Appendices Ia to Ic**) is in order; and

- (b) should the application is to be approved, the following approval condition is suggested:

the design and provision of parking facilities and loading/unloading spaces for the proposed development to the satisfaction his satisfaction or of the Board.

### **Environment**

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

he understands that the converted building would be provided with central air conditioning system and well gasketed window. As such, he has no objection to the application.

### **Landscape**

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

as the Site falls with “I” zone, which is a non-landscape sensitive zoning and no significant landscape impact arising from the proposed development is anticipated.

### **Fire Safety**

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

- (a) he has no objection in principle to the application subject to fire service installations (FSIs) and water supplies for firefighting being provided to his satisfaction. Detailed Fire Services requirements will be formulated upon receipt of formal submission of general building plans; and
- (b) as no details of the emergency vehicular access (EVA) have been provided, comments could not be offered by his department at the present stage. Nevertheless, the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by the Building Department.

### **Building Matters**

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

- (a) if the Site does not abut on a specific street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulation at the building plan submission stage;

- (b) detailed comments are at **Appendix VI**.

### **District Officer's Comments**

- 10.1.9 Comments of the District Officer/North, Home Affairs Department (DO(N), HAD):

the locals have been consulted since 15.6.2021 and the 1<sup>st</sup> Vice-Chairman and Chairman of Fanling District Rural Committee objected to the proposal mainly on grounds that the proposed development will bring adverse traffic impact; inadequate car parking spaces; and the Site is not accessible by public transport.

- 10.2 The following departments have no comment or no objection to the application:

- (a) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (b) Commissioner of Police (C of P);
- (c) Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD);
- (d) Chief Engineer/ Construction, Water Supplies Department (CE/C, WSD); and
- (e) Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD).

## **11 Public Comment Received During Statutory Publication Period**

On 30.4.2021, the application was published for public inspection. During the 3-week statutory publication period, three public comments were received (**Appendix V**). Amongst the three public comments, two comments made by the 1<sup>st</sup> Vice-Chairman and Vice-Chairman of Fanling District Rural Committee object to the application on transport grounds as detailed in paragraph 10.1.9 above and one individual indicates no comment on the application.

## **12 Planning Considerations and Assessment**

- 12.1 The application is for wholesale conversion of an existing nine-storey IB to shop and services (showroom) and office uses for the proposed sales centre and supporting office. While there is no change in the building bulk, the PR of the proposed scheme is slightly increased from 4.95 to 5 (+0.05/+1.01%) mainly due to the provision of double-deck parking system to fulfil the parking requirement under the HKPSG. The proposed PR does not exceed OZP restriction.
- 12.2 The proposed wholesale conversion is not entirely in line with the planning intention of "I" zone which is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. Notwithstanding, according to the TPB PG-No. 25D, the proposed uses may be permitted on application to the Board based on individual merits.
- 12.3 The Site is located within the On Lok Tsuen Industrial Area (OLTIA). According to the 2014 Area Assessments, OLTIA is recommended to be retained as "I" zone, and consideration would also be given to allow for commercial/office and/or

logistic/warehousing developments in suitable sites in the area. D-G of TI has reservation on the application with the concerns on the further depletion of industrial land resulting from the approval of this application. However, given the small share of industrial floor space in the subject IB compared with the entire “I” zone, the proposed wholesale conversion will not seriously affect the supply of industrial floor space in OLTIA thereby jeopardising the overall planning intention of the “I” zone. The proposed wholesale conversion for a sales centre which aimed at serving HKHS housing projects, especially the DREs, and providing convenient show flat and sale services to the eligible residents could support the implementation of various NDA developments. From *the perspectives of facilitating the development clearance, implementation of NDA, and increasing housing supply*—~~NDA implementation~~ perspective, SDEV *supports the application as the proposal will bring about a dedicated physical and convenient location for clearee households to make enquires and seek assistance in relation to the purchase of subsidised sale flats of the DREs, and would benefit clearees of the New Territories where considerable development projects are being planned in pipeline. He considers that HKHS's initiative is forthcoming to the needs of clearees,* and welcomes the initiative intended to better serve the affected residents with a dedicated showroom at a relatively convenient location.

- 12.4 The Site is highly accessible by public transport and about 700m from Fanling MTR Station. To the west of OLTIA is Luen Wo Hui where small-scale shop and services/eating places are found on the ground floor of the residential buildings. The proposed wholesale conversion for showroom and offices is considered not incompatible with the surrounding land uses with warehouse and storage being the predominant uses in the IBs nearby.
- 12.5 According to HKHS, there is a lack of large-scale commercial/office building which could satisfy the design requirements of the proposed sales centre in Fanling area. The proposed provision of parking and loading/unloading spaces complied with the HKPSG requirement, and C for T has no adverse comment on the application. Other relevant Government departments, including DEP, CE/MN of DSD, CTP/UD&L of PlanD, etc. have no adverse comments / no objection to the application. It is anticipated that the proposed wholesale conversion would not result in adverse traffic, environmental, drainage and landscape impacts. The application for proposed shop and services (showroom) and office through wholesale conversion generally comply with the assessment criteria set out in TPB PG-No. 25D in terms of availability of suitable alternative site, accessibility and parking provision of the proposed development.
- 12.6 There are four similar applications for wholesale conversion within the same “I” zone. The applications were approved by the Committee from 2015 to 2016 mainly on grounds as stated in paragraph 7.2. Compared with the IBs of these four similar applications, which are aged industrial buildings (with building ages of 27 to 32 years), Kawada Plaza (Phase II) under the current application is a new IB completed in 2020. Although the subject IB is not in need of revitalisation compared with the aged IBs proposed for wholesale conversion in the similar applications above, the Committee's considerations on the four similar applications including compliance with TPB-PG No. 25D and no significant adverse impact on the surrounding areas are still applicable to the current application. Approval of the current application is generally in line with the previous decisions of the Committee.

- 12.7 The current application is for conversion of the industrial floor spaces within existing IB for shop and services (showroom) and office uses. In order not to jeopardise the potential long term planning intention of the Site, should the Committee decide to approve the application, it is recommended that the approval would be for the lifetime of the building. Upon redevelopment, the Site would need to conform with the zoning and development restrictions on the OZP in force at the time of redevelopment which may not be the same as those of the existing buildings. An advisory clause at **Appendix VI** is recommended in this regard.
- 12.8 Regarding the local views conveyed by DO(N), HAD and public comments as stated in paragraphs 10.1.9 and 11, the departmental comments and planning considerations and assessment as stated above are relevant.

### **13 Planning Department's Views**

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the local views and public comments in paragraphs 10.1.9 and 11, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 23.7.2025, 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 also suggested for Members' reference:

#### Approval conditions

- (a) the design and provision of parking facilities and loading/unloading spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- (b) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

#### Advisory clauses

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

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

the proposed wholesale conversion is not in-line with the planning intention of the "Industrial" zone which is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. No strong planning justification has been given in the submission for a departure from the planning intention.

### **14 Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or

refuse to grant the permission.

- 14.2 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.
- 14.3 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.

## **15 Attachments**

<b>Appendix I</b>	Application form received by the Town Planning Board on 28.5.2021
<b>Appendix Ia</b>	Supporting planning statement
<b>Appendix Ib</b>	FI received on 9.7.2021
<b>Appendix Ic</b>	FI received on 19.7.2021
<b>Appendix II</b>	Extract of the 2014 Area Assessments
<b>Appendix III</b>	Previous applications
<b>Appendix IV</b>	Similar applications
<b>Appendix V</b>	Public comments received during the statutory publication period
<b>Appendix VI</b>	Advisory clauses
<b>Drawings A-1 to A-8</b>	Floor plans
<b>Drawing A-9</b>	Section plan and GFA calculation
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT**  
**JULY 2021**