

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/FSS/284

<u>Applicant</u>	Wise Kingdom Corporation Limited represented by Lanbase Surveyors Limited
<u>Site</u>	No. 33 On Lok Mun Street, Fanling, New Territories
<u>Site Area</u>	About 479.7m ²
<u>Lease</u>	<p>Fanling Sheung Shui Town Lot 9</p> <p>(a) governed by the Conditions of Exchange under New Grant No. 12302 for a term commencing from 21.6.1988 to 30.6.2047;</p> <p>(b) restricted to industrial or godown purposes or both excluding offensive trades;</p> <p>(c) maximum gross floor area (GFA) of 2,398 m²;</p> <p>(d) not more than 6 storey and a height restriction of 25m above the mean formation level; and</p> <p>(e) parking requirements</p>
<u>Plan</u>	<p>Approved Fanling/Sheung Shui Outline Zoning Plan (OZP) No. S/FSS/24 (in force at the time of submission)</p> <p>Draft Fanling/Sheung Shui OZP No. S/FSS/25 (currently in force) [The zoning and development restrictions for the Site remain unchanged on the current draft OZP No. S/FSS/25.]</p>
<u>Zoning</u>	<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>
<u>Application</u>	Proposed Shop and Services, Eating Place and Other Uses (including Art Studio/ Office/ Information Technology and Telecommunications Industries/ Place of Recreation, Sports or Culture) (Wholesale Conversion of an Existing Industrial Building)

1 The Proposal

- 1.1 The applicant seeks planning permission for wholesale conversion of an existing six-storey industrial building (IB) at No. 33 On Lok Mun Street within On Lok Tsuen Industrial Area (OLTIA), Fanling (the Site) to a commercial building with shop and services, eating place and other uses (including art studio/ office/ information technology and telecommunications industries/ place of recreation, sports or culture) (**Plan A-1**).
- 1.2 The Site with site area of about 479.7m² 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)’, ‘Eating Place (not elsewhere specified) (in wholesale conversion of an existing building only)’, ‘Office (not elsewhere specified)’ and ‘Place of Recreation, Sports or Culture (not elsewhere specified)’ are Column 2 uses within “I” zone requiring planning permission from the Town Planning Board (the Board), while ‘Art Studio (excluding those involving direct provision of services or goods)’ and ‘Information Technology and Telecommunications Industries’ uses are always permitted within “I” zone.
- 1.3 According to the applicant, the proposed conversion mainly involves alterations and addition (A&A) works and does not involve any change to the existing building bulk. There will be no change in the building height (BH), gross floor area (GFA) and site coverage (SC). The existing main entrance and vehicular ingress/egress of the Site at On Lok Mun Street also remain unchanged. The floor/section plans of the proposed scheme submitted by the applicant are shown at **Drawings A-1 to A-8**.
- 1.4 The applicant intends to apply for special waiver for the proposed wholesale conversion under the current revitalization scheme for IBs. The designated portion on G/F and 1/F with 240m² (about 10% of the total GFA) will be reserved for the specified uses as prescribed by the Government (i.e. other uses in the current application (including art studio/ office/ information technology and telecommunications industries/ place of recreation, sports or culture)) for the future special waiver application. The exact uses of designated portion will be determined by the Government upon receipt of the special waiver application after obtaining the planning permission. A table summarizing the development schedule of the proposed scheme upon conversion are as follows:

	Existing Building^[1]	Proposed Wholesale Conversion
Site Area	About 479.7m ²	No change
Plot Ratio	4.99	No change
Gross Floor Area	2,392.057m ²	2,392.057m ² (no change) Shop and services: 1,514.757m ² Eating place: 533.838m ² Other uses: 240m ² Entrance hall: 103.462m ²
Site Coverage	88.997%	No change
Building Height (Main Roof)	36.84mPD	36.84mPD or 25m

	Existing Building^[1]	Proposed Wholesale Conversion
Main Uses	G/F: workshop, car park 1/F – 4/F: workshop 5/F: workshop, ancillary office	G/F: entrance hall, car park, loading/unloading, E&M, other uses (designated portion) 1/F: shop and services, other uses (designated portion) 2/F – 3/F: shop and services 4/F – 5/F: shop and services, eating place
Internal Transport Facilities	<u>Private car parking space</u> 2 <u>Loading/unloading bay</u> 1 LGV	<u>Private car parking space</u> 2 (including 1 accessible parking) <u>Loading/unloading bay</u> 1 LGV

Remarks

^[1] The floor uses are tallied with the occupation permit (OP) issued on 20.10.1992.

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

- (a) Application form received on 6.10.2021 **(Appendix I)**
- (b) Supporting planning statement **(Appendix Ia)**
- (c) Further information (FI) received on 4.1.2022[#], 14.2.2022[#], 19.4.2022[#] and 25.5.2022[#] **(Appendices Ib - Ie)**
[#] Exempted from publication

1.6 On 26.11.2021 and 4.3.2022, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer a decision on the application, upon the request of the applicant, to allow more time for the applicant to submit FI to address departmental comments. After the last deferment, FIs were received on 19.4.2022 and 25.5.2022. The application is scheduled for consideration by the Committee at this meeting.

2 Justifications from the Applicant

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

- (a) under the current revitalization scheme for IBs, wholesale conversion of IBs aged 15 years or above in “Commercial” (“C”), “Other Specified Uses” annotated “Business” (“OU(B)”) and “I” zones into permissible planning uses is encouraged. The proposed wholesale conversion is in line with the Chief Executive’s 2018 Policy Address (2018 PA) to encourage wholesale conversion of IBs aged 15 years of above by providing 10% of total GFA for specified uses prescribed by the Government upon completion of such conversion works (**Drawings A-1 and A-2**). As such, the proposed wholesale conversion is in line with the Government Policy;

- (b) followed by the gradual transformation of the area from industrial to business nature, the demand for commercial development is increasing. It is believed that the proposed wholesale conversion to commercial uses would provide more employment opportunities in the area;
- (c) since 2015, there are five similar planning applications for wholesale conversion of IBs within the same “I” zone approved by the Committee. Given that similar planning applications were approved in the surrounding area, the proposed development should be acceptable;
- (d) the traffic impact assessment conducted (**Appendix Id**) has concluded that the proposed wholesale conversion would not result in adverse traffic impact. For the proposed parking provision, due to structural constraints of the existing building, the proposed parking provision cannot meet the requirements in the Hong Kong Planning Standard and Guidelines (HKPSG). Nevertheless, there are public car parking spaces in vicinity and the Site is served by public transport;
- (e) according to the applicant, since the peak sewage discharge flow of the existing operation of the IB is much higher than the average daily flow of the proposed development (**Appendix Ib**), it is believed that the proposed development would not result in adverse sewerage impact. The applicant would submit a detailed assessment on both sewerage and drainage aspects to relevant government departments for approval at the building design stage, if required; and
- (f) for visual aspect, since the building bulk will remain unchanged, no adverse visual impact is anticipated.

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

The applicant is the sole “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. The current application is for wholesale conversion of an IB to a commercial building with shop and services, eating place and other uses (including art studio/ office/ information technology and telecommunications industries/ place of recreation, sports or culture). 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 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 (TD).

5 Background

Area Assessments

- 5.1 According to the 2020 Area Assessments of Industrial Land in the Territory (2020 Area Assessments), the locational advantage of the OLTIA provides the area with the opportunity to capitalize on the economic interaction between Hong Kong and the Mainland and serve as the major employment node for the existing and planned population in the surrounding areas (including the New Development Areas (NDAs)). Meanwhile, the Northern Metropolis Development Strategy (NMDS) announced in October 2021 mentioned the idea of exploring the opportunities for rezoning OLTIA to business and innovation & technology uses. The Planning Department will continue to keep in view the utilization of existing industrial area and the evolving economic and development needs in OLTIA, with a view to initiating appropriate planning actions at an opportune time. Relevant extract of the 2020 Area Assessments is attached at **Appendix II**.

Policy of Revitalisation of IBs

- 5.2 As set out in the 2018 PA, to provide more floor area to meet Hong Kong's changing social and economic needs, and make better use of the valuable land resources, new measures to reactivate the revitalisation of IBs are announced. One of the measures is exemption of waiver fees for wholesale conversion of existing IBs aged 15 years or above in "C", "OU(B)" and "I" zones for uses permitted under the relevant OZPs, with an additional condition that 10% of the converted floor space should be designated for specific uses prescribed by Government, such as those in relation to the arts and cultural sectors, creative industries, innovation and technology industries, social service facilities, or sports and recreational uses, etc. Application for a special waiver should be received by the Lands Department on or before 31.10.2024.

6 Previous Application

- 6.1 The Site is the subject of one previous Application (No. A/FSS/112) for social welfare facility (elder centre). The application was rejected by the Committee on 26.3.1999 mainly on grounds that the proposed development was not in line with the planning intention of the "I" zone; no information has been provided to demonstrate that the proposed development would not create industrial/residential interface problems; and

the approval of the application would set an undesirable precedent for other similar applications.

- 6.2 Details of the application are summarized at **Appendix III** and its location is shown on **Plan A-1**.

7 Similar Applications

- 7.1 There are five similar applications (Nos. A/FSS/233, 245, 247, 248 and 283) 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 2021. Details of the applications are summarized at **Appendix IV** and their location are shown on **Plan A-1**.
- 7.2 Applications Nos. A/FSS/233, 245, 247 and 248 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 been implemented, while application No. A/FSS/248 did not commence.
- 7.3 Application No. A/FSS/283 was approved by the Committee mainly on grounds that the proposed wholesale conversion for sale centre and supporting office would facilitate the implementation of New Development Areas (NDAs) by providing convenience for clearee households to make enquires and seek assistance in relation to the purchase of subsidised sale flats of the dedicated rehousing estates (DREs); the development was generally in line with the TPB-PG No. 25D and would not have significant adverse impacts on the surrounding areas. The application was commenced with approved building plan.

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

- 8.1 The Site is:
- (a) located within the OLTIA;
 - (b) accessible via On Lok Mun Street; and
 - (c) currently occupied by a six-storey IB with an Occupation Permit (OP) issued on 20.10.1992 mainly for workshop use. Detailed existing uses of different floors are as follows:

Floor	Existing Uses
G/F	Workshop, car parking spaces, L/UL bays
1/F – 4/F	Workshop
5/F	Workshop, ancillary office

- 8.2 The Site is mainly surrounded by existing IBs and the IB to the north of the site

(known as Mineron Centre) is covered by planning permission for wholesale conversion to shop and services / eating place (Application No. A/FSS/233). According to the survey undertaken in December 2019 to December 2020 under the 2020 Area Assessments, the main uses of the IBs in OLTIA are warehouse/ storage (about 73.2%) (**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.

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:

Policy

10.1.1 Comments of the Secretary of Development (SDEV):

- (a) under the current revitalisation scheme for IBs, Lands Department (LandsD) would consider valid applications for exemption of waiver fees to enable wholesale conversion of existing IBs aged 15 years or above in “C”, “OU(B)” and “I” zones for non-industrial uses permitted under the relevant OZPs, with a condition that 10% of the converted floor space should be designated to implement specific uses prescribed by Government. Where a proposed uses applied for requires planning permission from the Board, it must be obtained before the relevant special waiver application is submitted to LandsD; and
- (b) he notes that the applicant intends to convert the existing six-storey IB into a commercial one mainly for shop and services and eating place uses, and considers that the proposed conversion would supply commercial GFA and help provide more employment opportunities in the OLTIA. As for the designated portion, the applicant proposes designating 10% of the converted floor space at part of G/F and 1/F (**Drawings A-1 and A-2**) for other uses (including art studio/ office/ information technology and telecommunications industries/ place of recreation, sports or culture). On the basis of the information available, this conversion proposal should be welcomed. It is consistent with the proposed rezoning of the OLTIA from “I” to “OU(Business and I&T)”, as set out in the Report on NMDS. It would add impetus to transformation of OLTIA, and can help create more jobs within the Northern Metropolis.

10.1.2 Comments of the Director-General of Trade and Industry (D-G of TI):

- (a) according to the 2020 Area Assessment, there is an estimated deficit of land for industrial uses and it is considered that most of the existing zoning for the IBs are to be retained (except Sheung Shui Areas 4 and 30 and Siu Lek Yuen). For OLTIA, given the future large scale developments in the Northern New Territories, it was suggested in the 2020 Area Assessment that further review may be required at an opportune time taking account of any new policy initiatives as well as changes in the local character or planning context;
- (b) he also notes that in SDEV's comment in paragraph 10.1.1 above, he is of the view that the conversion proposal should be welcomed on the basis of the information available, and it is consistent with the proposed rezoning of the OLTIA from "I" to "OU(Business and I&T)" as set out in the Northern Metropolis Development Strategy;
- (c) in consideration that (i) the Government's policy on revitalisation of industrial buildings is to meet Hong Kong's changing social and economic needs and to make better uses of our valuable land resources, (ii) the application would not alter the current "I" zoning of the site and the approval, if given, would be for the lifetime of the existing building only and would not jeopardise the long-term planning intention of the site for industrial uses; and (iii) non-polluting industries (e.g. Information Technology and Telecommunications Industries) are proposed to be included in the proposal, he has no comment on the application.

Land Administration

10.1.3 Comments of the District Lands Officer/North, LandsD (DLO/N, LandsD) and the Chief Estate Surveyor/Development Control, LandsD (CES/DC, LandsD):

- (a) the Site is held under Fanling Sheung Shui Town Lot No. 9 which is governed by the Conditions of Exchange under New Grant No. 12302 dated 21.6.1988 for a term commencing from 21.6.1988 to 30.6.2047 and is restricted to industrial or godown purposes or both excluding offensive trades. The site area of the lot is 479.7m² and the lease conditions contain, amongst others, a maximum GFA of 2,398m², not more than six storeys and a height restriction of 25m above the mean formation level and parking requirements. Certificate of Compliance in respect of the subject lot was issued on 31.12.1992;
- (b) the proposed conversion works would be in breach of user and types of building clauses under the lease. Therefore, if the planning 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.

- (c) as the applicant in paragraph 6.1 of the Planning Statement (**Appendix Ia**) showed the intention to apply for a special waiver, the applicant should refer to the LandsD Lands Administration Office Practice Note No. 6/2019 (the PN) for the prerequisites, no change to existing structure/bulk, requirement of the designated portion and specified uses (both as defined in the PN) for application of a special waiver under the 2018 IB Revitalization Scheme;
- (d) paragraph 6.4 of the Planning Statement (**Appendix Ia**) mentioned that the building height and number of storey (of the proposed development) would remain unchanged from the existing condition. The applicant is reminded that the recovery of total accountable GFA due to conversion works is not permitted (e.g. recovery of total accountable GFA due to demolition of the floor slabs is not permitted) except subject to restrictive exceptions stated in the PN; and
- (e) LandsD reserves comments on the details of the proposed conversion works (such as the schematic drawings in Appendix 4 of the Planning Statement (**Drawings A-1 to A-8**), GFA calculation, GFA accountability, exiting building bulk, the proposed specified uses/ location/ design/ size of designated portion, etc.) as contained in the planning statement which would only be examined and considered in detail when LandsD receives the owner's application for a special waiver.

Traffic

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

- (a) he has no comment on the application from traffic engineering point of view; and
- (b) if the application is approved, the following approval conditions are suggested:
 - (i) the design and provision of parking facilities and loading/unloading spaces for the proposed development to his satisfaction or of the Board; and
 - (ii) the design and provision of vehicular access to his satisfaction or of the Board.

10.1.5 Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

if the application is approved, the applicant is required to construct a proper ingress and egress for the site according to HyD's Standard Drawings and to his satisfaction at the applicant's own cost.

Environment

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

it is noted that the proposed converted building does not rely on openable window for ventilation as the applicant would provide mechanical ventilation and individual air conditioning system to the proposed converted building. In addition, well gasketed window would be provided to screen off potential vehicular emission and traffic noise impact from adjacent roads. Hence, he has no objection to the application.

Landscape

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

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

Fire Safety

10.1.8 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.

Drainage

10.1.9 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- (a) he has no objection in principle to the application from public drainage point of view; and
- (b) if the application is approved, approval condition to request the applicant to submit and implement a drainage proposal for the site should be included to ensure that the proposed land use will not cause adverse drainage impact to the adjacent area.

Town Gas Safety

10.1.10 Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) it is noted that the Site is located in the vicinity of the underground Intermediate Pressure synthetic natural gas pipeline running from NENT landfill to Tai Po Gas Production Plant;
- (b) the applicant is responsible for checking with the Hong Kong and China Gas Company Limited about the existence of synthetic natural gas pipelines in the vicinity of the concerned areas/sites;
- (c) the applicant should maintain liaison/coordination with the Hong Kong and China Gas Company Limited in respect of the exact location of existing or planned gas pipe routes/ gas installations in the vicinity of the proposed works area and the minimum set back distance away from the gas pipes/ gas installations if any excavation works are required during the design and construction stages of the development; and
- (d) the applicant shall also note the requirements of the Electrical and Mechanical Services Department's Code of Practice on Avoiding Danger from Gas Pipes.

Building Matters

10.1.11 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

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

the locals have been consulted from 28.10.2021 to 15.11.2021 and the 1st Vice-Chairman and the Vice-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) Commissioner of Police (C of P);
- (b) Chief Engineer/ Construction, Water Supplies Department (CE/C, WSD); and
- (c) Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD).

11 Public Comment Received During Statutory Publication Period

On 12.10.2021, the application was published for public inspection. During the 3-week statutory publication period, six public comments were received (**Appendix V**). Amongst the six public comments, two comments made by the Chairman of Owners Incorporation of Fanling Industrial Centre and Hon Yick Properties Limited support the application, three comments made by the 1st Vice-Chairman and Vice-Chairman of Fanling District Rural Committee and a member of North District Council object to the application on transport grounds as detailed in paragraph 10.1.9 above. One individual indicates no comment on the application.

12 Planning Considerations and Assessment

- 12.1 The application is for wholesale conversion of an existing six-storey IB to a commercial building with shop and services, eating place and other uses (including art studio/ office/ information technology and telecommunications industries/ place of recreation, sports or culture). According to the Notes of the OZP, the proposed 'Shop and Services', 'Eating Place', 'Office' and 'Place of Recreation, Sports or Culture' require planning permission within the "I" zone, while other uses are always permitted. There will be no change to the existing bulk of the building, including GFA, PR, site coverage and building height, upon conversion.

Planning Intention

- 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.

Policy Aspect

- 12.3 The proposed wholesale conversion is in line with the revitalization scheme for IBs announced in 2018. With the applicant proposing designating no less than 10% of the converted floor space for specified uses as prescribed by the Government on G/F and 1/F, SDEV considers the conversion proposal should be welcomed and the proposed wholesale conversion is consistent with the rezoning proposal of OLTIA under NMDS and would add impetus to transformation of OLTIA, and can help create more jobs within the Northern Metropolis. D-G of TI has no comment on the application in consideration that the proposal is in line with the Government's policy on revitalisation of IBs; the application would not alter the current "I" zoning of the Site as it is for the lifetime of the IB; and non-polluting industries (e.g. Information Technology and Telecommunications Industries) are proposed to be included in the proposal.

TPB Guidelines and Technical Aspects

- 12.4 The proposed wholesale conversion generally comply with the assessment criteria set out in TPB PG-No. 25D. There are a number of similar applications for wholesale

conversion of existing IBs for commercial uses approved by the Committee, and the most recent one was approved in 2021, demonstrating that there is market need for such commercial uses in the area. 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 commercial uses is considered not incompatible with the surrounding land uses despite warehouse and storage being the predominant uses in the IBs nearby.

- 12.5 The Site is highly accessible by public transport. Although the proposed parking provision cannot meet the HKPSG requirement, there is structural constraints of the existing IB for provision of additional parking space; public car parking spaces are available in vicinity; and the Site is served by public transport. In this regard, C for T has no adverse comment on the application as well as the parking provision. 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.

Similar Applications

- 12.6 There are five similar applications for wholesale conversion within the same “I” zone. The applications were approved by the Committee from 2015 to 2016 and 2021 mainly on grounds as stated in paragraphs 7.2 and 7.3 above. Approval of the current application is generally in line with the previous decisions of the Committee.

Lifetime of Existing Building

- 12.7 The current application is for wholesale conversion of an existing six-storey IB to a commercial building. In order not to jeopardise the planning intention of the Site, should the Committee decide to approve the application, the approval would be for lifetime of the existing building only, and 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.

Local Views and Public Comments

- 12.8 Regarding the local views conveyed by DO(N), HAD and public comments as stated in paragraphs 10.1.12 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 10.1.12 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 10.6.2026, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and

advisory clauses are 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;
- (b) the design and provision of vehicular access to the satisfaction of the Commissioner for Transport and the Director of Highways or of the Town Planning Board;
- (c) 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; and
- (d) the submission and implementation of drainage proposal to the satisfaction of Director of Drainage 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

Appendix I	Application form received by the Town Planning Board on 6.10.2021
Appendix Ia	Supporting planning statement

Appendix Ib	FI received on 4.1.2022
Appendix Ic	FI received on 14.2.2022
Appendix Id	FI received on 19.4.2022
Appendix Ie	FI received on 25.5.2022
Appendix II	Extract of the 2020 Area Assessments
Appendix III	Previous application
Appendix IV	Similar applications
Appendix V	Public comments received during the statutory publication period
Appendix VI	Advisory clauses
Drawings A-1 to A-6	Floor plans
Drawings A-7 and A-8	Section plans
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JUNE 2022**