

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM/580

<u>Applicant</u>	:	Hoi Wai Industrial Company Limited represented by Multiple Surveyors Limited
<u>Premises</u>	:	10/F, Hanway Factory Building, 17 San On Street, Tuen Mun, New Territories
<u>Floor Area</u>	:	423m ² (about)
<u>Lease</u>	:	Castle Peak Town Lot (CPTL) No. 22 held under New Grant No. 1567 - Restricted to industrial and/or godown purposes (excluding offensive trades)
<u>Plan</u>	:	Draft Tuen Mun Outline Zoning Plan (OZP) No. S/TM/36
<u>Zoning</u>	:	“Industrial” (“I”) <i>[Restricted to a maximum plot ratio (PR) of 9.5 and a maximum building height (BH) of 85mPD, or the PR/BH of the existing building, whichever is the greater]</i>
<u>Application</u>	:	Proposed Office (Back Office)

1. The Proposal

- 1.1. The applicant seeks planning permission to use the application premises (the Premises) for proposed office (back office)(**Plan A-1**). According the Notes of the OZP for the “I” zone, ‘Office (not elsewhere specified)’¹ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Premises is currently used as a laundry workshop.
- 1.2. The Premises is involved in a previous approved application (No. A/TM/544) for the same use for a period of three years and the planning permission has lapsed (details at paragraph 5 below).
- 1.3. The floor plan of the Premises and the 10/F of Hanway Factory Building (the Building) submitted by the applicant is at **Drawing A-1**.

¹ ‘Office (Audio-visual Recording Studio, Design and Media Production, Office Related to Industrial Use only)’ is a Column 1 use which is always permitted within the “I” zone.

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

- (a) Application Form received on 16.9.2022 (Appendix I)
- (b) Supplementary Information received on 22.9.2022 (Appendix Ia)
- (c) Further Information received on 26.10.2022 (*exempted from publication and recounting requirements*) (Appendix Ib)

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the **Appendices**. They can be summarised as follows:

- (a) As there is an increasing demand for supporting office space for different kinds of businesses in the neighbourhood in the recent years especially after a more convenient and developed transportation network is available, the applicant wishes to have a better use of the Premises.
- (b) The Premises is the subject of a previous application (No. A/TM/544) for proposed office (back office) use which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 6.9.2019 for a period of three years.
- (c) The original plan of changing the use from factory to office was severely interrupted by the outbreak of COVID-19. With the general business environment starting to recover, the applicant intends to resume the proposed change of use after obtaining planning approval and respective waiver.
- (d) The proposed conversion is for back-office use with no direct provision of customer services or goods to the public and the Premises shall mainly be a workplace for in-house staff only. Submission and implementation of fire service installations proposal will be complied with to the satisfaction of the Director of Fire Services (D of FS) before the operation after obtaining planning approval and respective waiver.
- (e) As no direct provision of customer services will be involved, no large crowd will be expected from the proposed use. The change in worker density for the Premises under the current application for conversion from factory to office with a floor area of 423m² shall only be increased slightly from 17 workers to 22 workers. The increase is considered minimal and shall have no adverse impact to the overall traffic and road network of the vicinity. The change in parking demand arising from the slightly increase of workers after the proposed conversion could be compensated by easily accessible public transport facilities in the vicinity.

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

The Town Planning Board Guidelines for Use/Development within “Industrial” Zone (TPB PG-No. 25D) is relevant in the following aspects:

- (a) for a proposed commercial use in an industrial building or on the upper floors of an industrial-office building, it should be demonstrated that there is a genuine need for the proposed use under application and no suitable alternative accommodation can be found in the vicinity. The location and scale of the proposed use should be justified on operational grounds;
- (b) there should be an adequate provision of parking and loading/unloading facilities within the site in accordance with the Hong Kong Planning Standards and Guidelines and to the satisfaction of the Transport Department. The inclusion and operation of the proposed commercial use should not adversely affect the traffic conditions in the local road network; and
- (c) the Fire Services Department should be satisfied on the risks likely to arise or increase from the proposed commercial use under application.

5. Previous Application

The Premises is the subject of a previous application (No. A/TM/544) for proposed office (back office), which was approved with conditions by the Committee for a period of three years on 6.9.2019 mainly on the consideration that the proposed use generally complied with the TPB PG-No. 25D; no adverse impact would be induced from the proposed use from fire safety, traffic and environmental considerations; and the temporary approval of three years would allow the Committee to better monitor the provision of industrial floor space in the area. The proposed conversion has not been realised and the planning permission lapsed on 7.9.2022. Compared with the previous application, the current application is submitted by the same applicant for the same use at the same Premises with the same development scale.

6. Similar Application

There is no similar application for office use at other units within the Building and the “I” zones on the OZP.

7. The Premises and its Surrounding Areas (Plans A-1 to A-3 and photos on Plans A-4)

7.1. The Premises is:

- (a) located on the 10/F of the Building which is sandwiched by Tin Hau Road on its east and San On Street on its west in Tuen Mun Area 12 (**Plan A-2**); and
- (b) currently used as a laundry workshop.

- 7.2. Based on site inspection conducted on 13.10.2022, the existing main uses of the Building by floors are summarised below :

Floor	Current Main Uses
G/F	Carpark, Loading/unloading area
1/F to 3/F	Warehouse, Office
4/F	Workshop (packaging)
5/F to 7/F	Warehouse
8/F to 11/F	Laundry (including the Premises on 10/F)

- 7.3. The surrounding areas have the following characteristics (**Plans A-1 to A-3**):

- (a) the Building is located at the eastern fringe of the industrial area and mainly surrounded by industrial buildings, godowns and commercial/office buildings;
- (b) to its east across Tin Hau Road are Pui To Road (South) Rest Garden, a cycle track and Tuen Mun River Channel;
- (c) to its further northeast are Tuen Ma Line Tuen Mun Station and Light Rail Transit (LRT) Tuen Mun Station located about 230m away; and
- (d) to its northwest across San On Street are a sitting-out area and a public car park.

8. Planning Intention

The planning intention of the “I” zone is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. Information technology and telecommunications industries, office related to industrial use, and selected uses akin to industrial production and would not compromise building and fire safety are also always permitted in this zone.

9. Comments from Relevant Government Departments

- 9.1 Apart from the government department as set out in paragraph 9.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in Recommended Advisory Clauses are provided in **Appendices II and III** respectively.

Trade and Industry

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

- (a) he has reservation on the application for conversion of the Premises to “Office (not elsewhere specified)” use, which is a permanent non-

industrial use. If the application is approved on a temporary basis which will allow Planning Department (PlanD) to monitor the utilisation of the industrial stock in the area and will not jeopardise the long term planning intention of industrial use for the subject Premises, he would have no comment; and

- (b) according to the 2020 Area Assessments of Industrial Land in the Territory (“2020 Area Assessments”) released in December 2021 by PlanD, there is an estimated deficit of land for industrial uses. The 2020 Area Assessments had also recommended retaining Tuen Mun Areas 9, 12 and 17, where the Premises is located, as “Industrial” zone considering the steadily high usage of industrial use.

10. Public Comments Received During Statutory Publication Period

On 23.9.2022, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The application is for conversion of a workshop on 10/F of the Building for proposed office (back office). The planning intention of the “I” zone is to reserve land primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries.
- 11.2 According to the applicant, the proposed office is intended to support other businesses within the “I” zone with no direct provision of customer services or goods to the public. In view of the small scale of the proposed office (423m²) and its nature of operation, and the location of the proposed use is easily accessible by public transport facilities including Tuen Ma Line Tuen Mun Station and LRT Tuen Mun Station, no significant adverse fire safety, traffic and environmental impacts are anticipated. Relevant departments, including D of FS, Commissioner for Transport and Director of Environmental Protection have no adverse comment on the application. The proposed office use generally complies with the Town Planning Board Guidelines for Use/Development within the “Industrial” Zone (TPB PG-No. 25D) in that no adverse impact would be induced from the proposed use from fire safety, traffic and environmental consideration.
- 11.3 Given that a previous approval for the same use has been granted to the Premises in 2019, approval of the current application is in line with the Committee’s previous decision.
- 11.4 The applicant has applied to use the Premises as an office on a permanent basis. Nevertheless, considering the comments from DG of TI and the recommendations of the 2020 Area Assessments to retain Tuen Mun Area 12 as “I” zone, it is recommended to grant a temporary approval of three years in order not to jeopardise the long term planning intention of industrial use for the

Premises and to allow the Committee to monitor the provision of industrial floor space in the area.

- 11.5 No public comment was received on the application during the publication period.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above, the Planning Department has no objection to the application on a temporary basis for a period of three years.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until 11.11.2025. The following approval conditions and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the submission of water supplies for fire-fighting and fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 11.5.2023;
- (b) in relation to (a) above, the implementation of the water supplies for fire-fighting and fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 11.8.2023;
- (c) if any of the above planning conditions (a) or (b) is not complied with by the specified date, the planning approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory Clauses

The recommended advisory clauses are at **Appendix III**.

- 12.3 There is no strong reason to recommend rejection of the application.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or 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 period of which the permission should be valid on a temporary basis.

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 16.9.2022
Appendix Ia	Supplementary information received on 22.9.2022
Appendix Ib	Further Information received on 26.10.2022
Appendix II	Government Departments' General Comments
Appendix III	Recommended advisory clauses
Drawing A-1	Layout of the Premises
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
NOVEMBER 2022**