

MPC Paper No. A/H3/444A
For Consideration by the
Metro Planning Committee
on 22.4.2022

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H3/444

- Applicant** : Luck Rich Properties Limited represented by DeSPACE (International) Limited
- Site** : 380 Des Voeux Road West, Shek Tong Tsui, Hong Kong
- Site Area** : About 139.2m²
- Lease** : Marine Lot (M.L.) 186 s.A RP
- virtually unrestricted subject to the standard non-offensive trades clause
- Plan** : Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan (OZP) No. S/H3/34
- Zoning** : “Residential (Group A)6” (“R(A)6”)
- (a) restricted to a maximum building height (BH) of 100mPD, or the height of the existing building, whichever is the greater
- (b) a maximum BH of 120mPD would be permitted for sites with an area of 400m² or more
- Application** : Proposed Office and Shop and Services

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed 24-storey commercial building comprising a 21-storey office tower over a 3-storey podium with ‘Shop and Services’ use (G/F and 2/F) and E&M facilities (1/F) at 380 Des Voeux Road West (DVRW), Shek Tong Tsui (the Site). The Site falls within an area zoned “R(A)6” on the approved Sai Ying Pun & Sheung Wan OZP No. S/H3/34 (**Plan A-1**). According to the Notes of the OZP for “R(A)6” zone, while ‘Shop and Services’ use is always permitted on the lowest three floors of a building, planning permission from the Town Planning Board (the Board) is required for ‘Office’ use above the lowest three floors.
- 1.2 The Site is elongated in shape and abuts DVRW and Sai On Lane with frontages of about 4.65m wide (**Plan A-2** and **Drawing A-10**). According to the Proposed

Scheme, the proposed office tower (3/F and above) will be setback from DVRW and positioned at the southern part of the Site (**Drawing A-7**). The main development parameters of the proposed development are tabulated below. The floor plans and section of the proposed development are shown in **Drawings A-1 to A-7**.

Major Development Parameters	
Site Area	139.2m ² (about)
Maximum Non-Domestic Plot Ratio (PR)	15
Maximum Non-Domestic Gross Floor Area (GFA) - Office (3/F and above) - Shop and Services (Lowest 3 Floors)	Not more than 2,088m ² - Not more than 1,754m ² - Not more than 334m ² <i>(E&M facilities on 1/F is not accountable for GFA)</i>
Site Coverage (SC) - Podium (G/F to 2/F) - Tower (3/F to 23/F)	100% 60%
No. of Blocks	1
BH (at main roof level)	100mPD
No. of Storeys	24 (G/F to 23/F)
Parking Spaces and Loading/Unloading (L/UL) Facilities	Nil

- 1.3 The main uses by floor for the proposed development (**Drawing A-7**) are summarised as follows:

Floor	Main Uses
G/F	Shop and Services / Lift Lobby
1/F	E&M facilities
2/F	Shop and Services
3/F	Office / Flat Roof
4/F to 23/F	Office

- 1.4 According to the proposed scheme, the proposed 'Shop and Services' use on G/F will have shopfronts facing DVRW (about 2.65m wide) and the covered access to the lift lobby of the proposed development (**Drawing A-1**). The 2m-wide covered access is semi-enclosed with the side facing the existing alleyway of the adjacent Grace Mansion open and unobstructed (except for the three columns supporting structures above). The separate entrance to the lift lobby serving the upper floors (1/F to 23/F) is located at the rear part of the proposed development. A canopy along the whole frontage of the Site is proposed over the public footpath at DVRW (**Drawing A-1**). According to the applicant, the proposed development will be equipped with central air-conditioning system and fixed windows. No internal transport facilities, including parking space, L/UL space and manoeuvring space, will be provided in the proposed development. The applicant suggested that kerbside L/UL activities would be carried out on DVRW in the vicinity of the Site (**Drawing A-11**).

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

- (a) Application Form received on 25.10.2021 (Appendix I)
- (b) Planning Statement received on 25.10.2021 (Appendix Ia)
- (c) Supplementary information received on 28.10.2021 providing clarification on the submission (Appendix Ib)
- (d) Further Information (FI) received on 24.2.2022 providing responses to departmental comments, Traffic Review, revised floor plans and section, and replacement pages of the Planning Statement[#] (Appendix Ic)
- (e) FI received on 1.4.2022 providing responses to departmental comments and revised floor plans* (Appendix Id)
- (f) FI received on 12.4.2022 and 14.4.2022 providing responses to departmental comments and updated G/F plan and section plan* (Appendix Ie)

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

^{*}accepted and exempted from publication and recounting requirements

1.6 On 24.12.2021, as requested by the applicant's representative, the Metro Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months. Subsequently, the applicant submitted FIs on 24.2.2022 and 1.4.2022 and 12.4.2022 (**Appendices Ic to Ie**) and 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 Planning Statement and FI at **Appendices Ia and Ic to Ie**. They are summarised as follows:

Site Constraints

2.1 The Site is small (about 139.2m²) and has a long and narrow configuration. It is sandwiched between two high-rise residential buildings (i.e. Grace Mansion at 374-376 DVRW and Kam Wah Building at 382-388 DVRW) which are under fragmented ownership. There is a huge challenge in acquiring and amalgamating the adjoining lots for large-scale and comprehensive residential development given the limited budget and time.

Not Conducive to Residential Development

2.2 The Site is a Class A site and in accordance with First Schedule of the Building (Planning) Regulations (B(P)R). According to the submitted notional residential scheme (**Drawings A-8 and A-9**), the Site would be subject to a maximum SC of

39% with only 9 studio flats with usable floor area (UFA) of about 13.45m² (145ft²) could be provided when all technical requirements including permissible PR and SC, means of escape, separation distance between the bathroom door and kitchen bench etc., are to be met. The living space for each unit would be unreasonably small and undesirable, and the supply of 9 “nano-flats” to the housing market is very minimal and insignificant. The efficiency ratio is even worse if the Site is developed at a higher PR with a smaller SC under B(P)R.

- 2.3 The proposed office development is allowed up to 60% SC above podium and a much higher PR under B(P)R, while residential development, which has a smaller maximum SC and PR under B(P)R, is a waste of land resources. According to the proposed office scheme and the notional residential scheme, the average unit size of office is 43.58m² which is more appropriate than that of residential flat of 13.45m².
- 2.4 DVRW is classified as “District Distributor” according to the Transport Department’s Annual Traffic Census 2018, which suggests that the Site is likely to be susceptible to air pollution and traffic noise. Mitigations measures such as increasing building setback and podium height, imposing fixed window and central air-conditioning system are unlikely to be substantiated given the site constraints and SC restriction under B(P)R, not to mention that fixed window design is undesirable for domestic use. In addition, further setback of the residential building will pose challenge to the installation of prescribed window for sunlight and air ventilation, as the Site is narrow and surrounded by buildings. Besides, the small plot size would also limit the provision of access for the disabled and cause potential fire hazards.

The Site is at Right Location and Suitable for Commercial Development

- 2.5 The Site is located along the DVRW which directly connects to the central business district. The proposed office development provides small office to cater the local needs in the vicinity, as well as high-quality office space for start-ups/small-and-medium enterprises to meet the continuously growing demand and the city’s resilience. Some commercial developments in the district, including Well On Commercial Building at Wellington Street, Zhongcai Centre at Queen’s Road Central, New York House at Connaught Road Central, and Mandarin Commercial House at Morrison Hill Road in Wan Chai have site areas ranging from 68m² to 120m² and are good examples of similar type of commercial developments.

In line with the Town Planning Board Guidelines No. 5 (TPB-PG No. 5) – Application for Office Development in Residential (Group A) Zone under Section 16 of the Town Planning Ordinance

- 2.6 The proposed development is in line with TPB-PG No. 5 in that:
- (i) While there is no minimum site area stipulated in the guidelines, the proposed development is properly and purposely designed for office/commercial uses.

- (ii) The Traffic Review demonstrated that due to site constraint and narrow frontage, provision of internal transport facilities at the Site is not feasible. Alternative locations for L/UL are available at the kerbside of DVRW. The Traffic Review also demonstrated that the proposed development would not cause congestion and disruption to the traffic flow of the locality.
- (iii) The Site is well served by public transports, including mass transit railway (MTR), franchised bus, trams and minibus.
- (iv) The Site is located in a predominantly mixed-use area, particularly along the bustling DVRW which gives the impression of vibrant and variety of uses including residential, retails, restaurants, offices, hotels, serviced apartment, etc. Various commercial/office buildings can be identified within a 300-metre walking distance from the Site. The vicinity has the tradition of being vertically (various commercial buildings can be identified in the nearby street blocks) and horizontally mixed (shops and restaurants are always at the lowest three floors) with various locations previously zoned "C/R", in which commercial and residential uses were always permitted. Very limited number of buildings are purely residential in nature in the area. In this regard, the proposed office development with 'Shop and Services' at lower floors is considered compatible with the surrounding; and hence no land use conflict is anticipated.
- (v) Office development is more efficient and can achieve environmental gains by avoiding environmental nuisance caused by road traffic and the surrounding retail uses. The proposed development will also provide a long active frontage on G/F to contribute to local vitality and utilise the permissible development potential. These can be considered as planning gains.
- (vi) DVRW is the main source of noise and air pollution in the locality. The proposed development will be installed with central air conditioning system and fixed window design which can mitigate the environmental impacts caused by DVRW. The proposed office development is less susceptible to the noise and air pollution from DVRW than residential development, as office development does not require prescribed windows for sunlight and air ventilation. It can also serve as a buffer building to the residential developments located to its further south.

No Undesirable Precedent

- 2.7 The Site has a unique configuration which poses as a site constraint. Buildings adjoining the Site are high-density and have already maximised their redevelopment potential. Therefore, it lacks incentives to redevelop these buildings. While other sites with buildings of 3 to 7 storeys in the vicinity (Figure 6 in **Appendix Ia**) are identified as having redevelopment potential, those sites are considered more conducive for residential redevelopments in terms of the bulk, form and size of the buildings. Moreover, the size and shape of these sites are generally more common and suitable for domestic use, unlike the Site. In this regard, approval of the subject application would not set an undesirable

precedent for similar applications in view of the different site contexts and considerations.

- 2.8 Redevelopment of the Site for residential use will set an undesirable precedent for the proliferation of “nano-flats”.

Similar Applications

- 2.9 The subject application shares the same merits as similar application No. A/H3/402¹ and A/K2/193² which were approved by the Board in 2011 and 2012 respectively. The sympathetic considerations were warranted due to site constraints and the minimal impact of the proposals.
- 2.10 The proposed development is comparable to other similar approved applications (No. A/H3/392³ and A/K3/574⁴) on the ground of difficult site constraints.
- 2.11 The proposed development will not cause cumulative effect on the same “R(A)6” zone as no site is similar to the Site. The Site does not share the same merits of the previously rejected applications at Gage Street (No. A/H3/436) and Glenealy (No. A/H3/438) in terms of the convenience of site location, distance to public transport, site area, site constraints, potential for amalgamation with the adjoining lots, surrounding neighbourhood, limitations on prescribed window opportunities and staircase orientation and arrangement for residential development, environmental and planning gains, and impacts on housing supply.

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

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

¹ Details of A/H3/402 are elaborated in paragraph 7.2 below.

² Planning Application No. A/K2/193 is for a proposed 14-storey office building with retail shops on the lowest three floors at 197-197A Reclamation Street. The application site falls within “R(A)” zone on the Yau Ma Tei OZP and has a site area of about 137.96m². The application was approved with condition on review by the Board on 10.6.2011 mainly on sympathetic grounds that the applicant had put forward a practical scheme in view of the site constraints.

³ Planning Application No. A/H3/392 is for a proposed 21-storey hotel at 15-19 Third Street, Sai Ying Pun. The application site falls within “R(A)8” zone on the Sai Ying Pun & Sheung Wan OZP and has a site area of about 95.969m². The application was approved with conditions by the Committee on 28.5.2010 mainly on the consideration that the site was located within an area with a mixture of residential developments with commercial uses on ground floor; not incompatible with surrounding land uses; and no adverse departmental comments.

⁴ Planning Application No. A/K3/574 is for a proposed 6-storey office building with shop and services on G/F at 598 Shanghai Street, Mong Kok. The application site falls within “R(A)” zone on the Mong Kok OZP and has a site area of about 74.322m². The application was approved with conditions by the Committee on 12.5.2017 mainly on the consideration that the proposed use was not incompatible with surrounding uses which are predominantly mixed commercial/residential in nature; insignificant impact on housing land supply and character of the neighbourhood in view of small size site; and compliance with TPB PG No. 5 in terms of compatibility with surrounding land uses and no adverse traffic impact.

4. Background

The Site and its surrounding area were previously zoned “C/R” on the draft OZP No. S/H3/23 (**Plan A-5**). On 7.5.2010, draft OZP No. S/H3/24 incorporating amendments to rezone the “C/R” sites to either “C” or “R(A)” was exhibited for public inspection, with a view to providing a clear planning intention for these sites. Sites along DVRW were rezoned to “R(A)” and subject to a BH restriction of 100mPD. To provide incentive for site amalgamation for more comprehensive development and allow flexibility for accommodating on-site parking, L/UL facilities and other supporting facilities, a two-tier BH control was imposed under the “R(A)6” sub-zone for various sites located to the south of DVRW, including the Site. According to the Notes of the OZP, on land designated as “R(A)6”, sites with area over 400m² are subject to a maximum BH of 120mPD. Since then, the zoning of the Site has remained unchanged.

5. Town Planning Board Guidelines

- 5.1 The Town Planning Board Guidelines for Application for Office Development in “R(A)” Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 5) is relevant to this application. The relevant assessment criteria are summarised as follows:
- (a) the site should be sufficiently large to achieve a properly designed office building;
 - (b) there should be adequate provision of parking and L/UL facilities within the site in accordance with HKPSG and to the satisfaction of the Transport Department (TD). For sites with narrow frontage, where on-site L/UL requirement cannot be met, the applicant should demonstrate that there are alternative locations for L/UL facilities to the satisfaction of TD;
 - (c) the site should be at an easily accessible location, e.g. close to the MTR Station or well served by other public transport facilities;
 - (d) the proposed office development should not cause congestion and disruption to the traffic flow of the locality;
 - (e) the proposed office building should be compatible with the existing and planned land uses of the locality and it should not be located in a predominantly residential area; and
 - (f) the proposed office development should be purposely designed for office/commercial uses so that there is no risk of subsequent illegal conversion to substandard domestic units or other uses.
- 5.2 In general, the Board will give favourable consideration to planning applications for office developments which produce specific environmental and planning gains, for example, if the site is located near to major sources of air and noise pollution such as a major road, and the proposed office development is equipped with central air-conditioning and other noise mitigation measures which make it less

susceptible to pollution than a residential development. Other forms of planning gain which the Board would favour in a proposed office development would include provision of public open space and community facilities required in the planning district.

6. Previous Application

The Site is not the subject of any previous application.

7. Similar Applications

- 7.1 Since 7.5.2010 when various “C/R” sites were rezoned to either “C” or “R(A)” zonings, there have been 5 similar applications for office developments with other commercial uses within the “R(A)” zone or “R(A)” sub-zone of the Sai Ying Pun and Sheung Wan OZP (**Plan A-1**), of which, 2 applications (No. A/H3/402 and A/H3/432) were approved with conditions and 3 applications (No. A/H3/436, A/H3/438 and A/H3/441) were rejected. The locations and details of these applications are shown on **Plan A-1** and provided at **Appendix II** respectively.
- 7.2 The 2 approved applications (No. A/H3/402 and A/H3/432) for proposed commercial building with office, eating place and shop and services involve the same site at 2-4 Shelley Street, Sheung Wan falling within the “R(A)” zone (Site area of about 310.9m²) and is surrounded on three sides by existing commercial buildings. Application No. A/H3/402 was approved with conditions upon review by the Board on 13.7.2012 mainly on the consideration that the scale of the proposed development was small (with a total GFA of 3,729m²) and the traffic impact such as L/UL activities and trip generation caused by the proposed development was relatively insignificant. Application No. A/H3/432 was an amendment to the approved scheme under Application No. A/H3/402, mainly by changing the mix of uses between ‘Office’ and ‘Shop and Services/Eating Place’ with no change in the total GFA and a minor increase in the BH of the proposed development. The application was approved with conditions by the Committee on 7.4.2017 mainly on the consideration that the fire safety concern on increased floor space for ‘Eating Place/Shop and Services’ use could be dealt with during the building plans submission stage.
- 7.3 Two of the rejected applications (No. A/H3/438 and A/H3/441) for a proposed commercial building with office, shop and services/eating place involving the same site at 3-6 Glenealy, Central within the “R(A)” zone (site area of about 1,088.3m²) were rejected on review by the Board on 11.1.2019 and 3.7.2020 respectively mainly on the grounds that there was no strong justification to deviate from the planning intention and the setting of undesirable precedent. The applicant of application No. A/H4/438 lodged an appeal to the TPAB on 15.3.2019 against the Board’s decision on rejecting the review application. On 24.11.2020, TPAB dismissed the applicant’s appeal mainly on the ground that criterion (e) of TPB PG-No. 5 has not been satisfied, having considered that the application site is situated in a predominantly residential area.

- 7.4 The remaining application (No. A/H3/436) for proposed office, shop and services and eating place at 36 Gage Street, Sheung Wan (Site area of about 88.1m²) falling within the “R(A)9” zone was rejected by the Board on review on 29.3.2019 on the same grounds as Applications No. A/H3/438 and A/H3/441 mentioned in paragraph 7.3 above. On 28.6.2019, the applicant lodged an appeal to the TPAB against the Board’s decision on rejecting the review application. On 17.1.2022, TPAB dismissed the Appellant’s appeal on the grounds that criterion (e) of TPB PG-No. 5 has not been satisfied (i.e. the application site is situated in a predominantly residential area) and failure to demonstrate that there was demand for increased office space in the district where the Site was located (i.e. Sheung Wan).

8. The Site and its Surrounding Areas (Plans A-1 to A-9)

8.1 The Site:

- (a) abuts DVRW (a two-way district distributor) and Sai On Lane to the north and south respectively. It is sandwiched between two existing high-rise residential developments known as Grace Mansion (24 storeys / 77mPD, completed in 1985) to the east and Kam Wah Building (25 storeys / 79mPD, completed in 1981) to the immediate west;
- (b) is currently occupied by a 4-storey tenement building with domestic use on 1/F to 3/F and a retail shop on G/F. While the shopfront is on DVRW, access to the staircase leading to the flats on the upper floors is via an alleyway falling within the lot of the adjoining development (i.e. Grace Mansion); and
- (c) is served by different modes of public transport, including MTR (about 200m away from the nearest entrance/exit B1 of MTR HKU Station), tram along DVRW, and bus stops along DVRW and Queen’s Road West.

8.2 The surrounding areas have the following characteristics:

- (a) the immediate neighbourhood in the same street block bounded by DVRW, Whitty Street, Queen’s Road West and Water Street is predominantly residential in nature with a mixture of old and new, low to high-rise residential developments with commercial uses on the lower floors, except for the hotel known as The Henry at 322 DVRW located to the further east of the Site (**Plan A-4**);
- (b) two existing open spaces, namely Sai On Lane Rest Garden and Sai On Lane Children’s Playground, are located to the south and to east of the Site respectively;
- (c) the area to north across DVRW is also a predominantly residential neighbourhood with a mixture of old and new residential developments with commercial uses on the lower floors, including Fung Yip Building, The

Upton and Kwan Yick Building Phase II and a commercial development (Western Harbour Centre); and

- (d) other nearby commercial developments include Hong Kong Plaza and Pacific Plaza to the further west, and Courtyard by Marriott Hong Kong and Best Western Plus Hotel Hong Kong to the further east along DVRW.

9. Planning Intention

The planning intention of the “R(A)6” zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

10. Comments from Relevant Government Departments

- 10.1 The following government departments have been consulted and their views on the application are summarised as follows:

Land Administration

- 10.1.1 Comments of the District Lands Officer/Hong Kong West and South, Lands Department (DLO/HKW&S, LandsD):

- (a) the Site falls within Marine Lot No. 186 s.A R.P. (the Lot) where its Government lease is virtually unrestricted subject to the standard non-offensive trades clause. The application is considered acceptable under the lease conditions governing the Lot;
- (b) it is noted that the Lot was carved out under private agreements. The actual site area of the Site shall be subject to verification; and
- (c) the proposal submitted by the applicant does not conflict with the lease conditions governing the Lot. If the proposal is approved by the Board, the owner is not required to seek a lease modification from LandsD to implement it. Therefore, any planning conditions, if imposed by the Board, cannot be written into the lease through lease modification.

Traffic

- 10.1.2 Comments of the Commissioner for Transport (C for T):

no objection to the application subject to the applicant’s confirmation that the proposed building at the Site would be designed to allow the provision of the proposed canopy shown in **Drawing A-1**, unless there

are other insurmountable requirements imposed by government departments.

10.1.3 Comments of the Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD);

- (a) comments from TD, LandsD and BD should be sought on the proposed canopy which is projected outside the lot boundary;
- (b) any proposed canopy/projection outside the lot boundary and above public footpath shall have 3500mm vertical clearance and 600mm horizontal clearance from carriageway;
- (c) the applicant should be responsible for the construction, installation and maintenance of the proposed canopy at the cost of the applicant, including the lighting system;
- (d) the project proponent/applicant should ensure no falling of losing part or the canopy onto the public footpath;
- (e) the project proponent/applicant should provide adequate drainage system to ensure the rainwater at the proposed canopy is properly collected and no dripping onto the public footpath is allowed; and
- (f) comments from BD and DSD should be sought on the drainage system associated with the proposed canopy.

Building Matters

10.1.4 Comments of the Chief Building Surveyor/Hong Kong West, Buildings Department (CBS/HKW, BD):

- (a) BD is not in a position to comment on the technical constraints claimed by the applicant. Besides, there is insufficient information for BD to comment on whether the conceptual scheme is in compliance with the B(P)R;
- (b) no in-principle objection under the Buildings Ordinance (BO) on the two conceptual schemes (**Drawings A-1 to A-9**) and the comparison table at Table 5.1 of the Planning Statement subject to the following comments:
 - (i) open space for domestic building should be provided in compliance with the Second Schedule of the B(P)R;
 - (ii) fireman's lift should be provided in compliance with Regulation 41B of the B(P)R;

- (iii) access and facilities for persons with a disability in compliance with Regulation 72 of the B(P)R should be provided for all parts of non-domestic building/areas; and
 - (iv) your attention is also drawn to the policy on GFA concessions under Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 in particular the 10% overall cap on GFA concessions and, where appropriate, the requirements of suitable building design guidelines under PNAP APP-152;
- (c) detailed comments under the BO will be provided at building plan submission stage;
- (d) under the BO, any person who intends to carry out demolition works or building works is required to appoint an Authorized Person, and a Registered Structural Engineer and/or Registered Geotechnical Engineer where necessary, to prepare and submit plans for the approval of the Building Authority (“BA”), save for the building works exempted from the BO or the building works falling within the designated minor works items implemented through the simplified requirements under the Minor Works Control System;
- (e) to ensure the safety and maintain convenience for both the public and site workers, any person who intends to carry out demolition works or building works is required under BO to submit hoarding plans together with an application for permit to erect hoardings/covered walkways (“hoarding permit”) in accordance with the B(P)R to BD. BD will process the plans and application according to the provisions of the BO and the requirements under PNAP APP-23. Moreover, BD would refer the plans to relevant departments, including HyD, TD, the Hong Kong Police Force and LandsD, etc., for consideration on matters under their respective areas of concern or purview. In this connection, the design of hoardings/covered walkways is required to comply with the standard requirements of departments concerned. The Registered Contractor of the site shall erect the hoardings/covered walkways in accordance with the plans accepted by BD; and
- (f) for the sake of safeguarding the public and site workers, the BD will carry out site monitoring inspection for building works in progress, in particular if adequate safety precautionary measures have been taken.

Urban Design & Visual Aspects

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

the Site falls within an area zoned “R(A)6” on the approved Sai Ying Pun & Sheung Wan OZP No. S/H3/34 and is subject to a maximum BH of 100mPD, or the height of the existing building, whichever is the greater. As the proposed commercial building does not deviate from the statutory BH restriction, significant adverse impact is not anticipated.

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

- (a) no comment from architectural and visual impact point of view; and
- (b) it is suggested to provide 20% greenery in accordance with PNAP APP-152.

Landscape Aspect

10.1.7 Comments of CTP/UD&L, PlanD:

- (a) the Site falls within an area zoned “R(A)6”, which is a non-landscape sensitive zoning. According to aerial photo of 2021 and the applicant’s Planning Statement (**Appendix Ia**), the Site is currently occupied by an existing residential building with no significant sensitive landscape resources; hence, significant adverse landscape impact arising from the proposed development is not anticipated; and
- (b) should the Board approve this application, it is considered not necessary to impose a landscape condition, as no adverse landscape impact arising from the proposed development within the site is anticipated in the subject “R(A)6” zone.

Environment

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

- (a) no objection to the application;
- (b) office developments are normally provided with central air conditioning system, and the applicants/Authorised Persons should be able to select a proper location for fresh-air intake during detailed design stage and avoid exposing future occupants under unacceptable environmental nuisance or impact;

- (c) should the application be approved, the following approval conditions are required:
 - “the submission of Sewerage Impact Assessment (SIA) to the satisfaction of DEP or the Board; and
 - the implementation of local sewerage upgrading/connection works identified in the SIA to the satisfaction of the Director of Drainage Services or the Board.”
- (d) regarding the concerns raised on potential air pollution and noise caused by the works of the proposed development, the proponent shall comply with relevant pollution control ordinances and regulations during the works.

Drainage and Sewerage

10.1.9 Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD):

no comments on and objection to the application provided that the following approval condition is imposed:

- “the submission drainage impact assessment (DIA) and implementation of the local drainage upgrading/drainage connection works as identified in the DIA to the satisfaction of the Director of Drainage Services or of the Town Planning Board.”

Heritage Conservation

10.1.10 Comments of the Executive Secretary of the Antiquities and Monuments Office (AMO), Development Bureau (DEVB):

- (a) no adverse comments on the application provided that the works arising from the proposed redevelopment, if approved by the Board, will not cause any adverse impact on the existing Grade 2 historic building of East Wing, St. Louis School, No. 179 Third Street, Sai Ying Pun located about 88m away from the Site; and
- (b) AMO’s comment from the heritage conservation perspective on the proposed works at the Site will be offered as and when required upon receiving any referrals from respective departments under the current internal monitoring mechanism for graded historic buildings.

Fire Safety

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

- (a) no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of his Department;
- (b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
- (c) 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 BD.

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

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Commissioner of Police (C of P);
- (c) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (CEDD);
- (d) Project Manager (South), CEDD; and
- (e) District Officer (Central and Western), Home Affairs Department.

11. Public Comments Received During Statutory Publication Period

11.1 On 2.11.2021 and 8.3.2022, the application and the FI (**Appendix Ic**) were published for public inspection respectively. During the first three weeks of the statutory public inspection periods, a total of 9 public comments were received (**Appendix III**), including 6 supporting comments and 3 opposing comments submitted by individuals.

11.2 The major grounds of public comments on the application are summarised below:

Supporting Comments

- (a) the Site is at a convenient location and well served by public transportation, making it more suitable for an office development;
- (b) the proposed development is compatible with the traditionally mixed-use area. Development of more office and shops will benefit local residents in the neighbourhood;
- (c) the proposed development could make good use of land resources by redeveloping the under-utilised residential site into an office development of reasonable scale. Considering the lack of small office space in the district, the proposed development is considered appropriate;

- (d) residents living along DVRW are exposed to nuisances generated by vehicular traffic and trams running along DVRW as well as restaurants during nighttime. The proposed development could help avoid direct exposure to traffic noise and nuisances from DVRW;
- (e) the Site is too small for residential development and may lead to nano-flat development;
- (f) the uncommon shape of the Site is a great opportunity to infuse Japanese concept on office building to achieve a better architectural advancement in Hong Kong;

Opposing Comments

- (g) the application should be rejected in view of the residential nature of the area and the close proximity of the Site to public open space, recreational facilities and schools;
- (h) the proposed development will cause traffic congestion as well as noise and air pollutions during demolition stage;
- (i) the proposed development would attract more tenants in the area and pose adverse impacts to the residents of Grace Mansion. In particular, the construction of the proposed development might affect the current access to Grace Mansion (i.e. the alleyway between the Site and Grace Mansion) and pose safety and security concerns to residents;
- (j) the size of the proposed office unit is about half of that of the existing flats on the Site. While there is news reported that nano-flats were not popular in the housing market, there are doubts on the merits of such small office units;
- (k) there have been reports on the conversion of small office units to domestic use which often involve other problems including fire safety, security and violation of lease terms;
- (l) the existing building at the Site is a pre-war building. Although it is not graded, it would be disappointing if it were to be demolished. Also, the proposed development would affect the historic urban fabric;
- (m) a 4-storey residential building with small footprint would allow better ventilation between DVRW and Sai On Lane, which is more beneficial to the residents at Grace Mansion than a bulky office block with wall effect; and
- (n) it is not necessary to build nano-flats if the Site is not used for office development. It is up to the developers to choose whether nano-flats should be developed.

12. Planning Considerations and Assessments

- 12.1 The applicant proposes to redevelop the existing 4-storey residential building into a 24-storey commercial building with office use (3/F to 23/F), shop and services use (G/F and 2/F) and E&M facilities (1/F) at the Site which is zoned “R(A)6” on the OZP. The BH of the proposed development is 100mPD which is within the BH restriction on the OZP.

Planning Intention and Land Use Compatibility

- 12.2 The Site is zoned “R(A)6” which is intended primarily for high-density residential development with commercial uses always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. In general, sites should be developed in accordance with the planning intention of the zoning as shown on the OZP unless strong justifications have been provided for departure from such planning intention.
- 12.3 The Site is currently occupied by a 4-storey residential building with a shop on G/F. As mentioned in paragraph 8.2 above, the immediate neighbourhood of the Site is mainly high-rise residential developments with commercial uses on the lower floors. Apart from the hotel development (The Henry) at 322 DVRW (with building plans for conversion of an office building into hotel approved by the Building Authority on 18.9.2008 when the site was zoned “C/R” on the OZP, in which both hotel and office are always permitted), all the other buildings in the immediate neighbourhood of the Site, i.e. the same street block, are residential developments with retail uses on the lower floors (**Plan A-4**). In this regard, the proposed office development at the Site is considered to be located in a predominantly residential area. Although the proposed office development with ‘Shop and Services’ use on the lowest three floors is considered not entirely incompatible with the surrounding developments and does not exceed the maximum BH of 100mPD as stipulated on the OZP, it has not satisfied criterion (e) of TPB PG-No.5 in that the proposed office building should not be located in a predominantly residential area as highlighted in paragraph 5.1 above.

Notional Residential Scheme

- 12.4 The applicant submitted a notional residential scheme (**Drawings A-8 and A-9**) with the assumption of utilising the permissible development potential and being compliant with prevailing building and fire safety regulations and sustainable building design guidelines. The applicant claimed that the Site is not conducive to residential developments due to its small plot size and elongated shape, and only 9 “nano-flats” of about 13.45m² (in terms of usable floor area) could be provided, which would be undesirable. However, the size of the proposed residential flats to be built at the Site would be dependent on the design of the future development and the applicant’s decision whether to redevelop the Site with the maximum permissible SC/PR under B(P)R. It should be noted that the notional residential scheme submitted by the applicant is only one of the many schemes achievable under B(P)R.

Technical Considerations

- 12.5 Other concerned departments, including TD, ArchSD, DSD, HyD, WSD, CEDD, CTP/UD&L, PlanD, and Fire Services Department, have no adverse comment on the application.

Similar Applications

- 12.6 As mentioned in paragraph 7.3 and 7.4 above, there are three rejected similar applications of which two (No. A/H3/436 and A/H3/438) were also dismissed by TPAB on appeal mainly on the grounds that the appeal sites were located in a predominantly residential area and criterion (e) of TPB PG No. 5 (paragraph 5.1(e) above refers) has not been satisfied. Similar to the application sites at Gage Street (No. A/H3/436) and Glenealy (No. A/H3/438 and A/H3/441), the immediate neighbourhood of the Site is predominantly residential in nature with only one hotel development (which was already in existence before the area was rezoned to “R(A)6”) in the same street block.
- 12.7 For the four similar applications for commercial use in “R(A)” zone involving small site area approved by the Board in the Sheung Wan area and Kowloon district (No. A/H3/402, A/H3/392, A/K2/193 and A/K3/574), as cited by the applicant, each of those applications has its unique planning background and context. As mentioned in paragraph 7.2 above, Application No. A/H3/402 for proposed office, eating place and shop and services involves a site that is surrounded on three sides by existing commercial buildings. Application No. A/H3/392 involves a different proposed use (e.g. hotel development) in Sheung Wan which may not be directly comparable to the current application. As for Applications No. A/K2/193 and A/K3/574, while both of them are not located in the same OZP as the current application, the proposed office developments in the two applications are of much smaller scale (6 storeys and 13 storeys respectively), and the application site of Application No. A/K3/574 is located in a mixed commercial/residential area. In view of the differences in site context, scale of development and planning history, the current application should be considered on its own merits. The Committee’s decision in respect of those approved applications were not relevant to the subject application.

Public Comments

- 12.8 Regarding the public comments, the assessment above and the comments of the relevant government departments in paragraph 10 above are relevant. As for the comment that the demolition of the existing pre-war building at the Site is disappointing, the existing building at the Site is not a graded historic building according to the AMO’s Assessment of 1444 Historic Buildings and New Items.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11 above, PlanD does not support the application for the following reasons:

- (a) the proposed development is not in line with the planning intention of the “R(A)6” zone which is for high-density residential developments and there is no strong planning justification for a departure from the planning intention of the “R(A)6” zone; and
- (b) the proposed development does not comply with TPB PG No. 5 in that the proposed office is located in a predominantly residential area.

13.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until 22.4.2026, 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 suggested for Members’ reference.

Approval Conditions

- (a) the submission of a Drainage Impact Assessment (DIA) to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (b) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (c) the implementation of the local drainage and sewerage upgrading/drainage and sewerage connection works as identified in the DIA and the SIA to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory Clauses

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

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 14.3 Alternatively, 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.

Attachments

Appendix I	Application form received on 25.10.2021
Appendix Ia	Planning Statement received on 25.10.2021
Appendix Ib	Supplementary Information received on 28.10.2021
Appendix Ic	FI received on 24.2.2022
Appendix Id	FI received on 1.4.2022
Appendix Ie	FI received on 12.4.2022 and 14.4.2022
Appendix II	Similar Applications
Appendix III	Public Comments
Appendix IV	Recommended Advisory clauses
Drawings A-1 to A-7	Floor Layouts and Section Plans
Drawings A-8 to A-9	Notional Residential Scheme
Drawing A-10	G/F Layout Plan with Site Frontage Dimension
Drawing A-11	Location of Kerbsides with Permitted L/UL activities at DVRW
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Site Plan showing BH of Surrounding Existing Developments
Plan A-4	Site Plan showing Existing Developments in the Surrounding Areas of the Site
Plan A-5	Location Plan on previous OZPs
Plans A-6 to A-9	Site Photos

**PLANNING DEPARTMENT
APRIL 2022**

2021年 10月 2 5日

Appendix I of
MPC Paper No. A/H3/444A

此文件在_____收到。城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到
申請的日期。

25 OCT 2021

This document is received on _____
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

Form No. S16-I
表格第 S16-I 號

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE
(CAP.131)**

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

Applicable to proposals not involving or not only involving:
適用於建議不涉及或不祇涉及:

- (i) **Construction of “New Territories Exempted House(s)”;**
興建「新界豁免管制屋宇」;
- (ii) **Temporary use/development of land and/or building not exceeding 3 years in rural areas; and**
位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展;及
- (iii) **Renewal of permission for temporary use or development in rural areas**
位於鄉郊地區的臨時用途或發展的許可續期

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.info.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知,以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟,請瀏覽以下網址有關在指定的報章刊登通知:
https://www.info.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form
填寫表格的一般指引及註解

“Current land owner” means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made
「現行土地擁有人」指在提出申請前六星期,其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill “NA” for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足,請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/113/444
	Date Received 收到日期	25 OCT 2021

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件(倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載(網址: <http://www.info.gov.hk/tpb/>), 亦可向委員會秘書處(香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線: 2231 5000)(香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

Luck Rich Properties Limited

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

DeSPACE (International) Limited

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼(如適用)	Remaining Portion of Section A of Marine Lot No.186, 380 Des Voeux Road West
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 139.2 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 Not more than 2088 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積(倘有)	..... sq.m 平方米 <input type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan (S/H3/34)
(e) Land use zone(s) involved 涉及的土地用途地帶	Residential (Group A)6
(f) Current use(s) 現時用途	Residential with commercial on the ground floor (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

- ☒ is the sole "current land owner"[#] (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」[#] (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"[#] (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」[#] (請夾附業權證明文件)。
- ☐ is not a "current land owner"[#].
並不是「現行土地擁有人」[#]。
- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification 就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"[#].
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」[#]。

(b) The applicant 申請人 –

- ☐ has obtained consent(s) of "current land owner(s)"[#].
已取得 名「現行土地擁有人」[#]的同意。

Details of consent of "current land owner(s)" [#] obtained 取得「現行土地擁有人」 [#] 同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified "current land owner(s)"#
已通知 名「現行土地擁有人」#。

Details of the "current land owner(s)"# notified 已獲通知「現行土地擁有人」#的詳細資料		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on _____ (DD/MM/YYYY)#&
於_____ (日/月/年)向每一名「現行土地擁有人」#郵遞要求同意書&

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on _____ (DD/MM/YYYY)&
於_____ (日/月/年)在指定報章就申請刊登一次通知&
- ☐ posted notice in a prominent position on or near application site/premises on _____ (DD/MM/YYYY)&
於_____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知&
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)&
於_____ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會&

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別

- ☐ Type (i) Change of use within existing building or part thereof
第(i)類 更改現有建築物或其部分內的用途
- ☐ Type (ii) Diversion of stream / excavation of land / filling of land / filling of pond as required under Notes of Statutory Plan(s)
第(ii)類 根據法定圖則《註釋》內所要求的河道改道／挖土／填土／填塘工程
- ☐ Type (iii) Public utility installation / Utility installation for private project
第(iii)類 公用事業設施裝置/私人發展計劃的公用設施裝置
- ☐ Type (iv) Minor relaxation of stated development restriction(s) as provided under Notes of Statutory Plan(s)
第(iv)類 略為放寬於法定圖則《註釋》內列明的發展限制
- ☒ Type (v) Use / development other than (i) to (iii) above
第(v)類 上述的(i)至(iii)項以外的用途／發展

Note 1: May insert more than one 「✓」.

註 1：可在多於一個方格內加上「✓」號

Note 2: For Development involving columbarium use, please complete the table in the Appendix.

註 2：如發展涉及靈灰安置所用途，請填妥於附件的表格。

(i) For Type (i) application 供第(i)類申請

(a) Total floor area involved 涉及的總樓面面積	sq.m 平方米		
(b) Proposed use(s)/development 擬議用途/發展	(If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)		
(c) Number of storeys involved 涉及層數		Number of units involved 涉及單位數目	
(d) Proposed floor area 擬議樓面面積	Domestic part 住用部分 sq.m 平方米 <input type="checkbox"/> About 約		
	Non-domestic part 非住用部分 sq.m 平方米 <input type="checkbox"/> About 約		
	Total 總計 sq.m 平方米 <input type="checkbox"/> About 約		
(e) Proposed uses of different floors (if applicable) 不同樓層的擬議用途(如適用) (Please use separate sheets if the space provided is insufficient) (如所提供的空間不足，請另頁說明)	Floor(s) 樓層	Current use(s) 現時用途	Proposed use(s) 擬議用途

(ii) For Type (ii) application 供第(ii)類申請

<p>(a) Operation involved 涉及工程</p>	<p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 m 米 <input type="checkbox"/> About 約</p> <p>(Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用圖則顯示有關土地/池塘界線, 以及河道改道、填塘、填土及/或挖土的細節及/或範圍))</p>
<p>(b) Intended use/development 有意進行的用途/發展</p>	

(iii) For Type (iii) application 供第(iii)類申請

<p>(a) Nature and scale 性質及規模</p>	<p><input type="checkbox"/> Public utility installation 公用事業設施裝置</p> <p><input type="checkbox"/> Utility installation for private project 私人發展計劃的公用設施裝置</p> <p>Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate 請註明有關裝置的性質及數量, 包括每座建築物/構築物(倘有)的長度、高度和闊度</p>		
	<p>Name/type of installation 裝置名稱/種類</p>	<p>Number of provision 數量</p>	<p>Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)</p>
<p>(Please illustrate on plan the layout of the installation 請用圖則顯示裝置的布局)</p>			

(iv) For Type (iv) application 供第(iv)類申請

- (a) Please specify the proposed minor relaxation of stated development restriction(s) and **also fill in the proposed use/development and development particulars in part (v) below** –

請列明擬議略為放寬的發展限制並填妥於第(v)部分的擬議用途/發展及發展細節 –

- ☐ Plot ratio restriction From 由 to 至
地積比率限制
- ☐ Gross floor area restriction From 由sq. m 平方米 to 至sq. m 平方米
總樓面面積限制
- ☐ Site coverage restriction From 由% to 至 %
上蓋面積限制
- ☐ Building height restriction From 由m 米 to 至 m 米
建築物高度限制
- From 由 mPD 米 (主水平基準上) to 至mPD 米 (主水平基準上)
- From 由 storeys 層 to 至 storeys 層
- ☐ Non-building area restriction From 由m to 至 m
非建築用地限制
- ☐ Others (please specify)
其他 (請註明)

(v) For Type (v) application 供第(v)類申請

(a) Proposed use(s)/development
擬議用途/發展

Proposed "Office" and "Shop and Services" Uses

(Please illustrate the details of the proposal on a layout plan 請用平面圖說明建議詳情)

(b) Development Schedule 發展細節表

Proposed gross floor area (GFA) 擬議總樓面面積	Not more than 2088 sq.m 平方米	<input checked="" type="checkbox"/> About 約
Proposed plot ratio 擬議地積比率	Not more than 15	<input checked="" type="checkbox"/> About 約
Proposed site coverage 擬議上蓋面積	60 %	<input type="checkbox"/> About 約
Proposed no. of blocks 擬議座數	1	
Proposed no. of storeys of each block 每座建築物的擬議層數	23 storeys 層	
	<input type="checkbox"/> include 包括 storeys of basements 層地庫	
	<input type="checkbox"/> exclude 不包括 storeys of basements 層地庫	
Proposed building height of each block 每座建築物的擬議高度	Not more than +100 mPD 米(主水平基準上)	<input checked="" type="checkbox"/> About 約
	..... m 米	<input type="checkbox"/> About 約

<input type="checkbox"/> Domestic part 住用部分		
GFA 總樓面面積	..... sq. m 平方米	<input type="checkbox"/> About 約
number of Units 單位數目	.....
average unit size 單位平均面積	.....sq. m 平方米	<input type="checkbox"/> About 約
estimated number of residents 估計住客數目	.....
<input checked="" type="checkbox"/> Non-domestic part 非住用部分		
	<u>GFA 總樓面面積</u>	
<input type="checkbox"/> eating place 食肆	..... sq. m 平方米	<input type="checkbox"/> About 約
<input type="checkbox"/> hotel 酒店	..... sq. m 平方米	<input type="checkbox"/> About 約
	(please specify the number of rooms 請註明房間數目)	
<input checked="" type="checkbox"/> office 辦公室	..... 1940 sq. m 平方米	<input checked="" type="checkbox"/> About 約
<input checked="" type="checkbox"/> shop and services 商店及服務行業	..... 148 sq. m 平方米	<input checked="" type="checkbox"/> About 約
<input type="checkbox"/> Government, institution or community facilities 政府、機構或社區設施	(please specify the use(s) and concerned land area(s)/GFA(s) 請註明用途及有關的地面面積／總樓面面積)	
	
	
	
<input type="checkbox"/> other(s) 其他	(please specify the use(s) and concerned land area(s)/GFA(s) 請註明用途及有關的地面面積／總樓面面積)	
	
	
	
<input type="checkbox"/> Open space 休憩用地	(please specify land area(s) 請註明地面面積)	
<input type="checkbox"/> private open space 私人休憩用地	..... sq. m 平方米	<input type="checkbox"/> Not less than 不少於
<input type="checkbox"/> public open space 公眾休憩用地	..... sq. m 平方米	<input type="checkbox"/> Not less than 不少於
(c) Use(s) of different floors (if applicable) 各樓層的用途 (如適用)		
[Block number] [座數]	[Floor(s)] [層數]	[Proposed use(s)] [擬議用途]
1	G/F	Shop and Services
.....	1/F	E&M
.....	2/F	Shop and Services
.....	3/F	Office / Flat Roof
.....	4 - 22/F	Office
(d) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途		
.....		
.....		
.....		
.....		
.....		

7. Anticipated Completion Time of the Development Proposal**擬議發展計劃的預計完成時間**

Anticipated completion time (in month and year) of the development proposal (by phase (if any)) (e.g. June 2023)

擬議發展計劃預期完成的年份及月份 (分期 (倘有)) (例：2023 年 6 月)

(Separate anticipated completion times (in month and year) should be provided for the proposed public open space and Government, institution or community facilities (if any))

(申請人須就擬議的公眾休憩用地及政府、機構或社區設施 (倘有) 提供個別擬議完成的年份及月份)

2024 / 2025

8. Vehicular Access Arrangement of the Development Proposal**擬議發展計劃的行車通道安排**

Any vehicular access to the site/subject building? 是否有車路通往地盤／有關建築物？	Yes 是 No 否	<input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) Des Voeux Road West <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示，並註明車路的闊度) <input type="checkbox"/>
Any provision of parking space for the proposed use(s)? 是否有為擬議用途提供停車位？	Yes 是 No 否	<input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示) Private Car Parking Spaces 私家車車位 _____ Motorcycle Parking Spaces 電單車車位 _____ Light Goods Vehicle Parking Spaces 輕型貨車泊車位 _____ Medium Goods Vehicle Parking Spaces 中型貨車泊車位 _____ Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 _____ Others (Please Specify) 其他 (請列明) _____ _____ _____
Any provision of loading/unloading space for the proposed use(s)? 是否有為擬議用途提供上落客貨車位？	Yes 是 No 否	<input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示) Taxi Spaces 的士車位 _____ Coach Spaces 旅遊巴車位 _____ Light Goods Vehicle Spaces 輕型貨車車位 _____ Medium Goods Vehicle Spaces 中型貨車車位 _____ Heavy Goods Vehicle Spaces 重型貨車車位 _____ Others (Please Specify) 其他 (請列明) _____ _____ _____

9. Impacts of Development Proposal 擬議發展計劃的影響

If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures.

如需要的話，請另頁表示可盡量減少可能出現不良影響的措施，否則請提供理據/理由。

<p>Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?</p>	<p>Yes 是</p>	<p><input checked="" type="checkbox"/> Please provide details 請提供詳情</p> <p>.....</p> <p>Redevelopment of the existing building</p> <p>.....</p> <p>.....</p> <p>.....</p>																														
<p>Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程? (Note: where Type (ii) application is the subject of application, please skip this section. 註：如申請涉及第(ii)類申請，請跳至下一條問題。)</p>	<p>Yes 是</p>	<p><input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及／或範圍)</p> <p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度m 米 <input type="checkbox"/> About 約</p>																														
<p>Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響？</p>	<p>No 否</p>	<p><input checked="" type="checkbox"/></p> <table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table> <p>.....</p> <p>.....</p> <p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
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Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																														

10. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

Please refer to the Planning Statement attached.

11. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in an application to the Board and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署



☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

Gregory K.C. Lam

Director

Name in Block Letters
姓名（請以正楷填寫）

Position (if applicable)
職位（如適用）

Professional Qualification(s)
專業資格

☒ Member 會員 / ☐ Fellow of 資深會員

☒ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會 /

☐ RPP 註冊專業規劃師

Others 其他

on behalf of
代表

DeSPACE (International) Limited

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）



Date 日期

04/10/2021

(DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in an application to the Board and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.
申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

For Developments involving Columbarium Use, please also complete the following:
如發展涉及靈灰安置所用途，請另外填妥以下資料：

Ash interment capacity 骨灰安放容量[@]

Maximum number of sets of ashes that may be interred in the niches

在龕位內最多可安放骨灰的數量

Maximum number of sets of ashes that may be interred other than in niches

在非龕位的範圍內最多可安放骨灰的數量

Total number of niches 龕位總數

Total number of single niches

單人龕位總數

Number of single niches (sold and occupied)

單人龕位數目 (已售並佔用)

Number of single niches (sold but unoccupied)

單人龕位數目 (已售但未佔用)

Number of single niches (residual for sale)

單人龕位數目 (待售)

Total number of double niches

雙人龕位總數

Number of double niches (sold and fully occupied)

雙人龕位數目 (已售並全部佔用)

Number of double niches (sold and partially occupied)

雙人龕位數目 (已售並部分佔用)

Number of double niches (sold but unoccupied)

雙人龕位數目 (已售但未佔用)

Number of double niches (residual for sale)

雙人龕位數目 (待售)

Total no. of niches other than single or double niches (please specify type)

除單人及雙人龕位外的其他龕位總數 (請列明類別)

Number of niches (sold and fully occupied)

龕位數目 (已售並全部佔用)

Number of niches (sold and partially occupied)

龕位數目 (已售並部分佔用)

Number of niches (sold but unoccupied)

龕位數目 (已售但未佔用)

Number of niches (residual for sale)

龕位數目 (待售)

Proposed operating hours 擬議營運時間

[@] Ash interment capacity in relation to a columbarium means –

就靈灰安置所而言，骨灰安放容量指：

- the maximum number of containers of ashes that may be interred in each niche in the columbarium;
每個龕位內可安放的骨灰容器的最高數目；
- the maximum number of sets of ashes that may be interred other than in niches in any area in the columbarium; and
在該靈灰安置所並非龕位的範圍內，總共最多可安放多少份骨灰；以及
- the total number of sets of ashes that may be interred in the columbarium.
在該靈灰安置所內，總共最多可安放多少份骨灰。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and deposited at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及存放於規劃署規劃資料查詢處以供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置/地址	Remaining Portion of Section A of Marine Lot No.186, 380 Des Voeux Road West		
Site area 地盤面積	139.2	sq. m 平方米	<input checked="" type="checkbox"/> About 約
	(includes Government land of 包括政府土地	sq. m 平方米	<input type="checkbox"/> About 約)
Plan 圖則	Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan S/H3/34		
Zoning 地帶	Residential (Group A)6		
Applied use/ development 申請用途/發展	Proposed "Office" and "Shop and Services" Uses		
(i) Gross floor area and/or plot ratio 總樓面面積及/或 地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	2088 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Not more than 不多於	15 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用	1	
	Composite 綜合用途		

(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用		m 米 <input type="checkbox"/> (Not more than 不多於)
			mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
			Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Non-domestic 非住用		m 米 <input type="checkbox"/> (Not more than 不多於)
		100	mPD 米(主水平基準上) <input checked="" type="checkbox"/> (Not more than 不多於)
		23	Storeys(s) 層 <input checked="" type="checkbox"/> (Not more than 不多於) (<input checked="" type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input checked="" type="checkbox"/> Podium 平台)
	Composite 綜合用途		m 米 <input type="checkbox"/> (Not more than 不多於)
			mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
			Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
(iv) Site coverage 上蓋面積	100% for the first 15 m and 60% above 15 m		
(v) No. of units 單位數目	20		
(vi) Open space 休憩用地	Private 私人	sq.m 平方米 <input type="checkbox"/> Not less than 不少於	
	Public 公眾	sq.m 平方米 <input type="checkbox"/> Not less than 不少於	

(vii) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) <hr/> <hr/>	Nil
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數 Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) <hr/> <hr/>	Nil

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<hr/>		

Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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DeSPACE (International) Limited

**Appendix Ia of
MPC Paper No. A/H3/444A**

Date: 4th October 2021

BY HAND

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong

Dear Sir/Madam,

**SECTION 16 APPLICATION
TOWN PLANNING ORDINANCE (CHAPTER 131)
.....
APPLICATION FOR THE PROPOSED "OFFICE" AND "SHOP AND SERVICES" USES
IN "RESIDENTIAL (GROUP A)6" ZONE
380 DES VOEUX ROAD WEST, HONG KONG
REMAINING PORTION OF SECTION A OF MARINE LOT NO. 186**

DeSPACE(International) Limited acts on behalf of the Applicant, LUCK RICH PROPERTIES LIMITED to prepare and submit this Section 16 Town Planning Application to the Town Planning Board (TPB) to seek planning permission for a proposed "Office" and "Shop and Services" Uses on a site currently zoned as "Residential (Group A)6" within the Approved Sai Ying Pun and Sheung Wan Outline Zoning Plan No. S/H3/34 (the OZP).

Please find the enclosed the following documents in support of the application for departmental circulation and distribution to members of the TPB.

- [1] 5 signed original copies of Section 16 Application Form including Particulars of Applicant and Authorized Agent;
- [2] 8 hard copies and 1 soft copy of the Supplementary Planning Statement;
- [3] An Authorization Letter signed by the Applicant; and
- [4] 1 proof of Land Ownership provided by the Applicant.

We should be most grateful if you can notify us of any departmental comments or queries on the application for our corresponding action in due course.

Should you have any queries with this submission, please feel free to contact Mr. Wilson LAW at 24933626 or myself at 35906333.

Yours faithfully,
FOR AND ON BEHALF OF
DeSPACE (INTERNATIONAL) LIMITED

Greg Lam





380 DES VOEUX ROAD WEST

Prepared for
Luck Rich Properties Limited
as the Applicant

Prepared by
DeSPACE (International) Limited
as the Planning Consultant
In conjunction with
CUPIO Design Studio
as the Project Architect

Section 16 Planning Application
*for the Proposed “Office” and “Shop and Services” Uses
in “Residential (Group A)6” Zone,
380 Des Voeux Road West, Hong Kong,
Remaining Portion of Section A of Marine Lot No.186*

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Executive Summary

Luck Rich Properties Ltd (“the Applicant”), as the sole registered “current landowner” of Marine lot no. 186 S.A RP, at No. 380 Des Voeux Road West, Shek Tong Tsui, Hong Kong Island, now seeks planning permission from the Town Planning Board for the proposed “Office” and “Shop and Services” under Section 16 of Town Planning Ordinance.

According to the Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan No. S/H3/34 (the OZP), the Application Site (“the Site”) is zoned as “Residential (Group A)6” (R(A)6). “Office” is categorized as Column 2 use under “R(A)” zone which may be permitted with or without conditions upon application to the Board whilst “Shop and Service” on the lowest three floors of a building is the always permitted use under the OZP. Amidst this highly dense and compacted area with rich cultural and historical values, this proposal intends to rejuvenate the old urban core and bring in new choices to the locality.

The Site has a site area of approximately 139.2m². It directly abuts to the south of Des Voeux Road West. It is conveniently located in between the University of Hong Kong and Sai Ying Pun MTR Stations and well-served by buses and trams. The proposed development is a 23-storey commercial building for “Office” with “Shop and Services” uses on the lowest three floors. The proposed “Shop and Services” use is notably always permitted under the OZP. The total GFA of the proposed development is not more than 2088 m².

The proposed office development is generally in line with Town Planning Board Guideline No.5 relating to office development in a R(A) zone. The proposed uses will not cause land use interface problems, but will facilitate rejuvenation of the old urban core. With the following justifications presented in this Planning Statement, the Town Planning Board is invited to give favourable consideration to this application.

The planning justifications are summarised as follows:

- The proposed development is in line with the TPB prevailing position of the non-housing proposal in the “R” Zone.
- The Application Site is not conducive to residential development.
- The proposed development would achieve environmental gains.
- The proposed development would not set an undesirable precedent.
- The proposed development is generally in compliance with the TPB Guideline No.5.
- The proposed development is a good precedent for the market to avoid nano-flat development.
- Similar approved case studies are particularly relevant to the subject case.

行政摘要

祥發置業有限公司（“申請人”）為現有位於香港 380 號德輔道西海旁地段 186 號 SA 段的唯一「現行土地擁有人」，現根據《城市規劃條例》第 16 條尋求城市規劃委員會批准於上述地點作擬議的「辦公室」和「商業及服務行業」用途申請。

根據西營盤及上環區計劃大綱核准圖編號 S/H3/34（下稱大綱核准圖），申請地點被劃作「住宅（甲類）」用途地帶。「辦公室」用途屬於第二欄，因此需要先向城市規劃委員會作出規劃申請。位處於最低 3 層平臺的「商業及服務行業」用途則屬於經常准許的用途。此次申請的原意是為這個充滿歷史與文化價值的區域注入新活力及提供更多的生活選擇。

是次申請地點前臨德輔道西，占地約 139.2 平方米，地處於香港大學和西營盤鐵路站之間，擁有完善的鐵路，巴士和電車網絡。是項擬議發展涉及一棟 23 層高的「辦公室」和「商業及服務行業」用途的商業大廈，包括層高 3 層的平臺。總樓面面積約不多於 2088 平方米。

是項申請的擬議方案大致符合城市規劃委員會規劃指引編號 5 的規劃意向。建議的發展用途不會引致土地用途不協調等問題，反而可使老舊市區恢復活力。申請人根據以下總結各點，希望是次的規劃申請能獲得城規會的支持。

- 是次擬議發展符合城規會對住宅用途地帶內非住宅發展的一貫要求。
- 是次申請地點並不利於住宅發展，
- 是次擬議發展會產生正面的環境裨益。
- 是次擬議發展並不會成為不良先例。
- 是次擬議發展大致上符合城市規劃委員會規劃指引編號 5。
- 是次擬議發展對防止納米盤發展有著重要意義。
- 現存的其他相似案例。

1. INTRODUCTION

- 1.1.1 DeSPACE (International) Limited acts on behalf of the Applicant, Luck Rich Properties Limited, seeking planning approval under Section 16 of the Town Planning Ordinance. The site is located at No. 380 Des Voeux Road West (Marine Lot No. 186 S.A RP) abutting Des Voeux Road West to the immediate north and Sai On Lane to its immediate south. The subject site is currently occupied by a 4-storey residential building with narrow frontage towards the main road and Sai On Lane.
- 1.1.2 The Applicant, Luck Rich Properties Limited, is the sole and registered landowner of Marine Lot No. 186 S.A RP, who intends to develop the Site into a 23-storey “Office” Building with “Shop and Service” at the lowest three floors. As the Application Site is zoned “Residential (Group A)6” “[R(A)6]” with “Office” use under Column 2 use, planning approval is required from the Town Planning Board. It is noted that “Shop and Services” is always permitted on the lowest three floors of the proposed building.

2. SITE CONTEXT

2.1 The Application Site

- 2.1.1 The Application Site is conveniently located on the western edge of Sai Ying Pun, within a 5-to-10-minute walking distance to the HKU and Sai Ying Pun MTR Stations. It has a total site area of approximately 139.2m² and bounded by Des Voeux Road West and Sai On Lane to the North and South, and sandwiched by the existing high-dense residential blocks to the immediate East and South. Please refer to **Figure 1** for the Site Location Plan on the Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan (OZP) No. S/H3/34, and the Lot Index Plan at **Figure 2**.
- 2.1.2 The site is currently occupied by a 4-storey residential building with a limited frontage of about 4.65 metres fronting the major road, Des Voeux Road West and Sai On Lane. The shape of the block is generally long and narrow, with a current site coverage of approximately 81%. While both ends of the block are fronting the roads, it is currently sandwiched between the existing residential buildings to the immediate east (Grace Mansion and a private passage) and the immediate west (Kam Wa Building). The ground floor is currently occupied by a clothing shop.

2.2 Locality and Accessibility

- 2.2.1 The Site directly abuts Des Voeux Road West to its north, in close proximity to the Queen's Road West and Whitty Street in the west end of Sai Ying Pun. There is a mixture of commercial, hotel and residential uses in the vicinity. A large variety of restaurants, bars, offices, shops and services across the area of the application site. This can be seen in **Figure 3**. Residential use with commercial activities on the ground floor are evident in the older residential buildings within the neighbourhood.
- 2.2.2 300-metre buffer is set from the Application Site demonstrated that the commercial, office and hotel buildings are scattered across the area (**Figure 4**), including Pacific Plaza, Hong Kong Plaza and Sheung Fat Industrial Building to the West and Western Harbour Centre to the North, Best Western Plus, Courtyard Hong Kong and the Westpoint to the East. The general land use pattern suggests the surrounding developments to be mixed residential and office/retail use in nature. The following **Table 2.1** has shown the profile for each commercial / office / hotel building within a 300-metre buffer from the Site. The proposed building with "Office" and "Shop and Services" on the lowest 3 floors is considered highly compatible with the current land use context and as a matter of fact, buildings with similar nature have long been in existence in the same neighbourhood.

Table 2.1: List of the Commercial / Office / Hotel Building within 300m Buffer from the Site

	Name of Building	Use Nature	Use Compatibility
1	Hong Kong Plaza	Commercial	A 42-storey office building with a shopping mall in the podium, has served the community since 1984.
2	Pacific Plaza	Commercial/Shop and Service/Eating Place	A 22-storey office building located in the neighbourhood since 1992.
3	Cheung Fat Building	Commercial/Shop and Service	The building was previously converted from an industrial building, with a supermarket situated on the ground floor for residents doing daily groceries.
4	Western Harbour Centre	Hotel	The building was previously built for commercial use and now converted into a hotel, serving from local to global and beyond.

5	The Henry	Hotel (Serviced Apartment)/Eating Place	A service apartment situated along the Des Voeux Road West, provided 34 guest rooms with convenience to the financial district. An “eating place” is provided on the ground floor.
6	Courtyard by Marriott HK	Hotel/Shop and Service/Eating Place	The hotels are primarily targeted to business travellers, but also accommodate travelling families. The building itself was previously converted from an industrial building.
7	Best Western Plus Hotel HK	Hotel/Eating Place	The hotel aims at meeting the needs of travellers, business or leisure alike.
8	The Westpoint	Office	A 41-storey (186m) skyscraper composed entirely of office space, intended to serve as the HQ of China Merchants Groups, and now occupied by the HK Liaison Office.
9	365 Queen’s Rd W	Office	A new erected commercial tower, the features are yet to be confirmed.

2.2.3 The Site is well served by public transportation including the MTR, buses and trams within the locality. Bus services are provided with every 100 metres along the major road on Des Voeux Road West. In addition, the adjoining Whitty Street serves as the main station for tram service. It is clear that the neighbourhood where the Application Site located is already an important node with a mixture of commercial and residential use as it is historically served as a Commercial/Residential (C/R) district.

3. PLANNING CONTEXT

3.1 Statutory Planning Requirements

- 3.1.1 The Application Site falls within an area zoned “Residential (Group A)6” [R(A)6] on the Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan (OZP) No. S/H3/34 gazetted on 13.11.2020 (Please refers to **Appendix 1**). The Notes of the OZP state that the planning intention of the R(A)6 zone is “intended primarily for high-density” residential developments and commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- 3.1.2 Provision for “Office” is Column 2 use which requires permission from the Town Planning Board (TPB) upon application. In the proposed development, floors from 3/F and above are proposed for office use, while the G/F to 2/F of the podium will be used for “Shop and Services”, which are always permitted from the town planning point of view.
- 3.1.3 The Application Site is subject to a Building Height Restriction (BHR) of 100 mPD or the height of the existing building, whichever is greater.

3.2 Town Planning Board Guideline

- 3.2.1 Town Planning Board Guidelines for Application for Office Development in Residential (Group A) Zone under Section 16 of the Town Planning Ordinance (TPB PG-NO.5) is of relevance to this application. The introductory paragraph of TPB-PG5 states that:

“Because of the expanding commercial activities in recent years, there has been an increasing demand for office units outside the central business district. The Town Planning Board’s intention is to meet part of the increasing demand through permitting the redevelopment of residential buildings within the “Residential (Group A)” zone for office use in a district where there is a demonstrated demand.”

- 3.2.2 In addition, the TPB Guideline PG-No.5 states that favourable consideration may be given to certain applications:

“In general, the Board will give favourable consideration to planning applications for office developments which produce specific environmental and planning gains – for example, if the site is located near to major source of air and noise pollution such as a major road, and the proposed office development is equipped with central air-conditioning and other noise mitigation measures which make it less susceptible to pollution than a residential development. Other forms of planning gain which the Board

would favour in a proposed office development would include public open space and community facilities required in the planning district.” (Paragraph 3, TPB PG-No.5)

- 3.2.3 It is worth noticing that the Site is vulnerable to air and noise impacts as the adjoining busy “District Distributor” (namely Des Voeux Road West) is in close proximity to the Site, where is the major source of air and noise pollution in the vicinity. Proposing office development at the current Site is therefore deemed appropriate as the central air-conditioning system and other noise mitigation measures can be easily and effectively integrated into the design of the office building.

3.3 Spatial Planning History and the Previous OZP

- 3.3.1 On 7.5.2010, the draft Sai Ying Pun & Sheung Wan OZP No. S/H3/24 incorporating amendments mainly relating to the imposition of building height restrictions for various zones, rezoning of “Commercial/Residential” (“C/R”) sites to “Commercial” or “R(A)” (this can be seen in **Figure 5**), and other rezoning proposals to reflect completed developments was exhibited for public inspection under section 7 of the Ordinance. During the exhibition period, a total of 33 representations were received.
- 3.3.2 The Application Site was located within the “C/R” zone and was subsequently rezoned as “R(A)6” in OZP No. S/H3/24 with Height Restriction (BHR) of 100mPD, or 120mPD for site area larger than 400m². The minutes of the MPC Meeting on 23.4.2010 showed that the reason for the rezoning of the Site and its surrounding area to “R(A)” was to maintain the existing residential nature of the area at that time.
- 3.3.3 The representation was held on 5.11.2010 of the 969th TPB Meeting and has provoked a fierce debate on the rezoning of the “C/R” sites with the imposition of Building Height Restriction (BHR). It has been criticised for “not being prepared with due respect to the rights of landowners” and “limited the flexibility for developers and stakeholders to decide the use of their own premises”. In this regard, the Board stressed that “the C/R sites were rezoned to “C” or “R” taking the nature and use of the existing developments into consideration” and have further emphasised that “flexibility for change of use was allowed through the planning permission system”, which is stated in the Explanatory Statement (ES) paragraph 4.1 that “the provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land use planning and control of development to meet changing needs.”

4. THE DEVELOPMENT

4.1 Development Parameters and Floor Uses

- 4.1.1 The proposed development is a 23-storey commercial building comprised of a 3-storey Podium for “Shop and Services” and a 20-storey “Office” tower. A set of Architectural Drawings is included in **Appendix A**, with a summary of the major development parameters shown in **Table 4.1**, and proposed floor uses at **Table 4.2** below.

Table 4.1: Summary of Key Development Parameters

Proposed Office Development	
Site Area	139.2 m ² (1)
Class of Site	A
Site Coverage Above 15 m	60%
Plot Ratio	15
Proposed Non-domestic GFA (2)	
- Office (4 th Floor or above)	Not more than 1940 m ² (2)
- Shop and Services (Lowest 3 floors)	148 m ²
Total Non-domestic GFA	Not more than 2088 m ²
Building Height	Not more than 100 mPD
Number of Storey	23

Notes:

- (1) The site area is to be further verified subject to the Lot Area survey to be carried out at a later stage.
- (2) Please note that the tentative scheme proposes an office GFA at 1643 m² and a GFA for “Shop and Services” at 148 m². Floor areas for E&M and utilities are assumed to be non-accountable GFA.

Table 4.2: Proposed Floor Uses

Floor Uses		
G/F	Lobby / “Shop and Service”	Podium
1/F	Lift Lobby / E&M	
2/F	“Shop and Service”	
3/F	“Office” / Flat Roof	Tower
4 – 22/F	“Office”	

5. JUSTIFICATIONS

5.1 In Line with TPB's Prevailing Position of Non-housing Proposal in "R" Zone

5.1.1 *Position towards the OZP, Notes, ES and TPB Guidelines*

5.1.1.1 According to the 1198th TPB Meeting held on 29.3.2019, it was stressed that "the Board should take into account the planning intention of the Site stated in the OZP and the Notes attached thereto, which were statutory documents that the Board was bound to have regard to, while the ES and the relevant TPB Guidelines were also material consideration". The TPB guidelines, however "were intended for general reference only and the decision to approve or reject an application rested entirely with the Board". Regarding the proposed office development in the R(A) zone, it was commented that "while there were six main planning criteria in TPB PG-No. 5, the Board could determine the weighting for each criterion in accordance with the specific circumstances of individual cases", yet "the Board would give favourable consideration to planning applications for office developments which produced specific environmental and planning gains" stated in the TPB PG-No. 5.

5.1.1.2 Given that the Site is adjacent to Des Voeux Road West where heavy road traffic is evident, it is inevitable that the development will be heavily subject to adverse air and noise impacts. The proposed Office development, however, can provide such environmental gains by installing the central air conditioning system and fixed window to avoid the nuisances and pollutants generated in the surroundings. The proposed office development can also serve as a noise barrier for residential buildings to its further south in the same R(A)6 zone.

5.1.2 *Approval Criteria for Non-residential Development within R(A) Zone*

5.1.2.1 In the 985th TPB Meeting held on 10.6.2011, a Board member commented on the office development fell within the R(A) zone at Reclamation Street, Yau Ma Tei (A/K2/193) with the site area of approximately 138 m², suggested that "as the area was still residential in nature, the applicant should be advised to incorporate some design in the proposed development such that it would not generate any impact to the surrounding residential developments". Two members welcomed the notional scheme for domestic use in view of the site constraint prepared by the applicant, and both members considered that the office development in the area would not create a great compatibility problem, as the existing building on the application site was dilapidated and there was an urgent need for redevelopment.

5.1.2.2 A review of the proposed office development at 2-4 Shelley Street (A/H3/402) on 13.7.2012, has taken the surrounding "Eating Place" (restaurants) into account, as "the lower floors of most buildings in this area had already been used as restaurants, an office development at this location would be more appropriate as that would avoid exposing to environmental nuisance caused by the restaurants at night". A discussion

on the provision of loading/unloading facilities was also made. In view of the small scale of the proposed development, the Chairman considered the L/UL activities generated would be insignificant. It was echoed by a member who suggested that “the site area was small, the additional L/UL activities generated from the proposed office was not significant as compared with a permitted residential development... a residential development might generate more traffic.” A sympathetic consideration was eventually warranted in view of the small size of the site and only the minimal impact would be created.

- 5.1.2.3 It is worth emphasising that office and residential uses are usually complementary to each other. As a member who attended the 1198th TPB Meeting for reviewing an office development at 36 Gage Street (A/H3/436) stressed that “providing more residential units near CBD might not be unfavourable as claimed by the Applicant as mixed-use development could help balance job distribution and reduce daily commuting trips to/from CBD, thus reducing traffic congestion”. Vice versa, providing more quality office space near the residential neighbourhood could also achieve a similar outcome as long as the proposed office would not be incompatible with the locality.

5.2 The Site is Constrained by its Size and Shape and Not Conducive to Residential Development while Office Development can Achieve Environmental Gains

- 5.2.1 The Site is subject to a small plot size of about 139.2 m² in a long-and-narrow plot shape and currently flanked by the high-dense residential buildings under fragmented ownership between 374-388 Des Voeux Road West. It imposes a huge challenge of amalgamating the adjoining plots to provide a large-scale and comprehensive development given the limited budget and time. Due to the small plot size and its uncommon shape, as well as the difficulties for acquiring the adjoining lots, residential development is therefore considered not conducive to the Application Site as the residential redevelopment would lead to the increase in the supply of substandard flats that are not supported by the TPB nor the Government.
- 5.2.2 The small site area has posed severe constraints for redevelopment. Owing to the development restrictions stipulated in the Building (Planning) Regulations (B(P)R) under the Building Ordinance, if the Site was used for residential development which was subject to a maximum site coverage restriction of 39% and a plot ratio of 5.4 after taking into account of all technical requirements including means of escape, the separation distance between the bathroom door and kitchen bench etc., only a total of **nine** studio flats of extremely small size (about 13.45m² / 145ft² per unit) could be developed. The adjoining high-rise (24-storey) residential buildings might block the incoming sunlight and create constraints on deploying the prescribed windows. The plot size would also limit the provision of access for the disabled and cause potential fire hazards. The liveable space for each unit is expected to be unreasonably small and it is undesirable to be developed into these so-called “nano-flats”, which could

only be supplied to the housing market for up to 8 or 9 flats with extremely small-size. The impact on housing supply is, as a matter of fact, very minimal and insignificant.

- 5.2.3 In addition, residential development might require more stringent criteria in terms of setback, podium height and design to the satisfaction of EPD and HKPSG. The adjoining Des Voeux Road West is classified as “District Distributor” according to the TD’s Annual Traffic Census 2018, suggests the Application Site is likely to be vulnerable to polluted air and traffic noise. Mitigation measures such as increasing building setback and podium height, and imposing fixed window and a central air conditioning system would have to be properly delivered. However, they are unlikely to be substantiated under the circumstance given the site constraints and restriction on the site coverage addressed in B(P)R, not to mention that the fixed window design is considered undesirable for domestic use.
- 5.2.4 For the purpose of demonstrating the Site is not conducive to residential development, an alternative notional scheme for domestic use is prepared for the Board to review and draw the comparison between different uses, please refer to **Appendix C**. The resultant improvement in residential unit size is minimal and the liveable area per unit remains very small and unreasonable. In contrast, commercial development, which has a less stringent restriction on site coverage, is more suitable at small sites. High-quality office space suitable for start-ups/small and medium enterprises can be provided to meet the continuously growing demand and the city’s resilience. Well on Commercial Building at Wellington Street, Zhongcai Centre at Queen’s Road Central, New York House at Connaught Road Central and Mandarin Commercial House at Morrison Hill Road, with the site areas ranging from about 68m² to 120m², are good examples of this type of commercial development. Due to the scale of the office development, approval of the application would only result in an insignificant reduction of housing supply. In this connection, office units with an average size of 43.58m² is considered to be more appropriate than flat units with an average size of 13.45m² from the town planning perspective of view. According to the LegCo Meeting dated back on 12 April 2017, Starry Lee, member of the LegCo stressed that the “nano-flat” (which has been defined as a flat with a usable area less than 15m² / 161 ft²) “are not suitable to serve as a long-term residence, and they also run contrary to the Government’s vision of improving the average living space per person.”
- 5.2.5 A summary table (**Table 5.1**) below shows the comparison between the proposed office scheme and the hypothetical residential scheme.

Table 5.1: Comparison Between the Proposed Office Scheme and the Hypothetical Residential Scheme

	Non-domestic Scheme	Domestic Scheme
Site Area	139.2 m ²	139.2 m ²
Total GFA	Not more than 2088 m ²	Approx. 906.2 m ²
Site Coverage (Above 15 m)	60%	39%
No. of Units	20	9
Average Unit Size	43.58 m ²	13.45 m ²
Plot Ratio	15	5.4
Building Height	Not more than 100 mPD	46.15 mPD
Number of Storey	23	12

5.3 No Undesirable Precedent

- 5.3.1 Approval of the application would not set an undesirable precedent for similar applications due to its unique plot shape and the constraints on the site context. Buildings adjoining the Application Site are high-dense and have already maximised their redevelopment potential in terms of the permissible plot ratio and building height, thus the incentives to be redeveloped are lacking. Buildings with 3-7 storeys (which have the redevelopment potential) however can be identified within the vicinity mainly from 367 to 419 Queen's Road West, yet the bulk, form and size of those buildings are more conventional and conducive for residential redevelopments. In addition, there is no evidence that other sites within the same "R(A)6" zone would be redeveloped into offices as those sites are currently in fragmented ownership. Despite the fact that the low-rise residential buildings can be identified, the bulk, form and size of the buildings are generally common and deemed suitable for domestic use unlike the existing building on the Application Site. **Figure 6** below has provided more details in terms of the pattern of plot size, built form and the ownership in the surroundings of the Site. In this regard, it is unlikely that the approval of the application would set an undesirable precedent, as the site contexts are varied from each other, and the decision to approve or reject an application rested entirely with the Board based on individual merits and other specific considerations of each case.
- 5.3.2 From the town planning point of view, however, if the Site was developed into flats, it will then create an undesirable precedent for the proliferation of the "nano-flats". Based on the records of the Buildings Department and Lands Department and developers' sales brochures, about 70% of the nano-flats come with a windowless bathroom that relies on the mechanical system to bring fresh air and the maintenance for such

relies on the mechanical system to bring fresh air and the maintenance for such ventilation systems had often been neglected, posing sanitation risk. Besides, there is a prevailing yet undesirable feature that balconies and utility platforms being included in the nano flat's saleable floor area, resulting in buyers paying tens of thousands of dollars for square footage that contributes little to the actual living space of their already tiny homes. Proposing office development at the Site can therefore put an end to the encouragement of this tragic phenomenon in Hong Kong.

5.4 In Compliance with the TPB Guideline No.5

- 5.4.1 As stipulated in the TPB Guideline No.5 paragraph 1.2, “the primary objective of the Board is to ensure that the buildings are in the right locations and that no land use conflicts and environmental nuisance will be created.” In order to show the proposed Office is in the right location and would not cause the land use conflicts as well as the environmental nuisance, the aforementioned justifications are briefly summarised at the following table (**Table 5.2**).

Table 5.2 Fulfilment of the Objectives Set Out in TPB PG-No.5

Right Location	No Land Use Conflicts	No Environmental Nuisance
The Site is not conducive to residential development due to the site constraints, while office development is more efficient and can achieve environmental gains. Office development can also help avoid exposing to environmental nuisance caused by the restaurants and road traffic from the surroundings.	The surrounding land uses of the Site are predominantly mixed commercial/residential in nature with commercial use such as shops and restaurants at lower floors. The proposed Office development with “Shop and Services” at lower floors are considered highly compatible with the surrounding. In addition, the area where the Site located was historically a “C/R” Zone that commercial and residential uses were always permitted.	Instead of creating environmental nuisance, the Site is vulnerable to nuisances generated from the busy “District Distributor” (Des Voeux Road West). The proposed office can better integrate the fixed window design and central air conditioning system into the development to mitigate those impacts and provide environmental gains. It can also serve as a buffer building to the residential development to its further south.

- 5.4.2 In addition, the proposed office is situated alongside the major road – Des Voeux Road West, which is the main source of air and noise pollution in the locality. It is stated in the TPB PG-No.5 paragraph 3 that the Board would give favourable consideration to such planning applications as the office development tends to be less susceptible to pollution than the residential development.

5.5 Similar Case Studies

- 5.5.1 The current application shares the same merits as similar application No. A/H3/402 and A/K2/193 that were approved by the Board. The sympathetic considerations were warranted due to the site constraints and the minimal impact of the proposal. It is well noted that the subject Site falls within a Residential Zone which was previously zoned as “Commercial/Residential”. The proposed building for “Office” with “Shop and Services” on the lowest three floors is considered highly compatible with the neighbourhood, as well as comparable to other similar approved planning applications. There is no doubt to admit that the site is constrained with its very tininess in size and narrowness in form. In immediate frontage to the hectic District Distributor, the proposed office should be granted a sympathetic consideration as it can help achieve environmental gains to avoid direct exposure to District Distributor (i.e. Des Voeux Road West) and to serve as a new buffer building to the existing residential development to its further south.
- 5.5.2 Regarding the similar case studies, please refer to **Table 5.3** for more details.

Table 5.3: Approved Non-residential Development in R(A) Zone

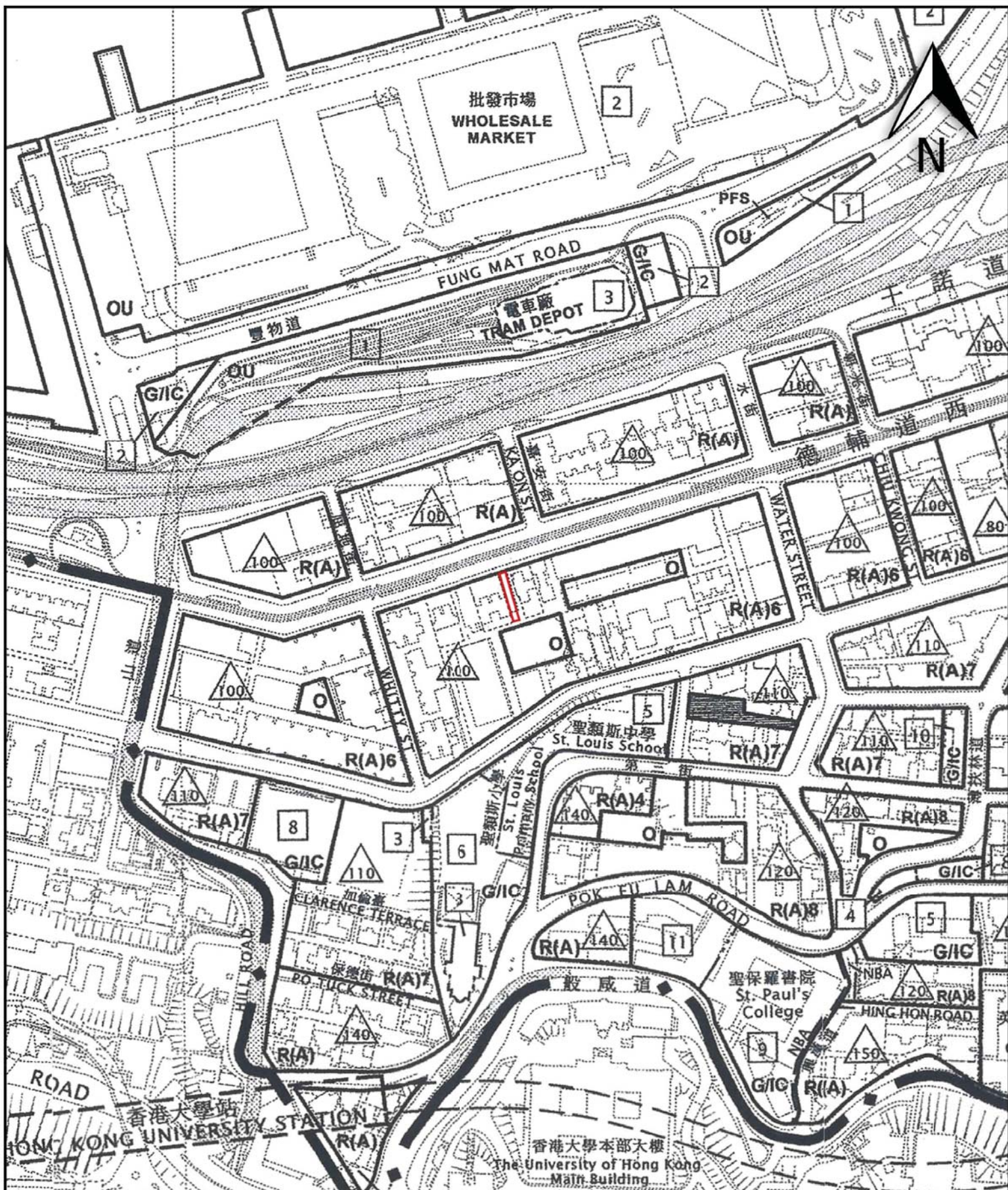
<i>Proposed Office, Eating Place and Shop and Services within the R(A) Zone at 2-4 Shelley Street, Sheung Wan</i>		
A/H3/402 (13.7.2012) (310.79 m ²) (Approved with conditions)	PlanD	The proposed development would cause congestion and disruption to the traffic and pedestrian flow of the locality, plus there were many objecting comments received for the application.
	TPB	TPB approved the case. Members considered <u>that L/UL facilities generated by the development should be minimal, sympathetic consideration could be given in view of the small size of the site</u> and the minimal impact of the proposal and the mitigation measures should be adequate to resolve the problem.
<i>Proposed Office at 197-197A Reclamation Street, Yau Ma Tei</i>		
A/K2/193 (10.6.2011) (137.96 m ²) (Approved with condition)	PlanD	The application might result in an intrusion of office development into the residential neighbourhood. The cumulative effect of which would adversely affect the general character of the area.
	TPB	TPB approved the case. Members shared the view that the applicant had put forward a practical scheme in view <u>of the site constraint due to the small size</u> of the site and they considered that office development in the area would not create great compatibility problem. Two members and the Vice-chairman were of the view that the proposal would <u>help improve the environment of the area and provide incentive for redevelopment</u> . Another member suggested that the area was still residential in nature, the applicant should be advised to incorporate some design in the proposed development such that it would not generate any impact to the surrounding residential developments, which was agreed by members.

Proposed Office at 3/F to 5/F 598 Shanghai Street, Mongkok		
A/K3/574 (12.5.2017) (210.964 m ²) (Approved with condition)	PlanD	PlanD had no objection to the application. Although the planning intention of the “Residential (Group A)” (“R(A)”) zone was primarily for high density residential developments, <u>the proposed office at the site was considered not incompatible with the surrounding land uses</u> which were predominantly mixed commercial/residential in nature with commercial uses such as shops and restaurants at lower floors. Given the <u>small size of the site</u> , the proposed development would have <u>insignificant impact on the housing land supply</u> and was not expected to have significant adverse effect on the character of the neighbourhood.
	TPB	Chairman concluded that Members generally considered the <u>proposed development acceptable in terms of its use and scale</u> . As for the suggestion of providing a canopy projecting over the pavement of Shanghai Street to tie in with the design of the URA revitalisation project and provide shading for pedestrians, the applicant could take that into account when formulating detailed design of the development.
Proposed Hotel at 17-19 Third Street, Sai Ying Pun		
A/H3/392 (28.5.2010) (95.97 m ²) (Approved with condition)	PlanD	PlanD had no objection to the application as the Site was located within an area with a mixture of residential developments with commercial uses on the ground floor. The proposed hotel was considered <u>not incompatible with the surrounding development in terms of land uses</u> , and would unlikely generate adverse environmental, sewerage and geotechnical impacts on the surrounding areas.
	TPB	Members were concerned if the small-sized hotel would change the existing character of the subject area. One other member held a different view and considered that a hotel for short-stay backpackers would not necessarily alter the character of the area. The Vice-Chairman considered that the proposed hotel use, be it long-stay or short-stay, was compatible with the residential neighbourhood.

6. CONCLUSION

This Planning Statement has justified the proposed development in the following aspects:

- The proposed development is situated at 380 Des Voeux Road West, with good accessibility to public transportation.
- The proposed development is a 23-storey commercial building and will provide not more than 2088 m² non-domestic GFA, with “Shop and Service” on the lowest three floors (Podium) and “Office” on the upper floors.
- The proposed development will facilitate rejuvenation of the older urban area.
- The proposed development is compatible with the planning context and will not cause land use interface problems.
- The Application Site is subject to the site constraints stemmed from the small plot size (139.2 m²) and its uncommon plot shape.
- The Site is not conducive to residential development due to the site constraint and the limitation to comply with the rules for domestic use under B(P)R and HKPSG.
- Undesirable precedent will not be set as the site context is quite unique and the Board will review each case on its individual merits.
- The proposed development is a good precedent for the market to avoid the development of nano-flats and to encourage the development of offices with reasonable size to just fit in the demand in the Sai Ying Pun District, which is proven to be in huge demand for small scale office size.
- The subject is highly comparable to other similar approved cases on the ground of difficult site constraints.



Legend



Application Site (for identification purpose only)

Location

**Marine Lot No. 186 S.A RP
At Sai Ying Pun**

Figure No.

FIGURE 1

Figure Title

Location Plan

(Extracted from the Approved
Sai Ying Pun & Sheung Wan
Outline Zoning Plan No. S/H3/34)

Date

**September
2021**

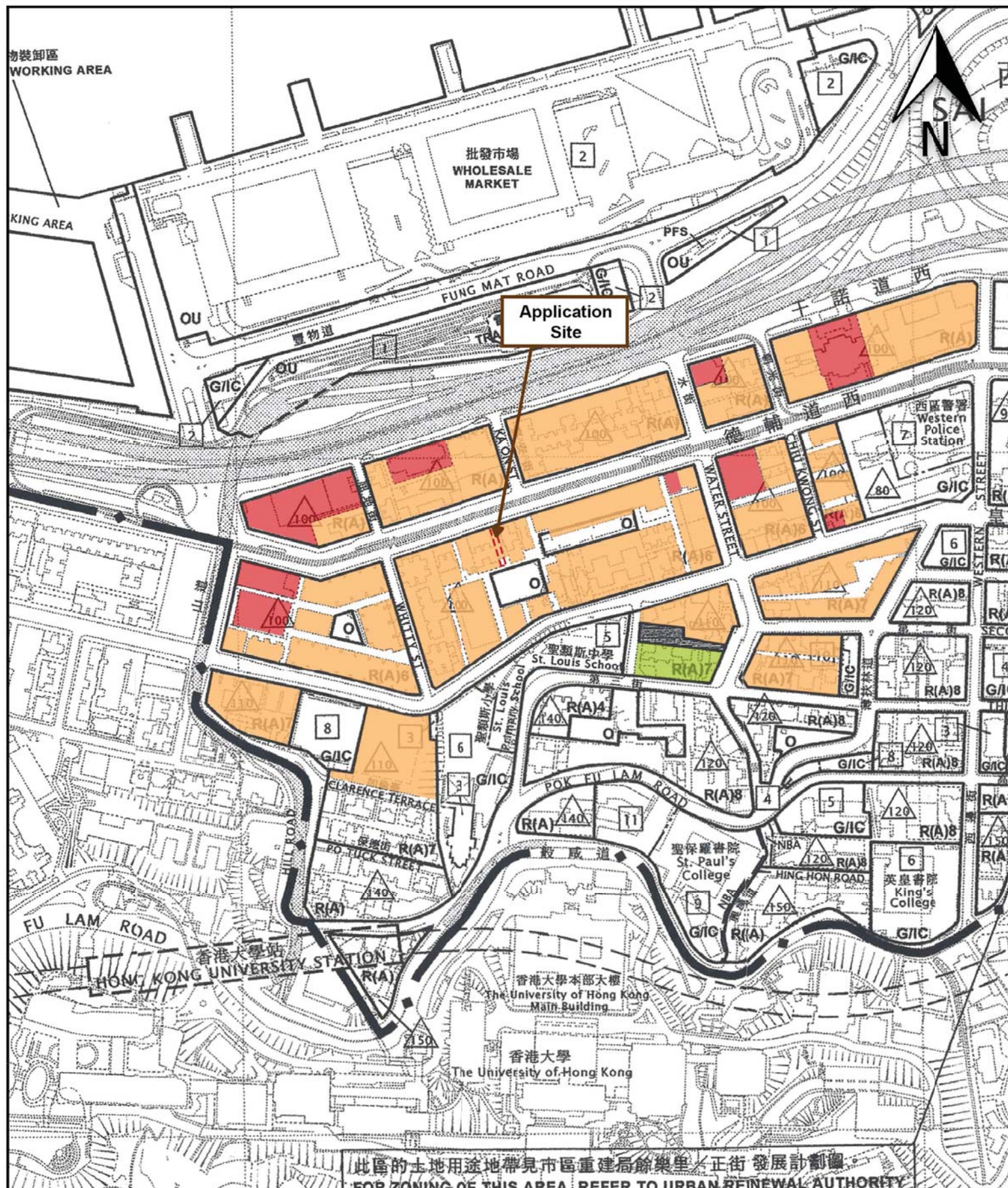
Scale

NTS

Prepared by



DeSPACE (International) Limited



Legend

	Existing Residential Use (with some commercial use on the lowest 3 floors)		Pure Residential Use
	Existing Commercial Use (Office, Hotel/or Retail)		

Location

**Marine Lot No. 186 S.A RP
At Sai Ying Pun**

Figure No.

FIGURE 3

Figure Title

**Land use survey of Site and
Surrounding Neighbourhood**

Date

**September
2021**

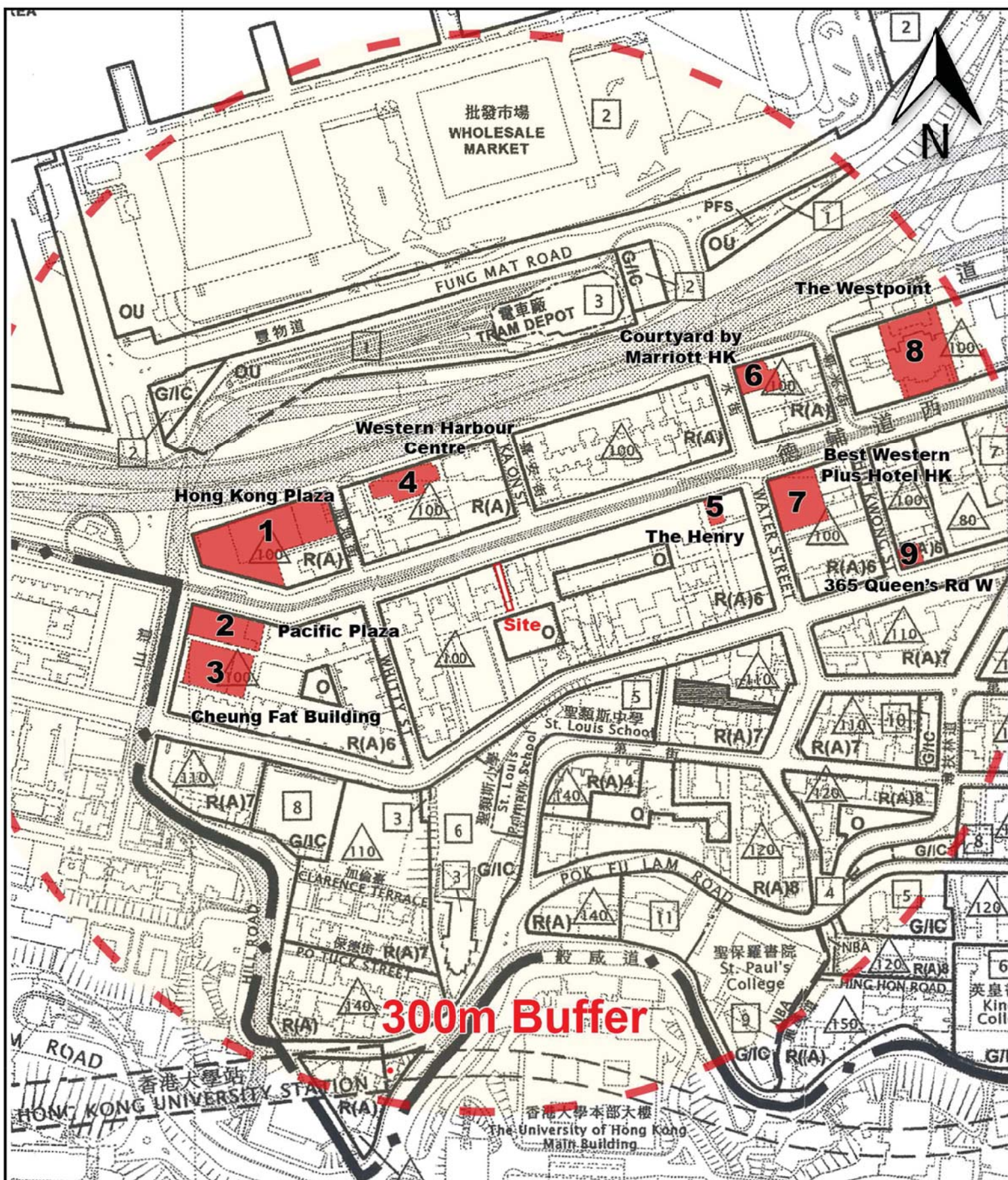
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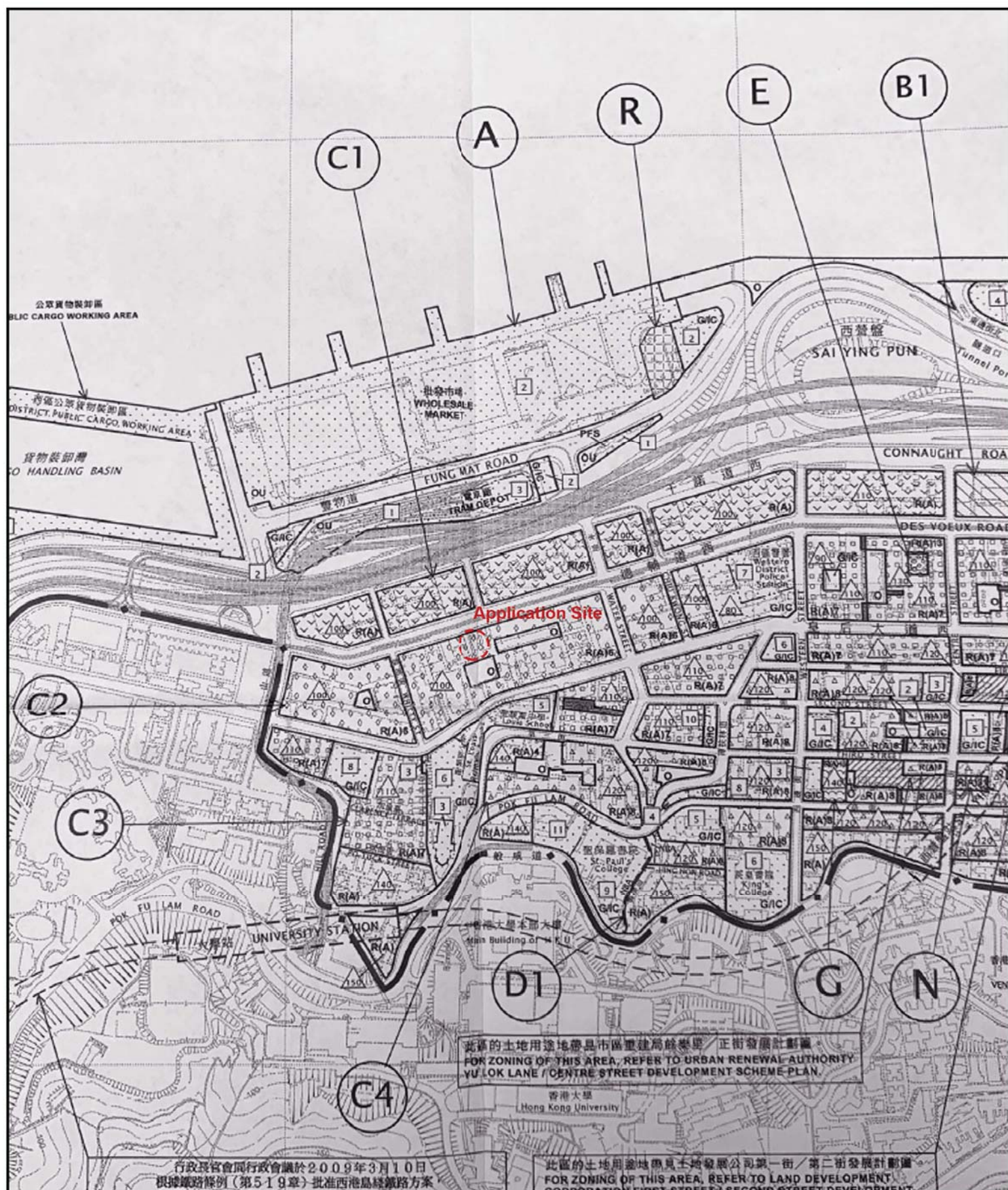
Prepared by



DeSPACE (International) Limited



Legend		Location		
<div style="display: flex; align-items: center;"> <div style="border: 2px solid red; width: 20px; height: 10px; margin-right: 5px;"></div> <div>Application Site</div> </div> <div style="display: flex; align-items: center;"> <div style="border: 2px dashed red; width: 20px; height: 10px; margin-right: 5px;"></div> <div>300m Buffer from the Site</div> </div>		<div style="text-align: center;"> Marine Lot No. 186 S.A RP At Sai Ying Pun </div>		
Figure No.	Figure Title	Date	Scale	Prepared by
FIGURE 4	Map for the Commercial/Office/Hotel Buildings in the 300m buffer of the Application Site	September 2021	NTS	 DeSPACE (International) Limited



Legend

Location

Marine Lot No. 186 S.A RP
At Sai Ying Pun

Figure No.

Figure Title

Date

Scale

Prepared by

FIGURE 5

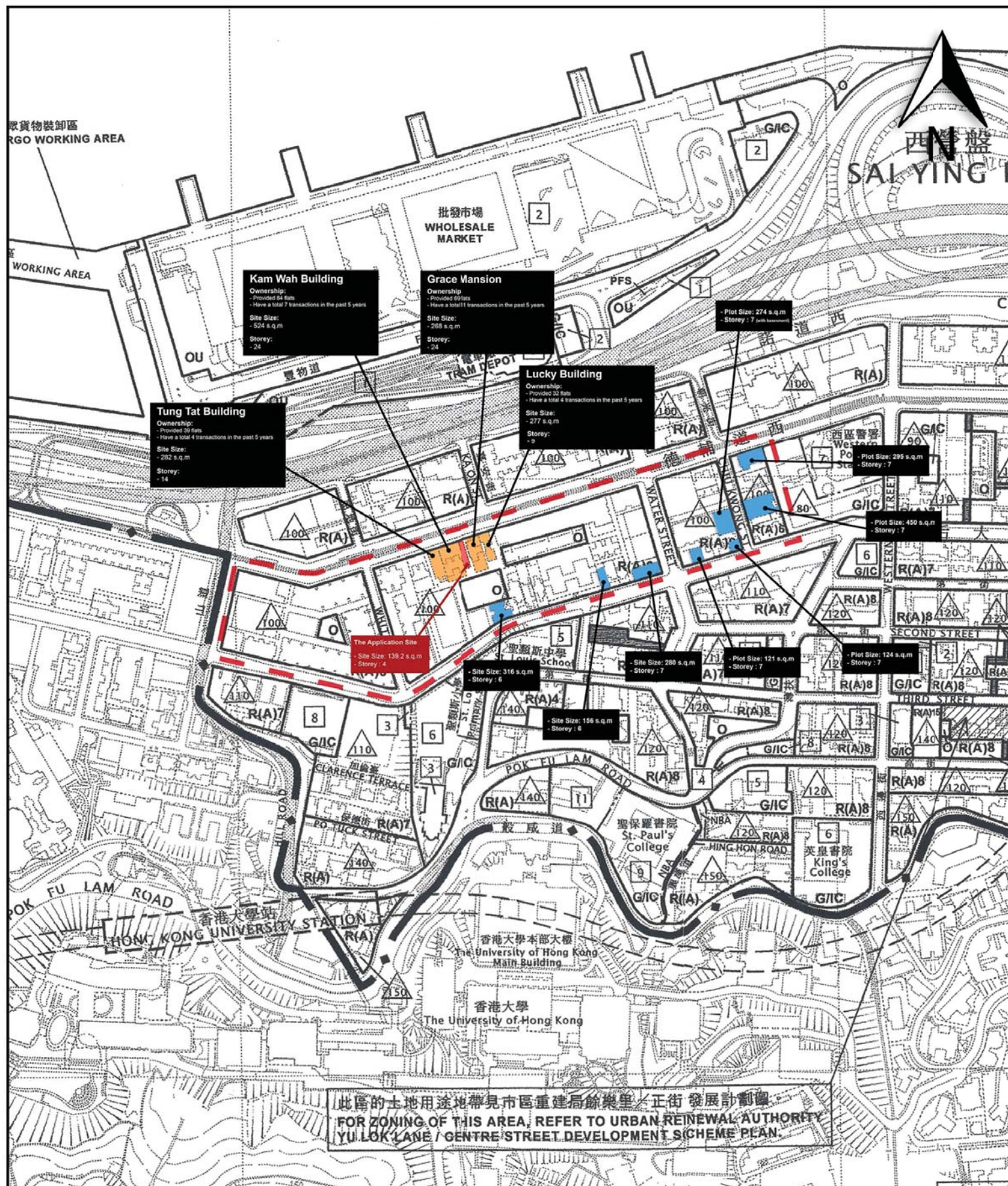
Draft Sai Ying Pun & Sheung Wan OZP
(No. S/H3/24)

September
2021

NTS



DeSPACE (International) Limited



Appendix A

S/H3/34 OZP Schedule of Use – R(A)

RESIDENTIAL (GROUP A)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot Flat Government Use (not elsewhere specified) House Library Market Place of Recreation, Sports or Culture Public Clinic Public Transport Terminus or Station (excluding open-air terminus or station) Residential Institution School (in free-standing purpose-designed building only) Social Welfare Facility Utility Installation for Private Project	Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Government Refuse Collection Point Hospital Hotel Institutional Use (not elsewhere specified) Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Office Petrol Filling Station Place of Entertainment Private Club Public Convenience Public Transport Terminus or Station (not elsewhere specified) Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution School (not elsewhere specified) Shop and Services (not elsewhere specified) Training Centre

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:

Eating Place
 Educational Institution
 Institutional Use (not elsewhere specified)
 Off-course Betting Centre
 Office
 Place of Entertainment
 Private Club
 Public Convenience
 Recyclable Collection Centre
 School
 Shop and Services
 Training Centre

Planning Intention

This zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights, in terms of metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) On land designated “Residential (Group A)1”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic gross floor area of 40,778m² and a maximum non-domestic gross floor area of 790m². A public open space of not less than 1,560m² at Hollywood Road level shall be provided.
- (3) On land designated “Residential (Group A)2”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic gross floor area of 60,580m² and a maximum non-domestic gross floor area of 400m². In addition, a gross floor area of not less than 5,252m² shall be provided for Government, institution or community facilities. A public open space of not less than 1,200m² at Queen’s Road West level shall be provided.

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (4) On land designated “Residential (Group A)3”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic gross floor area of 10,838m²; and a maximum non-domestic gross floor area of 1,214m², of which not less than 1,148m² shall be provided for Government, institution or community facilities.
- (5) On land designated “Residential (Group A)4”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum gross floor area of 17,242m², of which a gross floor area of not less than 1,136m² shall be provided for Government, institution or community facilities.
- (6) On land designated “Residential (Group A)5”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum gross floor area of 5,116m². A public open space of not less than 196m² shall be provided.
- (7) On land designated “Residential (Group A)6”, a maximum building height of 120mPD would be permitted for sites with an area of 400m² or more.
- (8) On land designated “Residential (Group A)7”, a maximum building height of 130mPD would be permitted for sites with an area of 400m² or more.
- (9) On land designated “Residential (Group A)8”, a maximum building height of 140mPD would be permitted for sites with an area of 400m² or more.
- (10) On land designated “Residential (Group A)9”, a minimum setback of 0.5m from the lot boundary of 16-24 Gage Street and 1m from the lot boundary of 26-52 Gage Street fronting Gage Street, and 1m from the lot boundary of 52 Gage Street and 14-16 Aberdeen Street fronting Aberdeen Street shall be provided.
- (11) On land designated “Residential (Group A)10”, a minimum setback of 1m from the lot boundary of 3-21 Gough Street and 3 Kau U Fong fronting Gough Street, and 2m from the lot boundary of 2-44 Gough Street and 11B-11E Aberdeen Street fronting Gough Street shall be provided.
- (12) On land designated “Residential (Group A)11”, a minimum setback of 2m from the lot boundary fronting Elgin Street shall be provided.
- (13) On land designated “Residential (Group A)12”, a minimum setback of 2m from the lot boundary fronting Staunton Street, 1.5m from the lot boundary fronting Peel Street between Staunton Street and Elgin Street, and 2m from the lot boundary of 21-47B and 51-55 Elgin Street fronting Elgin Street shall be provided.

(Please see next page)

Appendix B

Conceptual Architectural Drawings for Non-domestic Use

Appendix C

Notional Architectural Scheme for Domestic Use





Date: 28th October 2021

BY EMAIL

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong

**SECTION 16 APPLICATION
TOWN PLANNING ORDINANCE (CHAPTER 131)
.....
APPLICATION FOR THE PROPOSED "OFFICE" AND "SHOP AND SERVICES" USES
IN "RESIDENTIAL (GROUP A)6" ZONE (A/H3/444)
380 DES VOEUX ROAD WEST, HONG KONG
REMAINING PORTION OF SECTION A OF MARINE LOT NO. 186**

CLEARIFICATION LETTER

This letter is to clarify that the "number of units" provision addressed in **the submission** of planning application (Case No.: A/H3/444) are subject to the "Conceptual Architectural Drawings" from Appendix B and C. The number of units provision can be varied in relation to the further design.

Yours Faithfully,
For and on behalf of
DeSPACE (International) Limited

Greg Lam





DeSPACE (International) Limited

Date: 24th February 2022

Pages: 1 + 29

BY HAND & BY EMAIL (tpbpd@pland.gov.hk)

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong

Dear Sir/Madam,

**SECTION 16 APPLICATION TPO (CHAPTER 131)
PROPOSED "OFFICE" AND "SHOP AND SERVICES" USES
IN "RESIDENTIAL (GROUP A)6" ZONE
380 DES VOEUX ROAD WEST, HONG KONG
REMAINING PORTION OF SECTION A OF MARINE LOT NO. 186
(Town Planning Application No. A/H3/444 – Submission of Further Information)**

References are made to the emails dated 18th November 2021, 6th December 2021 and 7th December 2021 from the Planning Department in relation to technical comments from various departments.

In order to address the comments, please find attached 8 hard copies and a soft copy of the response-to-comment (R to C) table with the following attachments:

Attachment 1 – Replacement Pages of Planning Statement

Attachment 2 – Revised Layout Plans and Section

Attachment 3 – Traffic Review

Please note that the proposed amendments do not involve any material change to the original approved development proposal such as site area, site boundary, total GFA, plot ratio and site coverage. There is however a slight increase in the total number of storeys from 23 to 24 floors while the proposed maximum building height remains at not more than +100mPD. There is a slight change of mix of commercial uses with office GFA to be reduced from 1940sqm to 1754sqm and shop GFA to be increased from 148sqm to 334sqm. This change of mix of use is considered to be a change within the same category of commercial use.

In terms of land use, office and residential uses are usually complementary to each other and would not cause incompatibility, as *"mixed-use development could help balance job distribution and reduce daily commuting trip... thus reducing traffic congestion"* as stated in the 1198th TPB Meeting¹. Besides, office development is more efficient and can achieve environmental gains, avoid exposing to environmental nuisance from Des Voeux Road West and preventing the development of nano-flats given that the Site is constrained by its size and shape. As a matter of fact, the Site has very tiny and narrow site constraints for flat development.

Should you have any queries, please feel free to contact Mr. Wilson LAW at 2493 3626 or undersigned at 3590 6333.

Yours faithfully,
FOR AND ON BEHALF OF
DeSPACE (INTERNATIONAL) LIMITED




Greg Lam

¹ 1198th TPB Meeting held on 15.3.2019 regarding A/H3/436, quote from Board member

**PROPOSED “OFFICE” AND “SHOP AND SERVICES” USES IN “RESIDENTIAL (GROUP A)6” ZONE
380 DES VOEUX ROAD WEST, HONG KONG,
REMAINING PORTION OF SECTION A OF MARINE LOT NO. 186**

(Application No. A/H3/444)

Departmental Comments	Response
<p><u>Email dated 18th November 2021 refers:</u></p> <p><u>TD:</u></p>	
<p><u>Trip Generation/Attraction Rates</u></p> <p>1. According to the Transport Planning and Design Manual, the trip generation/attraction rates of residential development are different from those of office. On that score, a traffic review should be included in the planning submission to assess the traffic impact arising from the subject Section 16 application and propose the traffic mitigation measure for the applicant’s subsequent implementation. However, the traffic review concerned is not included in the planning submission. In view of the above, the applicant is required to submit the traffic review for our further consideration.</p>	<p>The report on Traffic Review is provided in Attachment 3. The Review has drawn a comparison of trip generation/attraction rates between the existing 4-storey composite building and the proposed office development. More information please refers to the attachment.</p>
<p><u>Canopies</u></p> <p>2. The applicant is encouraged to provide building canopies, including over public footpath(s) and/or right-of-way(s) in accordance with the followings where applicable:</p> <p>(1) Chapter 8 of the Hong Kong Planning Standards and Guidelines provides for the provision of building canopies (ie. Para. 5.6.11) and for the subject of pedestrian planning be included in development studies and planning applications (para. 5.9.2);</p>	<p>The revised G/F layout plan has been provided in Attachment 2 with provision of building canopies over the public footpaths and/or right-of-ways. The size of the canopies is subject to future inspection and maintenance of E&M on 1st Floor.</p>

<p>(2) “Projections over Public Streets” stipulated in Land Administration Office Practice Note 3/2020 (Design, Deposition and Height Clause under Lease); and/or</p> <p>(3) Building Ordinance, in particular Building (Planning) Regulation 10 in Cap. 123F regarding balconies and canopies over streets.</p>	
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Departmental Comments	Response
<p><u>Email dated 18th November 2021 refers:</u></p> <p><u>LandsD:</u></p>	
<p>The Application Site falls within Marine Lot No. 186 S.A RP (“the Lot”) where its Government lease is virtually unrestricted subject to the standard non-offensive trades clause. The Application is considered acceptable under the lease conditions governing the Lot.</p>	<p>Noted with thanks.</p>
<p>It is noted that the Lot was carved out under private agreement, you may wish to confirm with the applicant the accuracy of the site area of the Application Site. The actual site area of the Application Site shall be subject to verification.</p>	<p>Noted with thanks.</p>
<p>The proposal submitted by the applicant does not conflict with the lease conditions governing the Lot and so if the proposal is approved by TPB/MPC, the owner is not required to seek a lease modification from LandsD to implement it. Therefore, any planning conditions, if imposed by the TPB/MPC, cannot be written into the lease through lease modification.</p>	<p>Noted with thanks.</p>

Departmental Comments	Response
<u>Email dated 18th November 2021 refers:</u> <u>HyD:</u>	
We have no comments from highways maintenance viewpoint as no information related to public roads/structures/street furniture under HyD maintenance jurisdiction has been provided.	Noted with thanks.

Departmental Comments	Response
<u>Email dated 6th and 7th December 2021 refers:</u> <u>PlanD:</u>	
It is noted that there are discrepancies between the proposed GFA shown in Table 4.1 of the planning statement (i.e. not more than 1940m ² for office use) and the GFA of the tentative scheme (i.e. 1643m ² for office use). Please clarify which GFA is proposed in the planning application and make sure the layout plans submitted tally with the proposed GFA.	The revised layout plans have been provided in Attachment 2 . The total storey of the proposed office building is added by 1 storey, to 24 storey, which should tally with proposed GFA (not more than 2088m ²) and absolute building height (not more than 100 mPD) as addressed in Table 4.1 of the Planning Statement. Notes under the Table 4.1 have been deleted. Replacement pages of the planning statement will be provided (Attachment 1) in order to address the slight amendment of the parameters.
It is noted that Table 4.1 of the planning statement says that the proposed building height (BH) is not more than 100mPD; while the section plan in Appendix B of the planning statement shows that the proposed BH is 94.15mPD. Please be advised that the drawings (including the layout plans and section) submitted in the application should tally with the development parameters proposed in your planning statement.	
It is shown in Table 4.1 of the planning statement that the proposed office use is situated on 4/F or above, which does not tally with the layout plans in Appendix B. Please clarify.	Noted with thanks. The proposed office use in Table 4.1 has been rectified to “3/F or above”. Please see Attachment 1 .

<p>The layout plan of R/F is not provided. Please advise the use of R/F and whether the covered area of the rooftop structures on R/F exceeds 50% of the area of the main roof.</p>	<p>The R/F layout plan is provided in Attachment 2.</p>
<p>It is noted from Table 4.2 of the planning statement that G/F would be used for Lobby / 'Shop and Services', while the layout plan and section plans in the appendices are annotated "shop front" on G/F. Please annotate the proposed use on the plans submitted.</p>	<p>The revised section plan and G/F layout plan have amended the annotation from “Shop front” to “Shop”. Please see Attachment 2.</p>
<p>As observed by BD, the existing building is a 4-storey composite building with domestic flats on 1/F to 3/F and shop on G/F. Please advise:</p> <ol style="list-style-type: none"> 1. The existing use(s) of the building. 2. The completion year of the existing building. 	<p>It is currently a 4-storey composite building for residential uses on 2/F to 3/F, and shop on G/F and an ancillary storage room of the shop on 1/F. The completion year of the existing building is subject to verification as there is no General Building Plan or Occupation Permit can be found on Bravo. The Applicant (landowner) does not have the record, as the Site was only acquired by the Applicant in 2006.</p>

Attachment 1

Replacement Pages of Planning Statement

Executive Summary

Luck Rich Properties Ltd (“the Applicant”), as the sole registered “current landowner” of Marine lot no. 186 S.A RP, at No. 380 Des Voeux Road West, Shek Tong Tsui, Hong Kong Island, now seeks planning permission from the Town Planning Board for the proposed “Office” and “Shop and Services” under Section 16 of Town Planning Ordinance.

According to the Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan No. S/H3/34 (the OZP), the Application Site (“the Site”) is zoned as “Residential (Group A)6” (R(A)6). “Office” is categorized as Column 2 use under “R(A)” zone which may be permitted with or without conditions upon application to the Board whilst “Shop and Service” on the lowest three floors of a building is the always permitted use under the OZP. Amidst this highly dense and compacted area with rich cultural and historical values, this proposal intends to rejuvenate the old urban core and bring in new choices to the locality.

The Site has a site area of approximately 139.2m². It directly abuts to the south of Des Voeux Road West. It is conveniently located in between the University of Hong Kong and Sai Ying Pun MTR Stations and well-served by buses and trams. The proposed development is a 24-storey commercial building for “Office” with “Shop and Services” uses on the lowest three floors. The proposed “Shop and Services” use is notably always permitted under the OZP. The total GFA of the proposed development is not more than 2088 m².

The proposed office development is generally in line with Town Planning Board Guideline No.5 relating to office development in a R(A) zone. The proposed uses will not cause land use interface problems, but will facilitate rejuvenation of the old urban core. With the following justifications presented in this Planning Statement, the Town Planning Board is invited to give favourable consideration to this application.

The planning justifications are summarised as follows:

- The proposed development is in line with the TPB prevailing position of the non-housing proposal in the “R” Zone.
- The Application Site is not conducive to residential development.
- The proposed development would achieve environmental gains.
- The proposed development would not set an undesirable precedent.
- The proposed development is generally in compliance with the TPB Guideline No.5.
- The proposed development is a good precedent for the market to avoid nano-flat development.
- Similar approved case studies are particularly relevant to the subject case.

行政摘要

祥發置業有限公司（“申請人”）為現有位於香港 380 號德輔道西海旁地段 186 號 SA 段的唯一「現行土地擁有人」，現根據《城市規劃條例》第 16 條尋求城市規劃委員會批准於上述地點作擬議的「辦公室」和「商業及服務行業」用途申請。

根據西營盤及上環區計劃大綱核准圖編號 S/H3/34（下稱大綱核准圖），申請地點被劃作「住宅（甲類）」用途地帶。「辦公室」用途屬於第二欄，因此需要先向城市規劃委員會作出規劃申請。位處於最低 3 層平臺的「商業及服務行業」用途則屬於經常准許的用途。此次申請的原意是為這個充滿歷史與文化價值的區域注入新活力及提供更多的生活選擇。

是次申請地點前臨德輔道西，占地約 139.2 平方米，地處於香港大學和西營盤鐵路站之間，擁有完善的鐵路，巴士和電車網絡。是項擬議發展涉及一棟 24 層高的「辦公室」和「商業及服務行業」用途的商業大廈，包括層高 3 層的平臺。總樓面面積約不多於 2088 平方米。

是項申請的擬議方案大致符合城市規劃委員會規劃指引編號 5 的規劃意向。建議的發展用途不會引致土地用途不協調等問題，反而可使老舊市區恢復活力。申請人根據以下總結各點，希望是次的規劃申請能獲得城規會的支持。

- 是次擬議發展符合城規會對住宅用途地帶內非住宅發展的一貫要求。
- 是次申請地點並不利於住宅發展，
- 是次擬議發展會產生正面的環境裨益。
- 是次擬議發展並不會成為不良先例。
- 是次擬議發展大致上符合城市規劃委員會規劃指引編號 5。
- 是次擬議發展對防止納米盤發展有著重要意義。
- 現存的其他相似案例。

1. INTRODUCTION

- 1.1.1 DeSPACE (International) Limited acts on behalf of the Applicant, Luck Rich Properties Limited, seeking planning approval under Section 16 of the Town Planning Ordinance. The site is located at No. 380 Des Voeux Road West (Marine Lot No. 186 S.A RP) abutting Des Voeux Road West to the immediate north and Sai On Lane to its immediate south. The subject site is currently occupied by a 4-storey residential building with narrow frontage towards the main road and Sai On Lane.
- 1.1.2 The Applicant, Luck Rich Properties Limited, is the sole and registered landowner of Marine Lot No. 186 S.A RP, who intends to develop the Site into a 24-storey “Office” Building with “Shop and Service” at the lowest three floors. As the Application Site is zoned “Residential (Group A)6” “[R(A)6]” with “Office” use under Column 2 use, planning approval is required from the Town Planning Board. It is noted that “Shop and Services” is always permitted on the lowest three floors of the proposed building.

2. SITE CONTEXT

2.1 The Application Site

- 2.1.1 The Application Site is conveniently located on the western edge of Sai Ying Pun, within a 5-to-10-minute walking distance to the HKU and Sai Ying Pun MTR Stations. It has a total site area of approximately 139.2m² and bounded by Des Voeux Road West and Sai On Lane to the North and South, and sandwiched by the existing high-dense residential blocks to the immediate East and South. Please refer to **Figure 1** for the Site Location Plan on the Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan (OZP) No. S/H3/34, and the Lot Index Plan at **Figure 2**.
- 2.1.2 The site is currently occupied by a 4-storey residential building with a limited frontage of about 4.65 metres fronting the major road, Des Voeux Road West and Sai On Lane. The shape of the block is generally long and narrow, with a current site coverage of approximately 81%. While both ends of the block are fronting the roads, it is currently sandwiched between the existing residential buildings to the immediate east (Grace Mansion and a private passage) and the immediate west (Kam Wa Building). The ground floor is currently occupied by a clothing shop.

4. THE DEVELOPMENT

4.1 Development Parameters and Floor Uses

- 4.1.1 The proposed development is a 24-storey commercial building comprised of a 3-storey Podium for “Shop and Services” and a 21-storey “Office” tower. A set of Architectural Drawings is included in **Appendix A**, with a summary of the major development parameters shown in **Table 4.1**, and proposed floor uses at **Table 4.2** below.

Table 4.1: Summary of Key Development Parameters

Proposed Office Development	
Site Area	139.2 m ²
Class of Site	A
Site Coverage Above 15 m	60%
Plot Ratio	15
Proposed Non-domestic GFA (2)	
- Office (3 th Floor or above)	Not more than 1754 m ²
- Shop and Services (Lowest 3 floors)	334 m ²
Total Non-domestic GFA	Not more than 2088 m ²
Building Height	Not more than 100 mPD
Number of Storey	24

Table 4.2: Proposed Floor Uses

Floor Uses		
G/F	Lobby / “Shop and Service”	Podium
1/F	Lift Lobby / E&M	
2/F	“Shop and Service”	
3/F	“Office” / Flat Roof	Tower
4 – 23/F	“Office”	

Table 5.1: Comparison Between the Proposed Office Scheme and the Hypothetical Residential Scheme

	Non-domestic Scheme	Domestic Scheme
Site Area	139.2 m ²	139.2 m ²
Total GFA	Not more than 1800 m ²	Approx. 906.2 m ²
Site Coverage (Above 15 m)	60%	39%
No. of Units	21	9
Average Unit Size	43.58 m ²	13.45 m ²
Plot Ratio	15	5.4
Building Height	Not more than 96 mPD	46.15 mPD
Number of Storey	24	12

5.3 No Undesirable Precedent

- 5.3.1 Approval of the application would not set an undesirable precedent for similar applications due to its unique plot shape and the constraints on the site context. Buildings adjoining the Application Site are high-dense and have already maximised their redevelopment potential in terms of the permissible plot ratio and building height, thus the incentives to be redeveloped are lacking. Buildings with 3-7 storeys (which have the redevelopment potential) however can be identified within the vicinity mainly from 367 to 419 Queen's Road West, yet the bulk, form and size of those buildings are more conventional and conducive for residential redevelopments. In addition, there is no evidence that other sites within the same "R(A)6" zone would be redeveloped into offices as those sites are currently in fragmented ownership. Despite the fact that the low-rise residential buildings can be identified, the bulk, form and size of the buildings are generally common and deemed suitable for domestic use unlike the existing building on the Application Site. **Figure 6** below has provided more details in terms of the pattern of plot size, built form and the ownership in the surroundings of the Site. In this regard, it is unlikely that the approval of the application would set an undesirable precedent, as the site contexts are varied from each other, and the decision to approve or reject an application rested entirely with the Board based on individual merits and other specific considerations of each case.
- 5.3.2 From the town planning point of view, however, if the Site was developed into flats, it will then create an undesirable precedent for the proliferation of the "nano-flats". Based on the records of the Buildings Department and Lands Department and developers' sales brochures, about 70% of the nano-flats come with a windowless bathroom that relies on the mechanical system to bring fresh air and the maintenance for such

6. CONCLUSION

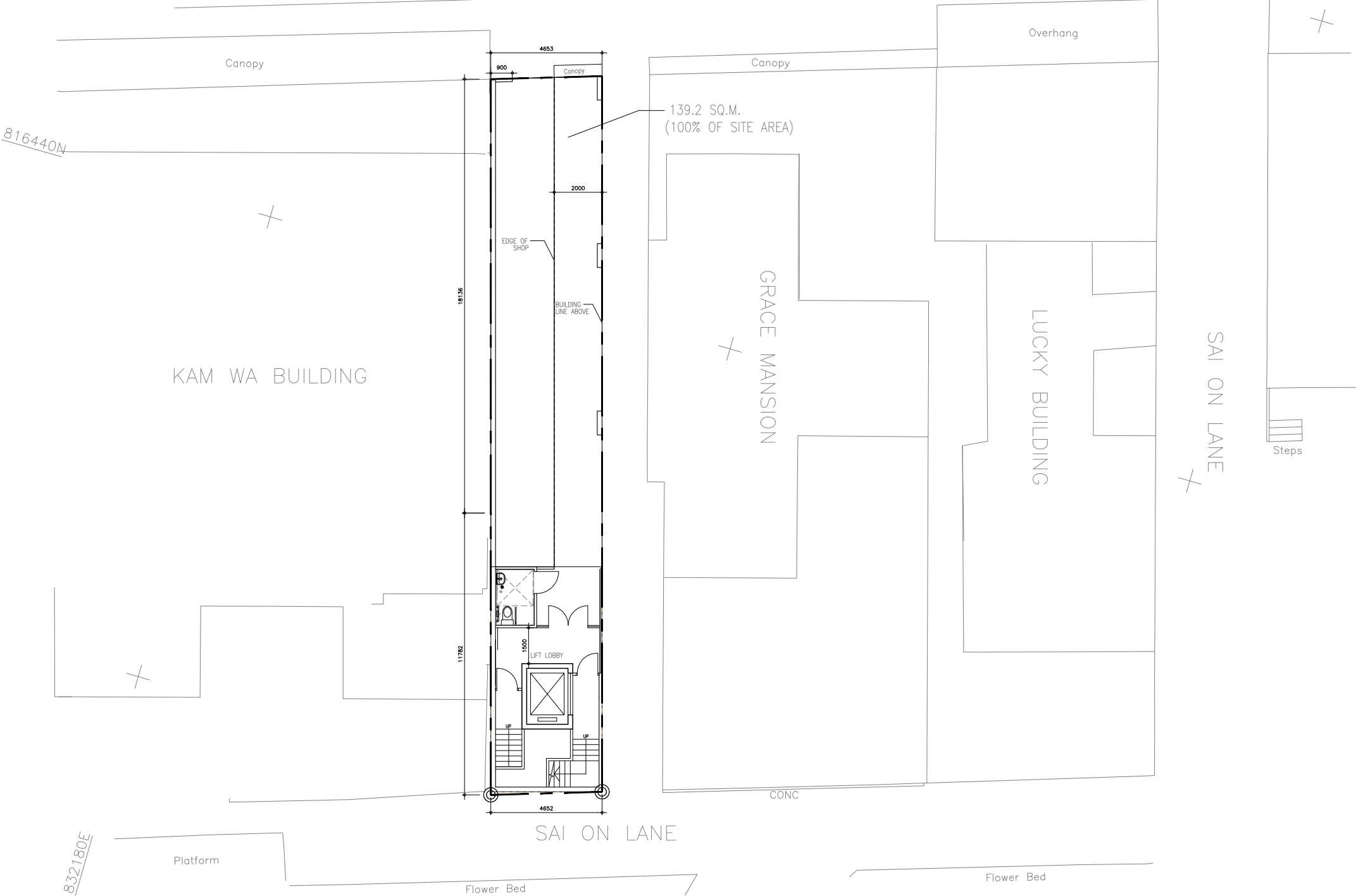
This Planning Statement has justified the proposed development in the following aspects:

- The proposed development is situated at 380 Des Voeux Road West, with good accessibility to public transportation.
- The proposed development is a 24-storey commercial building and will provide not more than 1800 m² non-domestic GFA, with “Shop and Service” on the lowest three floors (Podium) and “Office” on the upper floors.
- The proposed development will facilitate rejuvenation of the older urban area.
- The proposed development is compatible with the planning context and will not cause land use interface problems.
- The Application Site is subject to the site constraints stemmed from the small plot size (139.2 m²) and its uncommon plot shape.
- The Site is not conducive to residential development due to the site constraint and the limitation to comply with the rules for domestic use under B(P)R and HKPSG.
- Undesirable precedent will not be set as the site context is quite unique and the Board will review each case on its individual merits.
- The proposed development is a good precedent for the market to avoid the development of nano-flats and to encourage the development of offices with reasonable size to just fit in the demand in the Sai Ying Pun District, which is proven to be in huge demand for small scale office size.
- The subject is highly comparable to other similar approved cases on the ground of difficult site constraints.

Attachment 2

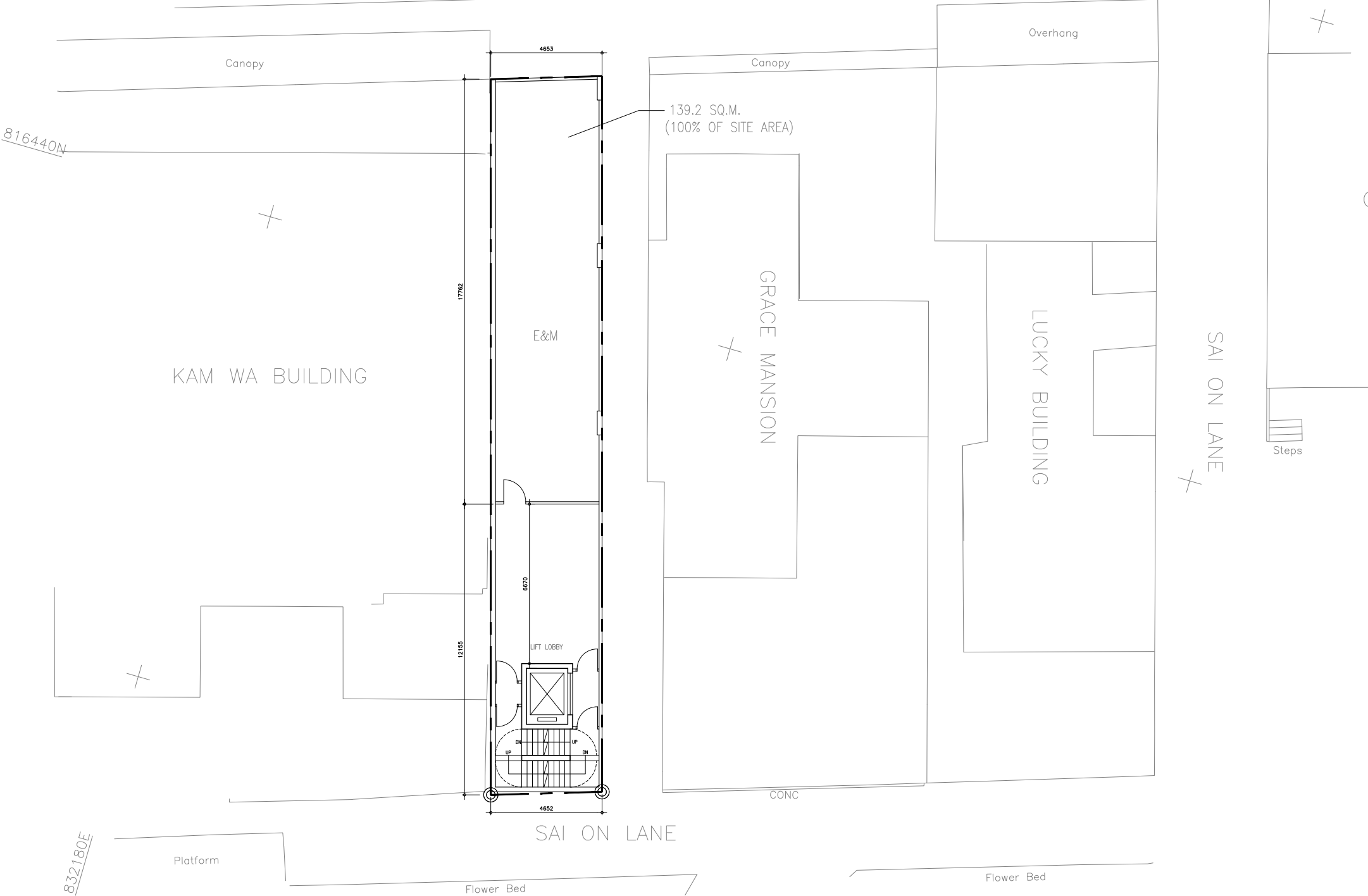
Revised Layout Plans and Section

PROPOSED GROUND FLOOR LAYOUT PLAN



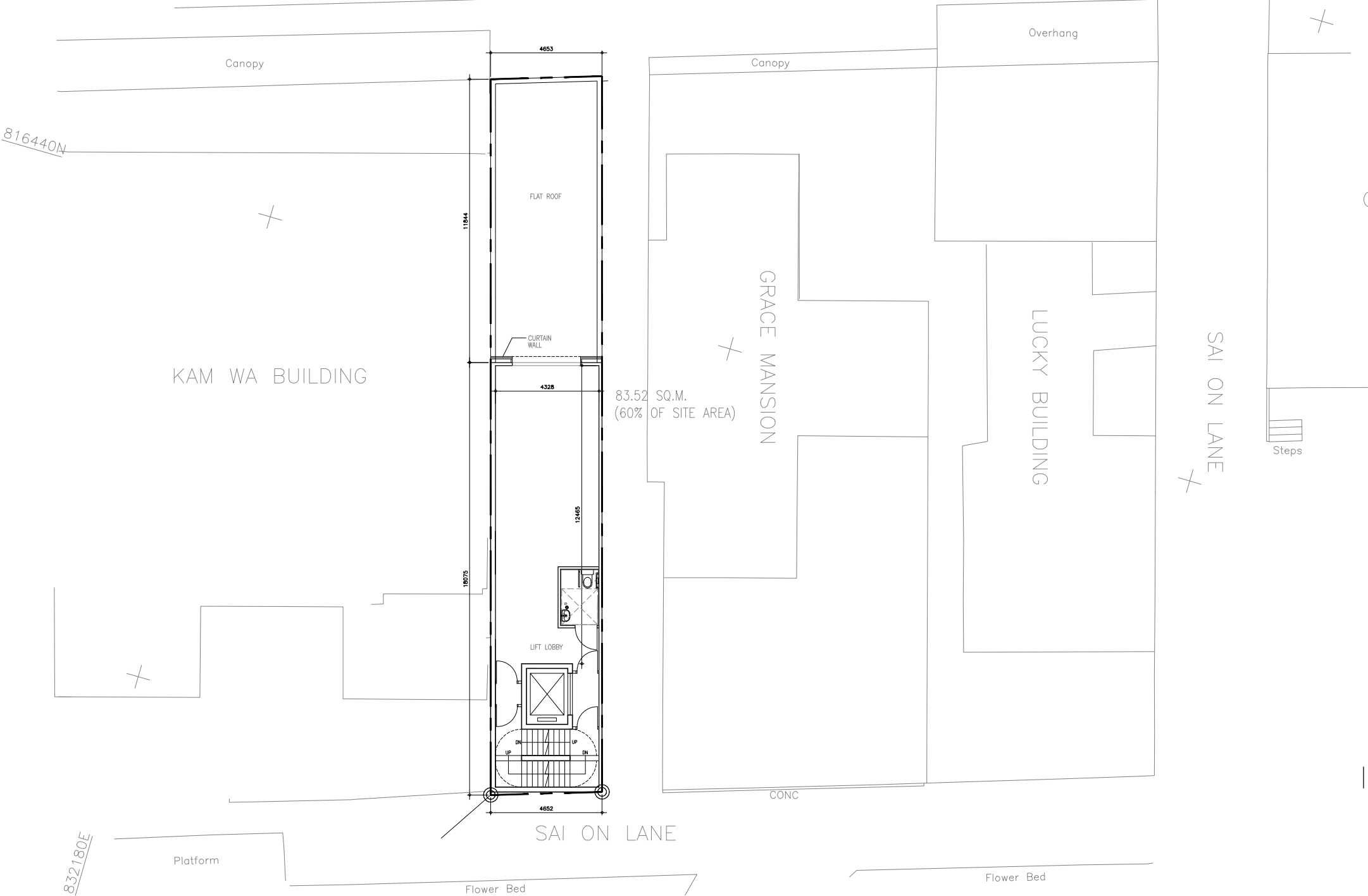
C	22-02-2022	GF PLAN	RL				
B	10-02-2022	GF PLAN	RL				
A	4-10-2021	GF PLAN	RL				
-	24-9-2021	GF PLAN	RL				
修订 Rev.	日期 Date	内容摘要 Description	画图 By	校对 Chk'd	批准 App'd		
图底阶段 Drawing Status				适用 Suitability			
DESIGN STAGE							
建筑师及设计组领导 Architect & Lead Design Consultant							
CUPIO DESIGN STUDIO							
业主 Client							
设计单位 Design Institute							
CUPIO DESIGN STUDIO							
DeSPACE (International) Limited							
项目 Project Title							
SECTION 16 APPLICATION FOR ML 186 S.A RP, 380 DES VOEUX ROAD WEST, SAI YING PUN							
图标 Drawing Title							
PROPOSED GROUND FLOOR LAYOUT PLAN							
比例 Scale	设计 Designed	画图 Drawn	校对 Checked	批准 Authorised			
1:200							
图底尺寸 Original Size	日期 Date	日期 Date	日期 Date	日期 Date			
A3	10/02/2022						
图号 Drawing Number				修订 Revision			
LP01				C			

PROPOSED 1st FLOOR LAYOUT PLAN



C	22-02-2022	1F PLAN	RL				
B	10-02-2022	1F PLAN	RL				
A	4-10-2021	1F PLAN	RL				
-	24-9-2021	1F PLAN	RL				
修订 Rev.	日期 Date	内容摘要 Description	制图 By	校对 Chk'd	批准 App'd		
图底阶段 Drawing Status				适用 Suitability			
DESIGN STAGE							
建筑师及设计总领号 Architect & Lead Design Consultant							
CUPIO DESIGN STUDIO							
业主 Client							
设计单位 Design Institute							
CUPIO DESIGN STUDIO							
 DeSPACE (International) Limited							
项目 Project Title							
SECTION 16 APPLICATION FOR ML 186 S.A RP, 380 DES VOEUX ROAD WEST, SAI YING PUN							
图标 Drawing Title							
PROPOSED 1ST FLOOR LAYOUT PLAN							
比例 Scale	设计 Designed	制图 Drawn	校对 Checked	批准 Authorised			
1:200							
图底尺寸 Original Size	日期 Date	日期 Date	日期 Date	日期 Date			
A3	10/02/2022						
图号 Drawing Number				修订 Revision			
LP02				C			

PROPOSED 3/F LAYOUT PLAN - OFFICE USE



C	22-02-2022	TYP PLAN	RL		
B	10-02-2022	TYP PLAN	RL		
A	4-10-2021	TYP PLAN	RL		
-	24-9-2021	TYP PLAN	RL		
修订 Rev.	日期 Date	内容摘要 Description	画面 By	校对 Chk'd	批准 App'd
图纸阶段 Drawing Status				适用 Suitability	
DESIGN STAGE					
建筑师及设计组领导 Architect & Lead Design Consultant					
CUPIO DESIGN STUDIO					
业主 Client					
设计单位 Design Institute					
CUPIO DESIGN STUDIO					
 DeSPACE (International) Limited					
项目 Project Title					
SECTION 16 APPLICATION FOR ML 186 S.A.R.P., 380 DES VOEUX ROAD WEST, SAI YING PUN					
图名 Drawing Title					
PROPOSED 3/F LAYOUT PLAN - OFFICE USE					
比例 Scale	设计 Designed	画面 Drawn	校对 Checked	批准 Authorised	
1:200					
图纸尺寸 Original Size	日期 Date	日期 Date	日期 Date	日期 Date	
A3	10/02/2022				
图号 Drawing Number				修订 Revision	
LP03A				C	



PROPOSED TYPICAL FLOOR LAYOUT PLAN - OFFICE USE

C	22-02-2022	TYP PLAN	RL		
B	10-02-2022	TYP PLAN	RL		
A	4-10-2021	TYP PLAN	RL		
-	24-9-2021	TYP PLAN	RL		
修订 Rev.	日期 Date	内容摘要 Description	画面 By	校对 Chk'd	批准 App'd
图纸阶段 Drawing Status				适用 Suitability	
DESIGN STAGE					
建筑师及设计组领导 Architect & Lead Design Consultant					
<div>CUPIO DESIGN STUDIO</div>					
业主 Client					
设计单位: Design Institute					
<div>CUPIO DESIGN STUDIO</div> <div>DeSPACE (International) Limited</div>					
项目 Project Title					
SECTION 16 APPLICATION FOR ML 186 S.A RP, 380 DES VOEUX ROAD WEST, SAI YING PUN					
图名 Drawing Title					
PROPOSED TYPICAL FLOOR LAYOUT PLAN - OFFICE USE					
比例 Scale	设计 Designed	画面 Drawn	校对 Checked	批准 Authorised	
1:200					
图纸尺寸 Original Size	日期 Date	日期 Date	日期 Date	日期 Date	
A3	10/02/2022				
图号 Drawing Number				修订 Revision	
LP04				C	

Attachment 3

Traffic Review

Traffic Review

1.0 Purpose of the Report

The comments from the Transport Department dated 18 November 2021 on the captioned S16 Planning Application (TPB ref: A/H3/444) are as follows:

“The subject Section 16 application involves the change of land use from “residential with commercial on the ground floor” to “office and shop and services”.

According to the Transport Planning and Design Manual, the trip generation/attraction rates of residential development are different from those of office. On that score, a traffic review should be included in the planning submission to assess the traffic impact arising from the subject Section 16 application and propose the traffic mitigation measure for the applicant’s subsequent implementation. However, the traffic review concerned is not included in the planning submission.

In view of the above, the applicant is required to submit the traffic review for our further consideration.”

In conjunction with the above, CKM Asia Limited, a traffic and transportation planning consultancy firm, was commissioned by the Applicant to prepare a Traffic Review for consideration by Transport Department.

2.0 Background

The Subject Site is located at 380 Des Voeux Road West in Sai Ying Pun. The existing building at the Subject Site has (i) retail with 168.6m² GFA, and (ii) 3 residential units (the “Existing Building”). It has no internal transport facilities. The location of the Subject Site is shown in **Figure 1**.

The Owner now intends to redevelop the Subject Site into a new commercial building, which comprises of (i) retail with 334.08 m² GFA, (ii) office with 1,753.92 m² GFA (“Proposed Scheme”). **Figure 2** shows that the Subject Site is very narrow, i.e., only 4.653m wide and is some 29.919 m deep. Similar to the Existing Building, it is not feasible to provide internal transport facilities for the Proposed Redevelopment.

3.0 Summary of the 2 Schemes

Table 1 presents the development parameters of Existing Building and the Proposed Scheme (“2 Schemes”).

TABLE 1 DEVELOPMENT PARAMETERS OF THE 2 SCHEMES

Use	Existing Building	Proposed Scheme
Residential (units)	3	N/A
Retail GFA	168.6.m ²	334.08 m ²
Office GFA	N/A	1,753.92 m ²

4.0 Relaxation on the Provision of Internal Transport Facilities

The justifications for the relaxation on the provision of internal transport facilities for the Proposed Scheme are given below:

#1 – Site Constraint

The Subject Site is small, i.e., 4.653 wide (the Des Voeux Road West frontage) and 29.919m deep. **Figure 2** shows that the Ground Floor is severely constrained by its limited width and with the essential building features, e.g. lift core, staircase, structural columns, etc.

The clear width of the ground floor at Des Voeux Road West is only 3.554m, which is less than the requirement stated in the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers issued by Buildings Department (“APP111”), of no less than 6m.

#2 – Low Demand Anticipated for Parking by the Small Road-side Retail Shop

Retail use in the Proposed Scheme is small, i.e., 334.08m² GFA. Likewise, it is “small road-side retail shops which are mainly serving location residents”, and Page xiv of Chapter 8 of the Hong Kong Planning Standards and Guidelines says, “generally nil provision (of internal transport facilities) is permitted”.

#3 – Limited Increase in Traffic Generation

Compared with the Existing Building, the Proposed Scheme is expected to generate limited increase in traffic.

The trip rates adopted to calculate the traffic generation of the 2 Schemes are obtained from the Transport Planning and Design Manual (“TPDM”) and are presented in **Table 2**, and the calculated traffic generation are found in **Table 3**. The comparison of the traffic generation of the 2 Schemes is found in **Table 4**.

TABLE 2 ADOPTED TPDM TRIP GENERATION RATES

Use	Unit	AM Peak Hour		PM Peak Hour	
		In	Out	In	Out
Residential	pcu/hour/flat	0.0425	0.0718	0.0370	0.0286
Office	pcu/hour/100m ²	0.2452	0.1703	0.1175	0.1573
Retail	pcu/hour/100m ²	0.2434	0.2296	0.3563	0.3100

Note: Mean rates taken from the TPDM

TABLE 3 TRAFFIC GENERATION OF THE 2 SCHEMES

Use	GFA / No. of Units	Traffic Generation (pcu/hour)			
		AM Peak		PM Peak	
		IN	OUT	IN	OUT
Existing Building					
Residential	3 units	0.1	0.2	0.1	0.1
Retail	168.6m ²	0.4	0.4	0.6	0.5
Total [a]		0.5	0.6	0.7	0.6
Proposed Scheme					
Office	1,753.92m ²	4.3	3.0	2.1	2.8
Retail	334.08m ²	0.8	0.8	1.2	1.0
Total [b]		5.1	3.8	3.3	3.8

TABLE 4 COMPARISON OF TRAFFIC GENERATION OF THE 2 SCHEMES

Scheme	Traffic Generation (pcu/hour)					
	AM Peak			PM Peak		
	IN	OUT	2-way	IN	OUT	2-way
Existing Building [a]	0.5	0.6	1.1	0.7	0.6	1.3
Proposed Scheme [b]	5.1	3.8	8.9	3.3	3.8	7.1
Difference [b] – [a]	+4.6	+3.2	+7.8	+2.6	+3.2	+5.8

Table 4 shows that increase in traffic generation between the Existing Building and the Proposed Scheme is minimal, i.e., only **7.8** and **5.8** pcu/hour (2-way) in the AM and PM Peak hours, respectively.

#4 – Limited Pedestrian Generation

Due to the COVID-19 pandemic social distancing measures introduced on and after 5th January 2022, traffic survey data collected would not represent the normal condition. Hence, the pedestrian generation of the 2 Schemes are estimated by adopting the pedestrian generation rates from previous surveys undertaken by CKM Asia. The adopted rates are presented in **Table 5**.

TABLE 5 ADOPTED PEDESTRIAN GENERATION RATES

Location	GFA (m ²) / No. of Flats	Pedestrian Generation Rates (ped/15min/100m ²) / (ped/15min/flat)			
		AM Peak		PM Peak	
		IN	OUT	IN	OUT
Residential					
4 - 6 St Francis Street, Wan Chai	32 flats with average size of 30m ²	0.0625	0.1250	0.1250	0.0313
Regal Court, 12 – 18 Wing Fung Street, Wan Chai	60 flats with average size of 50m ²	0.0167	0.0500	0.0333	0.0167
Adopted Pedestrian Generation Rates		0.0625	0.1250	0.1250	0.0313
Office					
9 Chong Yip Street, Kwun Tong	11,587	0.4574	0.0518	0.0690	0.4401
Millennium City Phase II, Kwun Tong	24,800	0.6250	0.1935	0.1613	0.3669
Adopted Pedestrian Generation Rates		0.6250	0.1935	0.1613	0.4401
Retail					
28 Aberdeen Street, Central	135	1.4815	0.7407	1.4815	2.9630
16 – 18 St. Francis Yard, Wan Chai	456	0.4383	1.3148	3.0679	1.3148
Adopted Pedestrian Generation Rates		1.4815	1.3148	3.0679	2.9630

The calculated pedestrian generation for the 2 Schemes is found in **Table 6**, and the comparison of 2 Schemes are presented in **Table 7**.

TABLE 6 PEDESTRIAN GENERATION OF THE 2 SCHEMES

Use	GFA / No. of Units	Pedestrian Generation (ped/15-min)			
		AM Peak		PM Peak	
		IN	OUT	IN	OUT
Existing Building					
Residential	3 units	0.2	0.4	0.4	0.1
Retail	168.6m ²	2.5	2.2	5.2	5.0
Total [a]		2.7	2.6	5.6	5.1
Proposed Scheme					
Office	1,753.92m ²	11.0	3.4	2.8	7.7
Retail	334.08m ²	4.9	4.4	10.2	9.9
Total [b]		15.9	7.8	13.0	17.6

TABLE 7 COMPARISON OF PEDESTRIAN GENERATION OF THE 2 SCHEMES

Scheme	Pedestrian Generation (ped/15-min)					
	AM Peak			PM Peak		
	IN	OUT	2-way	IN	OUT	2-way
Existing Building [a]	2.7	2.6	5.3	5.6	5.1	10.7
Proposed Scheme [b]	15.9	7.8	23.7	13.0	17.6	30.6
Difference [b] – [a]	+ 13.2	+ 5.2	+ 18.4	+ 7.4	+ 12.5	+ 19.9

Table 7 shows that increase in pedestrian generation between the Existing Building and the Proposed Scheme is minimal, i.e., **18.4** and **19.9** ped/15-min (2-way) in the AM and PM Peak hours, respectively.

5.0 The Proposed Scheme is Functional even without the Provision of Internal Transport Facilities

#1 – Good Accessibility to Public Transport Services

The Subject Site is well-served by various public transport services, including franchised bus and green minibus (“GMB”), and these services operate along Des Voeux Road West and Queen’s Road West. The closest entrance to the MTR HKU Station is at Queen’s Road West, which is only 210 metres or 3 minutes’ walk away.

Details of the franchised bus and green minibus (“GMB”) routes operating in the vicinity of the Subject Site are presented in **Figure 3** and **Table 8**.

TABLE 8 FRANCHISED BUS AND GMB SERVICES OPERATING CLOSE TO THE SUBJECT SITE

Route	Routing	Frequency (minutes)
CTB 1	Felix Villas – Happy Valley (Upper)	12 – 15
CTB 5B	Kennedy Town – Causeway Bay / Hong Kong Stadium	7 – 30
CTB 5X	Kennedy Town – Causeway Bay (Whitfield Road)	15 – 25
CTB 7	Shek Pai Wan – Central (Ferry Piers)	15 – 23
CTB 10	Kennedy Town – North Point Ferry Pier	7 – 20
CTB 37A	Chi Fu Fa Yuen – Central	6 – 20
CTB 37B	Chi Fu Fa Yuen – Admiralty	8 – 16
CTB 43M	Tin Wan – Shek Tong Tsui	30
CTB 71	Wong Chuk Hang – Central (Rumsey Street)	AM Peak
CTB 71P	Sham Wan – Central (Ferry Piers)	AM Peak

**Section 16 Planning Application for the Proposed “Office” And “Shop And Services”
Uses in “Residential (Group A)6” Zone, 380 Des Voeux Road West, Hong Kong,
the Remaining Portion of Section A of Marine Lot No.186**

Traffic Review

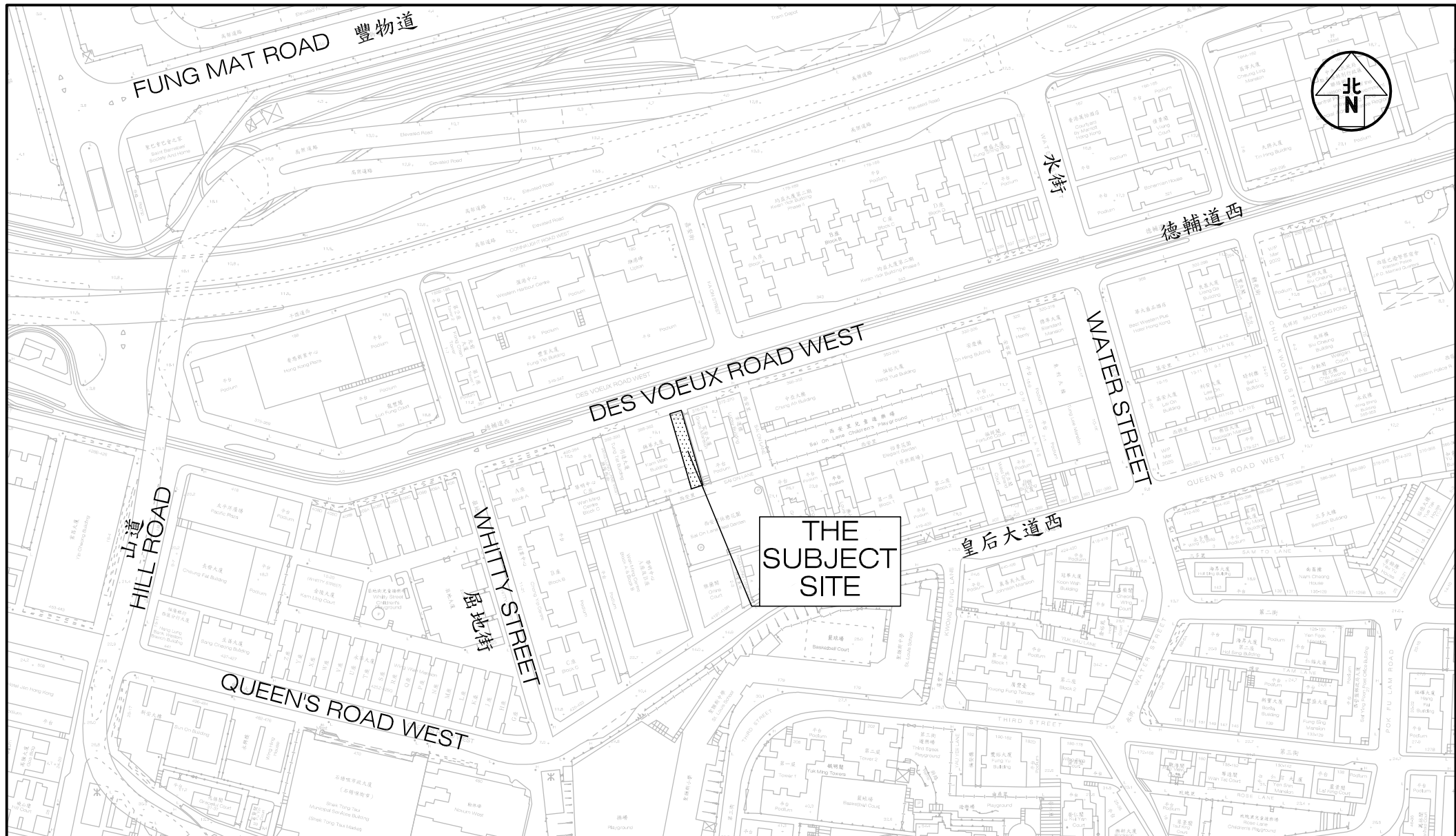
Route	Routing	Frequency (minutes)
CTB 90B	South Horizons – Admiralty (East)	10 – 20
CTB 930A	Wan Chai North – Tsuen Wan (Discovery Park)	AM, PM Peak
CTB 973	Stanley Village – Tsim Sha Tsui (Mody Road)	30 – 60
CTB A10	Ap Lei Chau (Lee Lok Street) – Ap Lei Chau	30
CTB A12	Siu Sai Wan (Island Resort) – Airport	20 – 45
CTB N8X	Siu Sai Wan (Island Resort) – Kennedy Town	30
NWFB 4	Central – Wong Chuk Hang / Wah Fu (South)	15 – 20
NWFB 4X	Central (Exchange Square) – Wah Fu (South)	10 – 20
NWFB 18	Kennedy Town (Belcher Bay) / Sheung Wan – North Point (Healthy Street Central)	12 – 15
NWFB 18P	Kennedy Town (Belcher Bay) – North Point (Healthy Street Central)	10 – 20
NWFB 18X	Kennedy Town (Belcher Bay) – Shau Kei Wan	20
NWFB 30X	Cyberport – Central (Exchange Square)	15 – 25
NWFB 88X	Siu Sai Wan (Island Resort) – Kennedy Town (Belcher Bay)	
NWFB 91	Ap Lei Chau Estate – Central (Ferry Piers)	12 – 20
NWFB 94	Lei Tung Estate – Central (Ferry Piers)	10 – 25
NWFB 970	So Uk Estate – Cyberport	5 – 20
NWFB 970X	Aberdeen – Cheung San Wan (Kom Tsun Street)	8 – 20
NWFB 971	Aberdeen (Shek Pai Wan) – Hoi Lai Estate	15 – 30
KMB/NWFB 101	Kennedy Town – Kwun Tong (Yue Man Square)	4 – 20
KMB/NWFB 101X	Kennedy Town – Kwun Tong (Yue Man Square)	AM, PM Peak
KMB/NWFB 104	Kennedy Town – Sham Shui Po (Pak Tin Estate)	8 – 20
KMB/NWFB 113	Choi Hung – Kennedy Town (Belcher Bay)	8 – 26
KMB/NWFB 904	Kennedy Town (Belcher Bay) – Lai Chi Kok	12 – 26
KMB/NWFB 905	Wan Chai North – Lai Chi Kok	5 – 25
KMB/NWFB 905A	Wan Chai North – Lai Chi Kok	PM Peak
KMB/NWFB 905P	Lai Chi Kok – Wan Chai (Harbour Road)	AM Peak
GMB 10	Causeway Bay (Jaffe Road) – Cyberport Public Transport Interchange	10 – 20
GMB 12	Kwun Lung Lau – Sai Ying Pun	6 – 15
GMB 13	Sai Wan Estate – Sai Ying Pun	10 – 30
GMB 31	Tin Wan Estate – Admiralty	10 – 15
GMB 54	Queen Mary Hospital – Central (Ferry Piers)	15 – 20
GMB 55	Queen Mary Hospital – Central MTR Station (Connaught Road Central)	10 – 15
GMB N31	Tin Wan Estate – Causeway Bay (Jaffe Road)	Overnight

Note: CTB – Citybus
KMB – Kowloon Motor Bus
NWFB – New World First Bus
GMB – Green Minibus

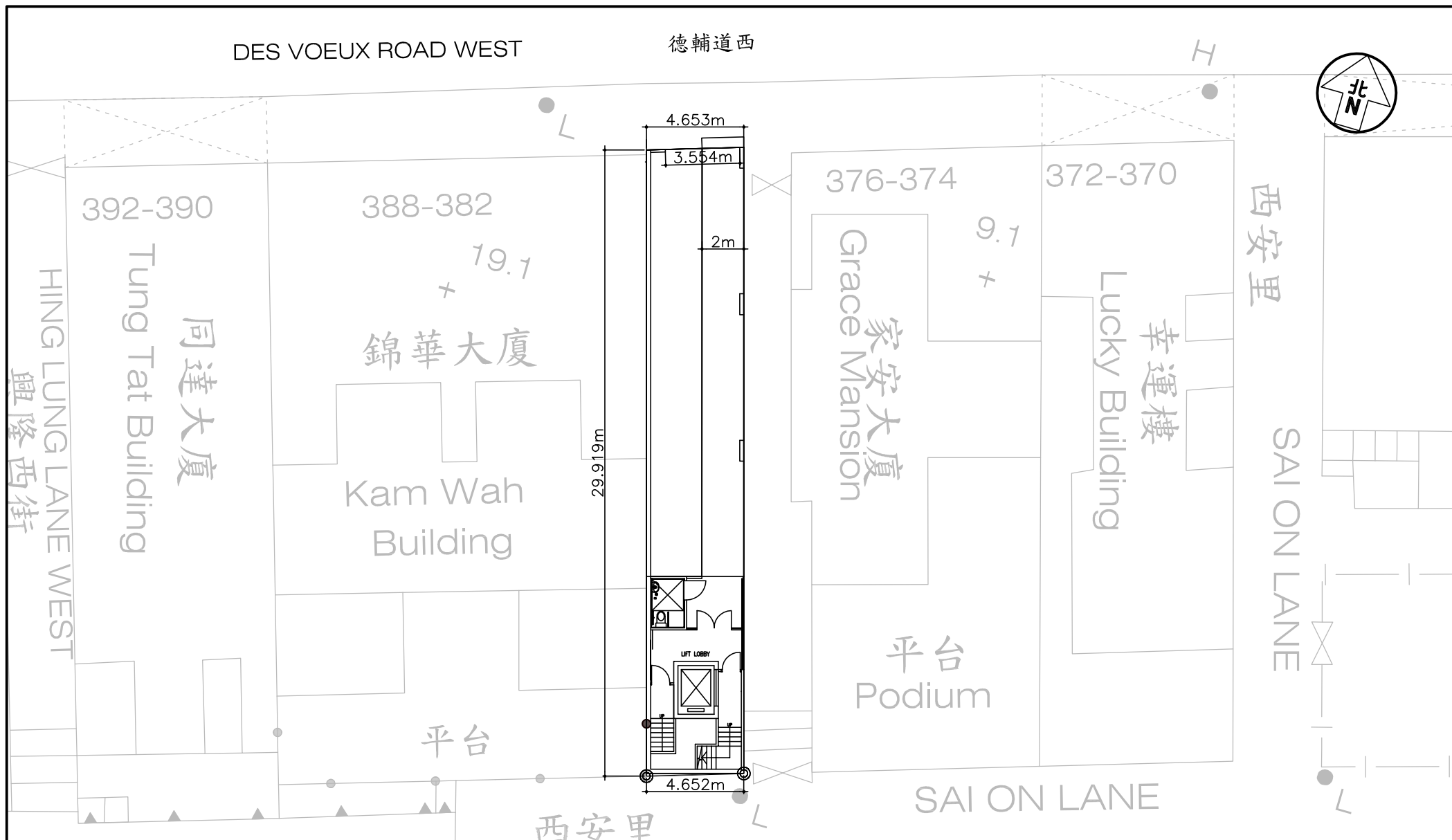
#2 – Availability of Kerbside for On-Street Activities

Based on site observations, loading / unloading and pick-up / drop-off activities are permitted in the vicinity of the Subject Site, i.e. Des Voeux Road West, which is shown in **Figure 4**.

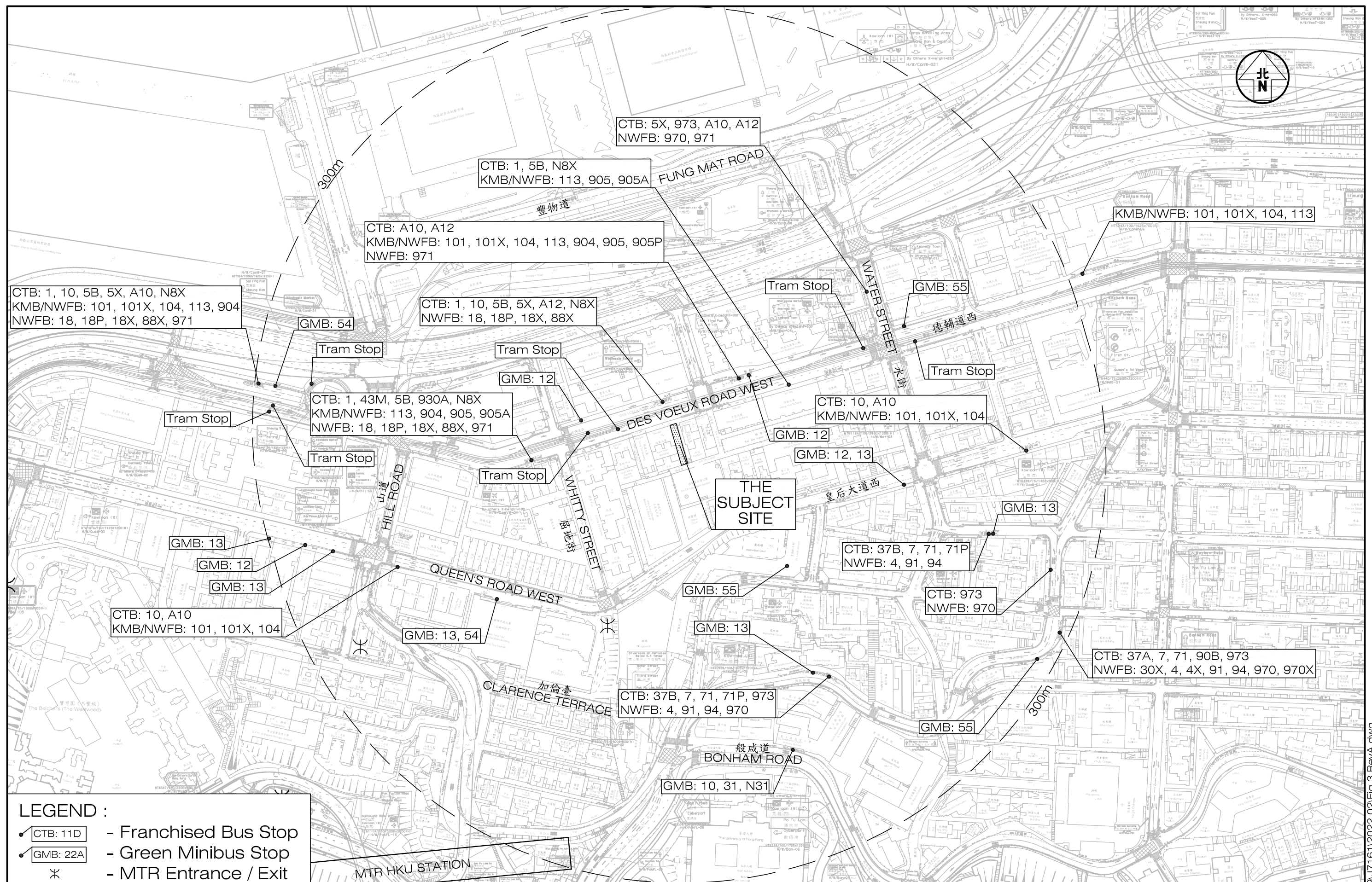
In addition, the management office will inform tenants that all loading / unloading activities can only be undertaken during off-peak period, which could help minimize the traffic impact to the surrounding road network.

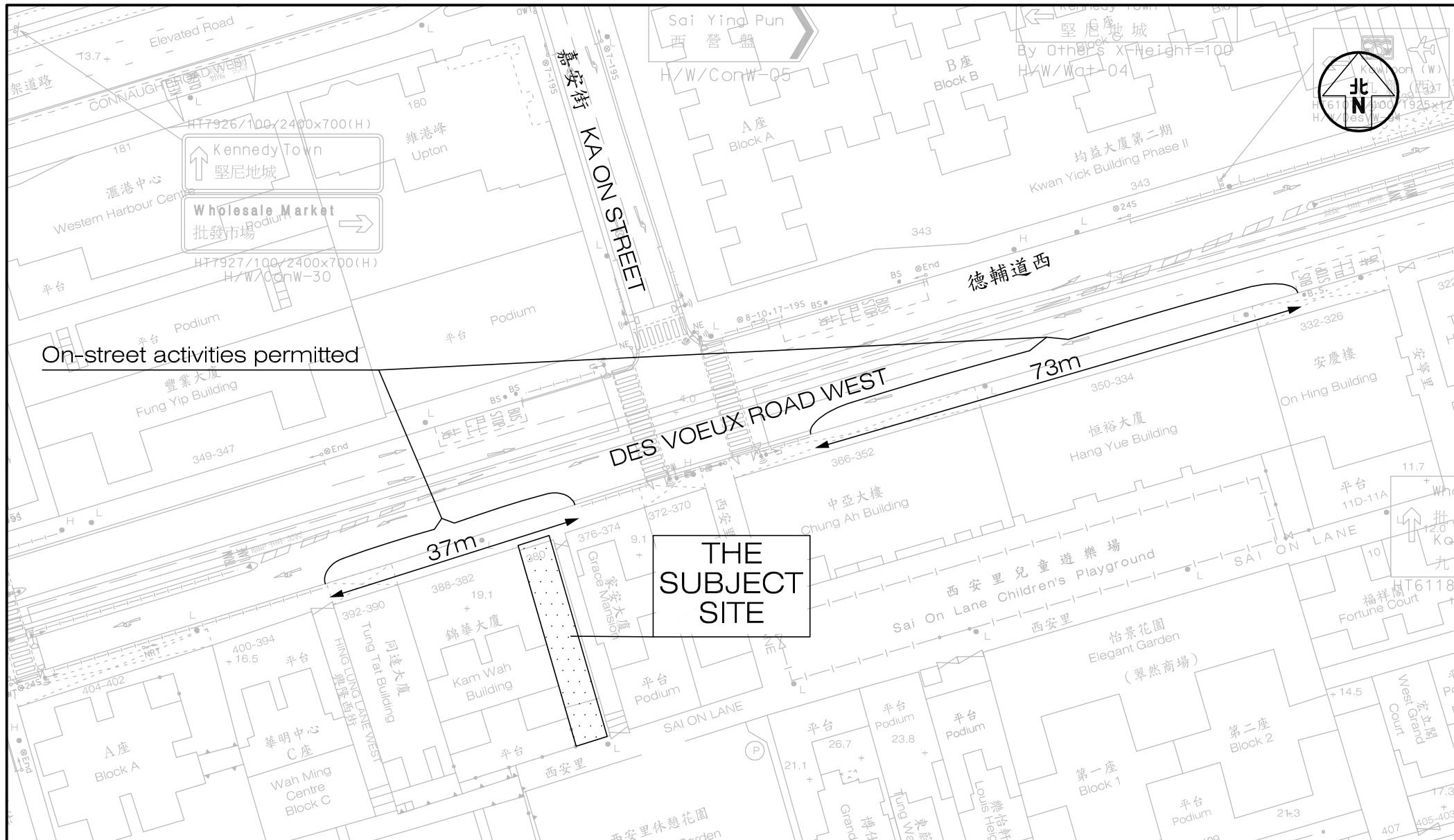


Project Title SECTION 16 PLANNING APPLICATION FOR THE PROPOSED "OFFICE" AND "SHOP AND SERVICES" USES IN "RESIDENTIAL (GROUP A)" ZONE, 380 DES VOEUX ROAD WEST, HONG KONG, THE REMAINING PORTION OF SECTION A OF MARINE LOT NO.186	Figure No. 1	Revision A
Figure Title LOCATION OF SUBJECT SITE	Designed by C Y Y Drawn by N C M Checked by K C Scale in A4 1 : 2000 Date 22 FEB 2022	CKM Asia Limited Traffic and Transportation Planning Consultants 21st Floor, Methodist House, 36 Hennessy Road, Wan Chai, Hong Kong Tel : (852) 2520 5990 Fax : (852) 2528 6343 Email : mail@ckmasia.com.hk



Project Title SECTION 16 PLANNING APPLICATION FOR THE PROPOSED "OFFICE" AND "SHOP AND SERVICES" USES IN "RESIDENTIAL (GROUP A)6" ZONE, 380 DES VOEUX ROAD WEST, HONG KONG, THE REMAINING PORTION OF SECTION A OF MARINE LOT NO.186	Figure No. 2	Revision A
Figure Title G/F LAYOUT PLAN	Designed by C Y Y	Drawn by N C M
	Checked by K C	Date 24 FEB 2022
	Scale in A4 1 : 250	CKM Asia Limited Traffic and Transportation Planning Consultants 21st Floor, Methodist House, 36 Hennessy Road, Wan Chai, Hong Kong Tel : (852) 2520 5990 Fax : (852) 2528 6343 Email : mail@ckmasia.com.hk





Project Title SECTION 16 PLANNING APPLICATION FOR THE PROPOSED "OFFICE" AND "SHOP AND SERVICES" USES IN "RESIDENTIAL (GROUP A)6" ZONE, 380 DES VOEUX ROAD WEST, HONG KONG, THE REMAINING PORTION OF SECTION A OF MARINE LOT NO.186	Figure No. 4	Revision A
Figure Title LOCATION OF KERBSIDES AT DES VOEUX ROAD WEST	Designed by C Y Y Drawn by N C M Checked by K C Scale in A4 1 : 750 Date 22 FEB 2022	CKM Asia Limited Traffic and Transportation Planning Consultants 21st Floor, Methodist House, 36 Hennessy Road, Wan Chai, Hong Kong Tel : (852) 2520 5990 Fax : (852) 2528 6343 Email : mail@ckmasia.com.hk



DeSPACE (International) Limited

**Appendix Id of
MPC Paper No. A/H3/444A**

Date: 1st April 2022

Pages: 1 + 8

BY EMAIL (tpbpd@pland.gov.hk)

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong

Dear Sir/Madam,

**SECTION 16 APPLICATION TPO (CHAPTER 131)
PROPOSED “OFFICE” AND “SHOP AND SERVICES” USES
IN “RESIDENTIAL (GROUP A)6” ZONE
380 DES VOEUX ROAD WEST, HONG KONG
REMAINING PORTION OF SECTION A OF MARINE LOT NO. 186
(Town Planning Application No. A/H3/444 – Submission of Further Information 2)**

References are made to the emails dated 25th March 2022 and 31st March 2022 from the Planning Department in relation to technical comments from various departments. In order to address the comments, please find attached a copy of the response-to-comment (R to C) table with **Attachment 1** – Revised Layout Plans and Section.

Should you have any queries, please feel free to contact Mr. Wilson LAW at 2493 3626 or undersigned at 3590 6333.

Yours faithfully,
FOR AND ON BEHALF OF
DeSPACE (INTERNATIONAL) LIMITED



Greg Lam

cc. Ms TONG Karmin (STP/HK 4), Email: ktong@pland.gov.hk
Ms. LUK Lok Yin, Natalie (TP/HK 11), Email: nlyluk@pland.gov.hk

PROPOSED “OFFICE” AND “SHOP AND SERVICES” USES IN “RESIDENTIAL (GROUP A)6” ZONE
380 DES VOEUX ROAD WEST, HONG KONG, REMAINING PORTION OF SECTION A OF MARINE LOT NO. 186
(Application No. A/H3/444)

Departmental Comments	Response
<p><u>Email dated 25^h March 2022 refers:</u></p> <p><u>TD:</u></p> <p>For comments regarding Further Information (1)</p>	
<p><u>Revised Layout Plans and Section</u></p> <p>Drawing No. LP01 Rev. C – The canopy indicated on the drawing seems too small for materially enhancing the walking environment. The applicant should consider providing canopy with suitable length of cantilever along the whole frontage of the Site facing Des Voeux Road West.</p>	<p>Noted with thanks. The revised G/F layout plan has been provided in Attachment 1, which has extended the length of cantilever along the whole frontage of the Site to the north. However, subject to further departmental comments for the proposed canopy overhanging Government land, the actual length of the canopy will be finalized during the General Building Plan stage.</p>
<p><u>Traffic Review</u></p> <p>Table 8 – The applicant should make sure the information for existing road-based public transport services is accurate and update.</p>	<p>The information provided in Table 8 of our Traffic Review, which is taken from HKeMobility, is accurate and up-to-date.</p>

Departmental Comments	Response
<u>Email dated 31th March 2022 refers: PlanD:</u>	
Please advise whether the site coverage below 15m is 100%.	Please be clarified that the site coverage below 15m is not 100%. To be specific, the site coverage for the lowest three floors (below 11.85m) is 100% and from 3/F to 23/F, the site coverage is reduced to 60%.
Please advise whether the E&M floor on 1/F is non-accountable for GFA.	The E&M portion on the 1/F is GFA non-accountable whereas the lift and staircases are assumed to be GFA accountable.
It is proposed in the notional residential scheme that the 9 studio flats will have an average flat size of 13.45m ² / 145ft ² . Please advise whether this area is in terms of usable floor area or GFA.	The average flat size of 13.45m ² / 145ft ² refers to the usable floor area.
You claimed in para. 5.3.1 of your planning statement that other sites with buildings of 3 to 7 storeys in the vicinity are more conventional and conducive to residential redevelopments in terms of the bulk, form and size of the buildings. It is noted that some sites with redevelopment potential as identified in Figure 6 of the planning statement are even smaller than the application site. Please elaborate how would these smaller sites be considered as more conducive to residential use than the application site.	<p>As mentioned in the planning statement, 2 sites (namely Nos. 381 & 383 Queen's Road East (121 m²) and Nos. 367 & 369 Queen's Road East (124 m²)) are smaller than the application site (139.2 m²). They may be considered to have redevelopment potential for residential-like use such as hotel. As a matter of fact, there is an approved town planning approval at Nos. 385 and 387 Queen's Road West (MPC No. A/H3/420A dated 22nd August 2014) proposed for hotel redevelopment at a plot ratio 15.19. In terms of the building form, these 2 sites are both square in shape and not long and narrow. In terms of individual site merit, Nos. 381 and 383 Queen 's Road East have 3 sides of prescribed window opportunities facing Sai Hing Lane, Queen's Road West and Rockson Mansion whereas Nos. 367 and 369 Queen's Road East is a corner site with 3 to 4 sides of prescribed window opportunities. In respect of the staircase orientation, these 2 sites with square shape have more design flexibility. Residential redevelopment is considered to be technically feasible.</p> <p>By comparison of these 2 sites with the subject Site, these 2 sites are more conducive to residential uses with less chance to produce nano-flat design.</p>

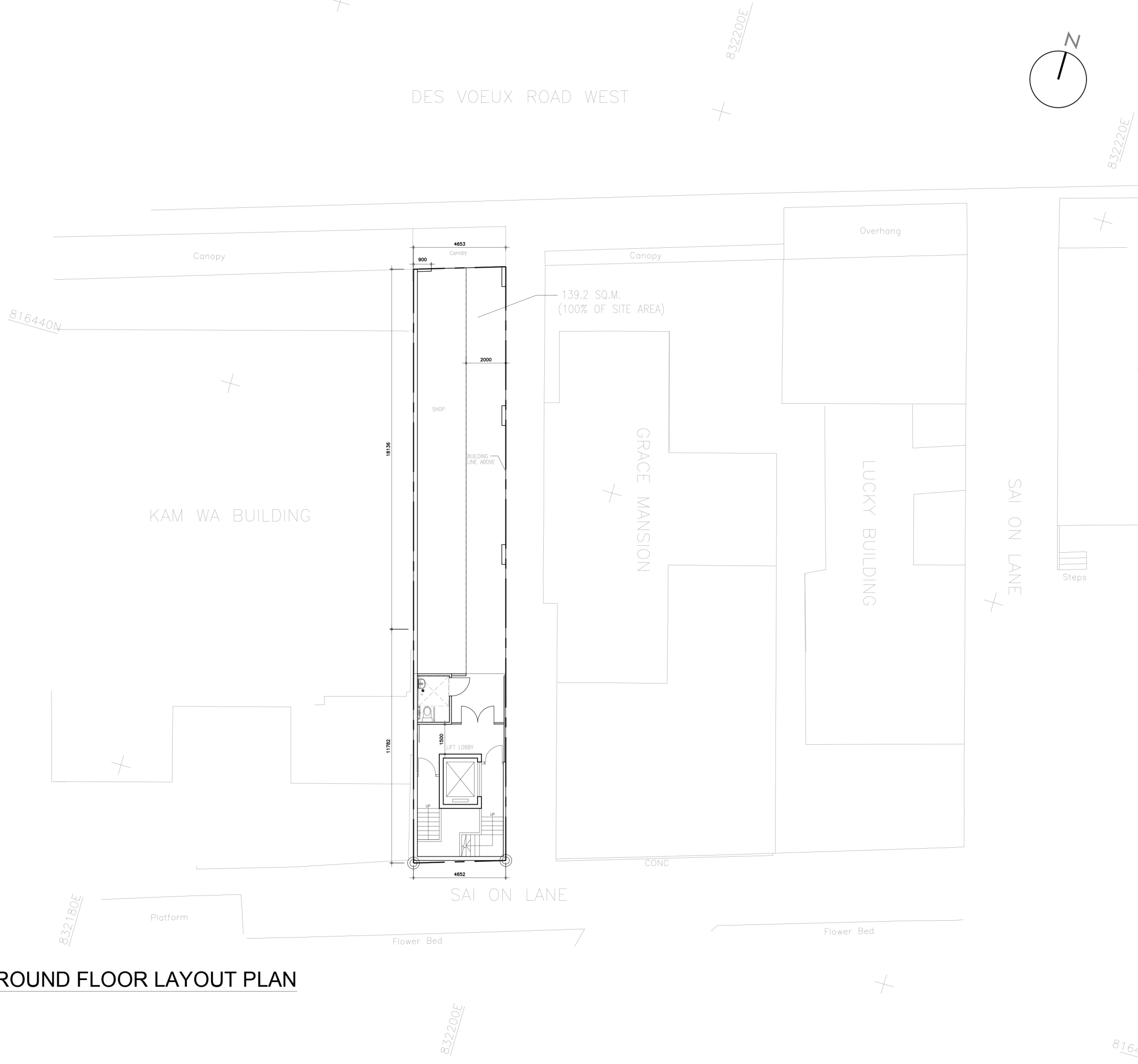
<p>It is noted that in your planning statement that justifications on compliance with the Town Planning Board Guidelines for Application for Office Development in R(A) Zone under Section 16 of the Town Planning Ordinance No. 5 (the Guidelines) have been given, while those for the main planning criteria in paragraph 2 of the Guidelines are not provided. You should demonstrate that the proposed development complies with the main planning criteria set out in the Guidelines.</p>	<p>Please see the following table for your information.</p> <table border="1"> <thead> <tr> <th colspan="2" data-bbox="904 177 2020 225">TPB PG No.5 Main Planning Criteria (para. 2) Checklist</th></tr> </thead> <tbody> <tr> <td data-bbox="904 225 1417 563"> <p>Criteria (a): The site should be sufficiently large to achieve a properly designed office building. The minimum site area requirement for office development varies with site configuration and loading/unloading requirements in particular localities.</p> </td><td data-bbox="1417 225 2020 563"> <p>While there is no specific minimum site area stipulated in the TPB Guideline No. 5, a proper office design has been demonstrated in Revised Layout Plans and Section in Attachment 2 of FI submitted on 24th February 2022.</p> </td></tr> <tr> <td data-bbox="904 563 1417 1142"> <p>Criteria (b): There should be adequate provision of parking and loading/unloading facilities within the site in accordance with the HKPSG and to the satisfaction of the TD. For sites with narrow frontage, where on-site loading/unloading requirement cannot be met, the applicant should demonstrate that there are alternative locations for loading/unloading facilities to the satisfaction of the Transport Department.</p> </td><td data-bbox="1417 563 2020 1142"> <p>As mentioned in the Traffic Review, due to site constraint and narrow frontage, it is not feasible to provide internal transport facilities. The Applicant has submitted a Traffic Review to demonstrate alternative locations where loading/unloading could be conducted. In addition, the provision of internal transport facilities is not required under lease.</p> </td></tr> <tr> <td data-bbox="904 1142 1417 1377"> <p>Criteria (c): The site should be at an easily accessible location, e.g. close to the Mass Transit Railway or well served by other public transport facilities.</p> </td><td data-bbox="1417 1142 2020 1377"> <p>The Site is both within a short walking distance from the HKU MTR Station and currently well served by other public transport facilities such as franchised bus stop, tram stops and green minibus stops.</p> </td></tr> </tbody> </table>	TPB PG No.5 Main Planning Criteria (para. 2) Checklist		<p>Criteria (a): The site should be sufficiently large to achieve a properly designed office building. The minimum site area requirement for office development varies with site configuration and loading/unloading requirements in particular localities.</p>	<p>While there is no specific minimum site area stipulated in the TPB Guideline No. 5, a proper office design has been demonstrated in Revised Layout Plans and Section in Attachment 2 of FI submitted on 24th February 2022.</p>	<p>Criteria (b): There should be adequate provision of parking and loading/unloading facilities within the site in accordance with the HKPSG and to the satisfaction of the TD. For sites with narrow frontage, where on-site loading/unloading requirement cannot be met, the applicant should demonstrate that there are alternative locations for loading/unloading facilities to the satisfaction of the Transport Department.</p>	<p>As mentioned in the Traffic Review, due to site constraint and narrow frontage, it is not feasible to provide internal transport facilities. The Applicant has submitted a Traffic Review to demonstrate alternative locations where loading/unloading could be conducted. In addition, the provision of internal transport facilities is not required under lease.</p>	<p>Criteria (c): The site should be at an easily accessible location, e.g. close to the Mass Transit Railway or well served by other public transport facilities.</p>	<p>The Site is both within a short walking distance from the HKU MTR Station and currently well served by other public transport facilities such as franchised bus stop, tram stops and green minibus stops.</p>
TPB PG No.5 Main Planning Criteria (para. 2) Checklist									
<p>Criteria (a): The site should be sufficiently large to achieve a properly designed office building. The minimum site area requirement for office development varies with site configuration and loading/unloading requirements in particular localities.</p>	<p>While there is no specific minimum site area stipulated in the TPB Guideline No. 5, a proper office design has been demonstrated in Revised Layout Plans and Section in Attachment 2 of FI submitted on 24th February 2022.</p>								
<p>Criteria (b): There should be adequate provision of parking and loading/unloading facilities within the site in accordance with the HKPSG and to the satisfaction of the TD. For sites with narrow frontage, where on-site loading/unloading requirement cannot be met, the applicant should demonstrate that there are alternative locations for loading/unloading facilities to the satisfaction of the Transport Department.</p>	<p>As mentioned in the Traffic Review, due to site constraint and narrow frontage, it is not feasible to provide internal transport facilities. The Applicant has submitted a Traffic Review to demonstrate alternative locations where loading/unloading could be conducted. In addition, the provision of internal transport facilities is not required under lease.</p>								
<p>Criteria (c): The site should be at an easily accessible location, e.g. close to the Mass Transit Railway or well served by other public transport facilities.</p>	<p>The Site is both within a short walking distance from the HKU MTR Station and currently well served by other public transport facilities such as franchised bus stop, tram stops and green minibus stops.</p>								

	Criteria (d): The proposed office development should not cause congestion and disruption to the traffic flow of the locality. In areas prone to traffic congestion, the applicant may be required to provide a TIA of the proposed office development.	As requested by TD, a Traffic Review has been provided to demonstrate no congestion and disruption to the traffic flow of the locality.
	Criteria (e): The proposed office building should be compatible with the existing and planned land uses of the locality and it should not be located in a <u>predominantly residential area</u> .	The Site is located in the vicinity of mixed office/retail and residential uses. Various commercial/office buildings can be identified within a 300-metre walking distance from the Site.
	Criteria (f): The proposed office development should be purposely designed for office/commercial uses so that there is no risk of subsequent illegal conversion to substandard domestic units or other uses.	The proposed office development is purposely designed for office/commercial uses.
<u>For comments regarding Further Information (1)</u> Your FI advised that 2/F and 3/F are for residential use. Please advise the number of flats on the two floors.	There is only 1 flat on 2/F and another 1 flat on 3/F of the existing building.	

Attachment 1

Revised Layout Plans

PROPOSED GROUND FLOOR LAYOUT PLAN



D	30-03-2022	GF PLAN	RL				
C	22-02-2022	GF PLAN	RL				
B	10-02-2022	GF PLAN	RL				
A	4-10-2021	GF PLAN	RL				
-	24-9-2021	GF PLAN	RL				
修订 Rev.	日期 Date	内容摘要 Description	制图 By	校对 Chk'd	批准 App'd		
图纸阶段 Drawing Status				适用 Suitability			
DESIGN STAGE							

CUPIO
DESIGN
STUDIO

业主 Client

CUPIO
DESIGN
STUDIO

DeSPACE (International) Limited

项目 Project Title

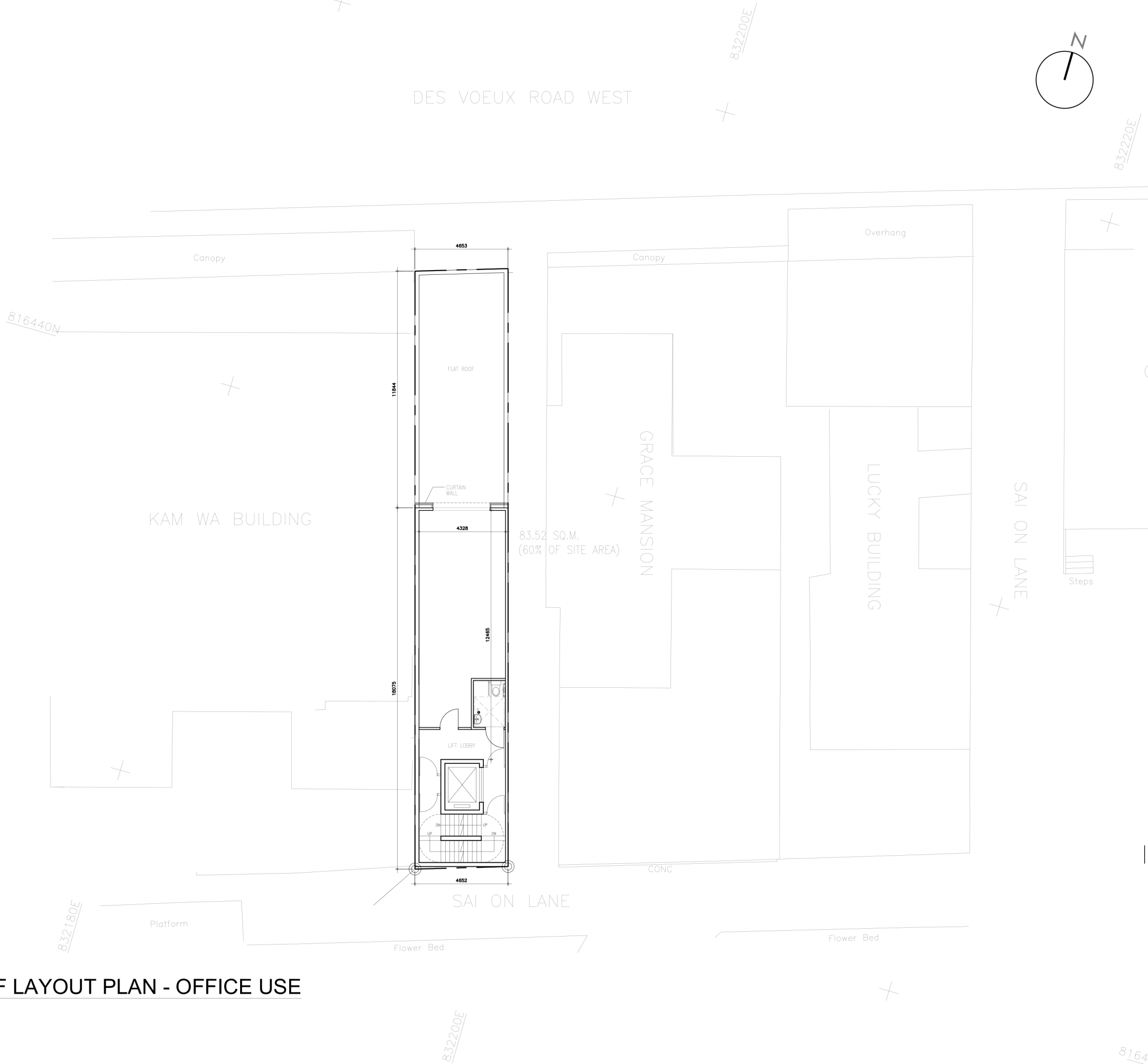
SECTION 16 APPLICATION FOR
ML 186 S.A RP,
380 DES VOEUX ROAD WEST,
SAI YING PUN

图名 Drawing Title

PROPOSED GROUND FLOOR LAYOUT PLAN

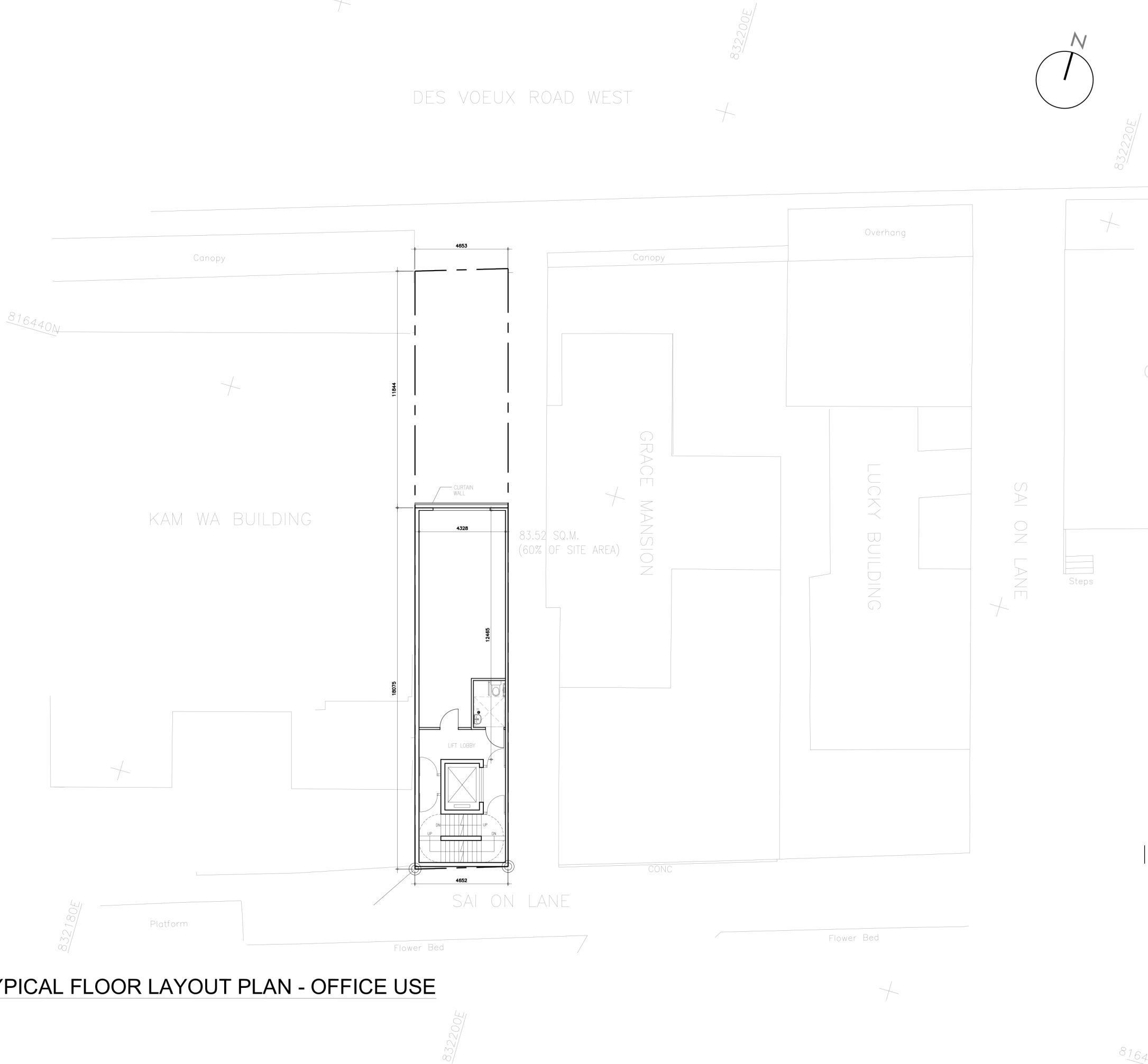
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图号 Drawing Number	LP01	修订 Revision	D		

PROPOSED 3/F LAYOUT PLAN - OFFICE USE



D	30-03-2022	TYP PLAN	RL			
C	22-02-2022	TYP PLAN	RL			
B	10-02-2022	TYP PLAN	RL			
A	4-10-2021	TYP PLAN	RL			
-	24-9-2021	TYP PLAN	RL			
修订 Rev	日期 Date	内容摘要 Description	审阅 By	校对 Chk'd	批准 App'd	适用 Suitability
图底阶段 Drawing Status						
DESIGN STAGE						
建筑师及设计组领导 Architect & Lead Design Consultant						
CUPIO DESIGN STUDIO						
业主 Client						
设计单位 Design Institute						
CUPIO DESIGN STUDIO						
 DeSPACE (International) Limited						
项目 Project Title						
SECTION 16 APPLICATION FOR ML 186 S.A RP, 380 DES VOEUX ROAD WEST, SAI YING PUN						
图标 Drawing Title						
PROPOSED 3/F LAYOUT PLAN - OFFICE USE						
比例 Scale	1:200	设计 Designed	画图 Drawn	校对 Checked	批准 Authorised	
图框尺寸 Original Size	A3	日期 Date	30/03/2022	日期 Date	日期 Date	
图号 Drawing Number	LP03A					修订 Revision
						D

PROPOSED TYPICAL FLOOR LAYOUT PLAN - OFFICE USE



D	30-03-2022	TYP PLAN	RL		
C	22-02-2022	TYP PLAN	RL		
B	10-02-2022	TYP PLAN	RL		
A	4-10-2021	TYP PLAN	RL		
-	24-9-2021	TYP PLAN	RL		
修订 Rev	日期 Date	内容摘要 Description	制图 By	校对 Chk'd	批准 App'd
图底阶段 Drawing Status				适用 Suitability	
DESIGN STAGE					
建筑师及设计组领导 Architect & Lead Design Consultant					
CUPIO DESIGN STUDIO					
业主 Client					
设计单位 Design Institute					
CUPIO DESIGN STUDIO					
 DeSPACE (International) Limited					
项目 Project Title					
SECTION 16 APPLICATION FOR ML 186 S.A RP, 380 DES VOEUX ROAD WEST, SAI YING PUN					
图则 Drawing Title					
PROPOSED TYPICAL FLOOR LAYOUT PLAN - OFFICE USE					
比例 Scale	设计 Designed	制图 Drawn	校对 Checked	批准 Authorised	
1:200					
图则尺寸 Original Size	日期 Date	日期 Date	日期 Date	日期 Date	
A3	30/03/2022				
图号 Drawing Number				修订 Revision	
LP04				D	



Date: 12th April 2022

Page(s): 5

BY EMAIL (tpbpd@pland.gov.hk)

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong

Dear Sir/Madam,

**SECTION 16 APPLICATION TPO (CHAPTER 131)
PROPOSED “OFFICE” AND “SHOP AND SERVICES” USES
IN “RESIDENTIAL (GROUP A)6” ZONE,
380 DES VOEUX ROAD WEST, HONG KONG
REMAINING PORTION OF SECTION A OF MARINE LOT NO. 186
(Town Planning Application No. A/H3/444 – Submission of Further Information 3)**

We are writing to provide the extra information and clarifications as stated in the emails dated 31st March 2022 and 8th April 2022 from the Planning Department (PlanD) in relation to technical comments and clarifications from various departments.

Introduction

This clarification has taken into account 4 basic principles based on TPB Guideline PG-No.5, 2 Town Planning Appeal Cases (No.2 and 4 of 2019), Hong Kong Planning Standards and Guidelines (HKPSG) and Building (Planning) Regulation (B(P)R) to justify the proposed office building in R(A)6 zone (OZP No. S/H3/32). The principles are as below:

- Whether the Site is conducive for residential development;
- Whether the proposed office building is at the right location;
- Whether the proposed development is in compliance with the TPB Guideline;
- Whether the proposed development is compatible with surroundings;

Each principle will be discussed below.

1) Whether the Site is conducive for residential development

Both notional and proposed scheme are designed to utilise the permissible development potential, to be in compliance with prevailing building and fire safety regulations and Sustainable Building Design Guidelines (SBDG) and for a better comparison with one another. The residential development is considered **not** conducive given the following reasons:

- Under the control of B(P)R, the proposed office would allow 60% of the site coverage above podium with much higher plot ratio (PR) at 15, while the PR of the notional residential scheme would only be 5.4 with the site coverage ratio at 39%. The notional residential scheme is considered a waste of scarce urban land resources as this scheme fails to maximise the redevelopment potential. Given the plot ratio at 5.4 and the site area at 139.2 sqm, the total GFA is 751.68 sqm. If the site coverage ratio is 39%, the maximum floorplate area is 54.288sqm. Please note that nearly 36 sqm will be required for staircases, lift and common corridor, the remaining GFA for domestic use is 18.288 sqm per floor. The efficiency ratio is very low. (Please refer to Table 1.) The efficiency ratio is even worse if a higher plot ratio at 8 is achieved but a smaller site coverage at 33.33%.



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- The Site is immediately bounded by high-rise residential building to the east and west. If further setting back, the narrow site surrounded by Buildings poses challenge to the installation of prescribed window for sunlight and air ventilation. The Site is also sensitive to noise and air impacts as it is fronting the bustling DVRW – a District Distributor (DD) as categorised by TD. For residential use, as stated in the HKPSG Chapter 9, a not less than 10m setback (Table 3.1) is recommended from the DD to avoid air impact, and at least 120m buffer distance (Table 1.3) away from DD to mitigate noise impact. If the notional residential scheme is adopted, the 10m setback will create a long-narrow gap for sunlight penetration and 120m buffer will result in fixed window design facing Des Voeux Road West. Long-narrow gap for sunlight penetration and fixed window design are both undesirable for residential development.

Percentage Site Coverages and Plot Ratios

Height of building in metres	Domestic buildings						Non-domestic buildings					
	Percentage site coverage			Plot ratio			Percentage site coverage			Plot ratio		
	Class A	Class B	Class C	Class A	Class B	Class C	Class A	Class B	Class C	Class A	Class B	Class C
	site	site	site	site	site	site	site	site	site	site	site	site
Not exceeding 15 m	66.6	75	80	3.3	3.75	4.0	100	100	100	5	5	5
Over 15 m but not exceeding 18 m	60	67	72	3.6	4.0	4.3	97.5	97.5	97.5	5.8	5.8	5.8
Over 18 m but not exceeding 21 m	56	62	67	3.9	4.3	4.7	95	95	95	6.7	6.7	6.7
Over 21 m but not exceeding 24 m	52	58	63	4.2	4.6	5.0	92	92	92	7.4	7.4	7.4
Over 24 m but not exceeding 27 m	49	55	59	4.4	4.9	5.3	89	90	90	8.0	8.1	8.1
Over 27 m but not exceeding 30 m	46	52	55	4.6	5.2	5.5	85	87	88	8.5	8.7	8.8
Over 30 m but not exceeding 36 m	42	47.5	50	5.0	5.7	6.0	80	82.5	85	9.5	9.9	10.2
Over 36 m but not exceeding 43 m	39	44	47	5.4	6.1	6.5	75	77.5	80	10.5	10.8	11.2
Over 43 m but not exceeding 49 m	37	41	44	5.9	6.5	7.0	69	72.5	75	11.0	11.6	12.0
Over 49 m but not exceeding 55 m	35	39	42	6.3	7.0	7.5	64	67.5	70	11.5	12.1	12.6
Over 55 m but not exceeding 61 m	34	38	41	6.8	7.6	8.0	60	62.5	65	12.2	12.5	13.0
Over 61 m	33.33	37.5	40	8.0	9.0	10.0	60	62.5	65	15	15	15

(L.N. 294 of 1976)

Table 1 - Comparison Between Proposed Office Scheme and Notional Residential Scheme

	Non-domestic Scheme	Notional Residential Scheme (Originally proposed in Planning Supplementary Statement)
Site Area	139.2 m ²	139.2 m ²
Total GFA	Not more than 2088 m ²	Approx. 751.68 m ² (NB: In the original Planning Statement, this GFA is miscalculated.)
Site Coverage (Above 15 m)	60%	39%
No. of Units	20	9
Average Unit Size	43.58 m ²	13.45 m ²
Plot Ratio	15	5.4
Building Height	Not more than 100 mPD	46.15 mPD
Number of Storey	23	12



2) Whether the proposed office building is at the right location

The Site is immediately adjoining the bustling DVRW, which is the major source of air and noise pollution of the vicinity, the proposed office is considered at the right location given the following reasons:

- Office development is less susceptible to the noise and air impacts from DVRW and will not create environmental nuisance and vice versa due to the fixed window design and the installation of central air-conditioning system.
- With a higher site coverage and PR, the proposed office building is considered a 'good' buffer building to screen the noise impact for residential use to the further south.
- Office development at the Site does not require prescribed windows for sunlight and air ventilation, thus will have more design flexibility under the severe site constraints.
- The Site is located along the major distributor of the vicinity – DVRW which directly connects to the CBD. It is also well served by public transports, especially after the commencement of HKU Station. It would be beneficial to provide small office to cater the local needs, especially to the vicinity where is undergoing a rapid change.
- At a highly accessible location, the proposed development will not create any traffic problems. It also complies with main planning criteria "c" of TPB PG-No.5.

3) Whether the proposed development is in compliance with the TPB Guideline TPB-PG No.5

According to the 2 appeal cases, TPB PG No.5 are relevant considerations for office development in the R zone, where the development proposals partially or fully meet the criteria, favourable considerations have been given by the court. Notably the proposed office can achieve environmental and planning gains and therefore favourable consideration is invited to be given. It is stated in the para. 3 that *"The Board will give favourable consideration to planning applications for office developments which produce specific environmental and planning gains - for example, if the site is located near to major sources of air and noise pollution such as a major road, and the proposed office development is equipped with central air-conditioning and other noise mitigation measures which make it less susceptible to pollution than a residential development. Other forms of planning gain which the Board would favour in a proposed office development would include public open space and community facilities required in the planning district."*

The following specific environmental and planning gains are observed:

- The proposed office is located near to the major source of air and noise pollution, with central air-conditional system and fixed windows equipped, it will make the office development less susceptible to pollution than residential development. Plus, it can serve as a buffer building to the further south.
- According to the scheme, the proposed office will provide a long active frontage on G/F to the contribution of local vitality. Proposed office can also utilise the permissible development potential. They can be all considered as planning gains.
- Comparing with notional residential scheme, office can achieve much higher site coverage and PR under the B(P)R to create properly designed office units that are sufficiently large.

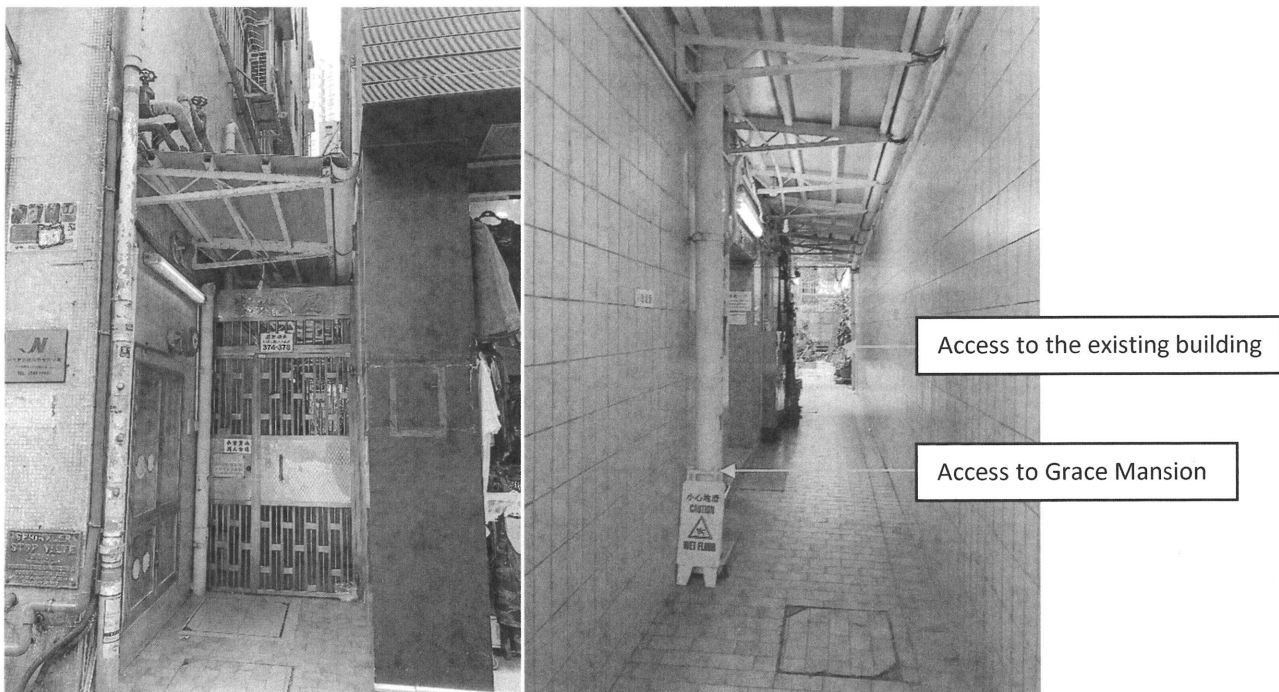


4) Whether the proposed development is compatible with surroundings

The vicinity is currently and historically mixed use in nature. The proposed office is considered compatible with the surroundings. The vicinity and the whole western district are predominately mixed use in nature, particularly along the bustling DVRW that gives the impression of vibrant and a variety of residential, retails, restaurants, offices, hotels, service apartments etc, and is well served by trams, buses and MTR. The vicinity is mixed use hub that has the tradition of being vertically (various commercial buildings can be identified in the nearby street blocks) and horizontally mixed (shops and restaurants are always at the lowest three floors) with various locations were previously zoned C/R and being subsequently rezoned to either C or R in 2010. Very limited number of buildings are purely residential in nature in the area.

5) Clarification on the Issue of Alleyway

The alleyway between the application site and the adjacent Grace Mansion currently serves as an access the entrances of the existing residential building at the application site and Grace Mansion. However, the Applicant confirms that such an alleyway will not be used in the redevelopment proposal for the office.



6) Further Responses to Comments from Transport Department

A canopy of cantilever length comparable to the canopy of the Kam Wa Building adjacent to the Site is proposed along the whole frontage of the Site facing Des Voeux Road West. It is confirmed that the proposed building at the Site will be designed to allow the provision of the proposed canopy shown on Attachment I to the Further Information No. 2, unless there are other insurmountable requirements imposed by government departments.



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Please be invited to note that the proposed canopy/projection outside the lot boundary and above public footpath shall have 3500mm vertical clearance and 600mm horizontal clearance from carriageway. The Applicant shall be responsible for the construction, installation and maintenance of the proposed canopy at the cost of the applicant, including the lighting system. The Applicant shall ensure no falling of losing part or the canopy onto the public footpath. The Applicant shall also provide adequate drainage system to ensure the rainwater at the proposed canopy is properly collected and no dripping onto the public footpath is happened.

7) Responses to the public comments

Consideration of compatibility

The vicinity is mixed-use in nature, with residential, commercial and retail scattered across the neighbourhood. Several commercial buildings have long been in existence within the vicinity for a long period of time and did not cause incompatibility. Besides, mixed-use development could help balance job distribution and reduce daily commuting trips as stressed by the Board members in other similar cases.

Impacts on residents' daily life during construction period

All the construction activities are control under the relevant environmental ordinances, such as the Air Pollution Control Ordinance, Waste Disposal Ordinance, Noise Control Ordinance, etc. Relevant terms and conditions will be imposed by Lands Department at the Lease Modification stage. All regulations, EPD's requirements and lease conditions will be strictly complied with and necessary mitigation measures will be taken at the construction stage.

Consideration of Pre-war building

Neither the Applicant nor AMO have the record of the existing building. According to the lease, the building could be in existence for a period of time on the Site. However, the building is currently in dilapidated condition and there is a genuine urge for redevelopment.

Should there be any queries, please do not hesitate to contact our Mr. Wilson Law at 2493 3626 or the undersigned at 3590 6333.

Yours faithfully,
FOR AND ON BEHALF OF
DeSPACE (INTERNATIONAL) LIMITED



Greg Lam

cc. Ms. Tong Karmin (STP/HK4), Email: ktong@pland.gov.hk
Ms. LUK Lok Yin, Natalie (TP/HK 11), Email: nlyluk@pland.gov.hk



DeSPACE (International) Limited

Date: 13st April 2022

Pages: 1 + 3

BY EMAIL (tpbpd@pland.gov.hk)

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong

Dear Sir/Madam,

**SECTION 16 APPLICATION TPO (CHAPTER 131)
PROPOSED "OFFICE" AND "SHOP AND SERVICES" USES
IN "RESIDENTIAL (GROUP A)6" ZONE
380 DES VOEUX ROAD WEST, HONG KONG
REMAINING PORTION OF SECTION A OF MARINE LOT NO. 186
(Town Planning Application No. A/H3/444 – Submission of Supplementary Information Attached
to Further Information 3)**

Reference is made to the Further Information (3) of the captioned dated 12th April 2022.

We are writing to provide supplementary drawings to further clarify the proposed G/F and the Section. The clarified G/F Layout Plan and Section are provided in **Attachment 1** as required by PlanD.

Should you have any queries, please feel free to contact Mr. Wilson LAW at 2493 3626 or undersigned at 3590 6333.

Yours faithfully,
FOR AND ON BEHALF OF
DeSPACE (INTERNATIONAL) LIMITED

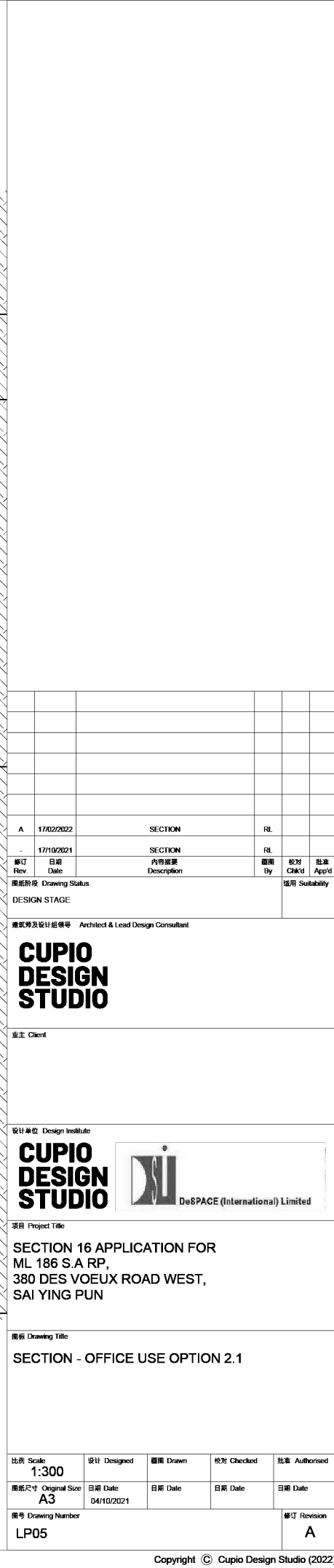


Greg Lam

cc. Ms TONG Karmin (STP/HK 4), Email: ktong@pland.gov.hk
Ms. LUK Lok Yin, Natalie (TP/HK 11), Email: nlyluk@pland.gov.hk

Attachment 1

Clarified G/F Layout Plan & Section



**Similar s.16 Applications for Office Development With Other Commercial Use(s)
within the “R(A)” zone on the Sai Ying Pun & Sheung Wan OZP**

Approved Application(s)

Application No.	Location	Proposed Use(s)/Development(s)	Date of Consideration	Approval Condition(s)
A/H3/402	2-4 Shelley Street, Sheung Wan	Proposed Office, Eating Place and Shop and Services Uses	13.7.2012 (Review by TPB)	(1) to (6)
A/H3/432			7.4.2017	(2) to (6)

Approval Condition(s)

- (1) The submission and implementation of a landscape plan.
- (2) The submission of a Sewerage Impact Assessment.
- (3) The implementation of the local sewerage upgrading/sewerage connection works.
- (4) The implementation of the mitigation measures for loading/unloading activities.
- (5) The provision of setback of not less than 1.75m at the lower portion of the building along Shelley Street.
- (6) The provision of water supplies for fire-fighting and fire service installations.

Rejected Application(s)

Application No.	Location	Proposed Use(s)/Development(s)	Date of Consideration	Reason(s) for Rejection
A/H3/436	36 Gage Street, Sheung Wan	Proposed Office, Shop and Services and Eating Place	29.3.2019 (Review by TPB)	(1), (2)
			17.1.2022 (Appeal dismissed by Town Planning Appeal Board (TPAB))	(3), (4)
A/H3/438	3-6 Glenealy, Central	Proposed Office, Shop and Services and Eating Place	11.1.2019 (Review by TPB)	(1), (2)
			24.11.2020 (Appeal dismissed by TPAB)	(4)
A/H3/441			3.7.2020 (Review by TPB)	(1), (2)

Reason(s) for Rejection:

- (1) The applicant has not demonstrated there are sufficient/strong justifications to deviate from the planning intention of the “R(A)” zone.
- (2) Approval of the application would set an undesirable precedent for similar applications in the same “R(A)” zone. The cumulative effect of approving such applications could aggravate the shortfall in the supply of housing land.
- (3) TPB PG-No. 5 imposed a requirement on the Appellant to demonstrate that there was a demand for increased office space in the district where the Site was located in (i.e. Sheung Wan) but the Appellant had failed to demonstrate that there was such demand.
- (4) The Site was situated in a predominantly residential area, the planning criteria of the TPB PG-No. 5 in paragraph 2(e) that the proposed office building should be compatible with the existing and planned land uses of the locality and it should not be located in a predominantly residential area had not been satisfied.

tpbpd@pland.gov.hk

寄件者: [REDACTED]
寄件日期: 2021年11月17日星期三 9:10
收件者: tpbpd@pland.gov.hk
主旨: 擬建辦公室及商店的有關規劃 (申請編號: A/H3/444) 有關意見

敬啟者：

反對擬建辦公室及商店的有關規劃 (申請編號: A/H3/444)

本人為德輔道西 374 號家安大廈之住戶(家安大廈)，得悉德輔道西 380 號擬建辦公室及商店的申請(地盤)。細閱有關規劃文件後現提出反對，現由如下

1. 規劃地盤緊鄰家安大廈唯一出入口

家安大廈唯一出入口並不面對馬路大街而位於內街並面對德輔道西 380 號的中間位置。若地盤動工必然會阻礙家安大廈的住戶出入，而有關規劃文件亦無提出相關評估。

2. 地盤動工期間或對家安大廈住戶出入造成危險

家安大廈唯一出入口直接面對申請的中間位置。若動工期間難免有雜物落下，地盤工程車出入影響，住戶每天出入易發生危險。

3. 重建後住戶人數大增品流復雜

相關設計圖則顯示則建築有 24 層之高，而建築將共用家安大廈之出入走廊。可以預計新住戶搬入時，出租的住戶數目將增加數倍而有機會阻礙家安大廈住戶出入，同時出租的住戶數目增加亦會增加品流復雜程度，對治安做成影響。

4. 原建築有歷史意義

原建築建於 2 次世界大戰期間，並於 1945 年入伙，擁有 76 年歷史。
雖未被評級但富有歷史意義，亦是少數剩餘的 4 層建築。若被拆卸甚為可惜。

5. 申請地盤面積細小，或未能達至預計效果

近年多區都出現納米樓或納米辦公室，而翻查相關設計圖則，該設計 3-22 樓為辦公室內部大小只有 5m x 2.695m 即 13.475m² 並即是有區區 145 平方尺，比重建前的 305 尺實用面積更是縮小一半。翻查多篇本地媒體報導，納米樓近年皆出現減價減租趨勢並與樓市整體走勢相反，證明納米樓現在並不受市場待見。

NOW 新聞: <https://finance.now.com/news/post.php?id=673219>

TVB: <https://www.youtube.com/watch?v=yO-3BrQySwc>

在其規劃綱領的摘要曾表示 "The proposed development is a good precedent for the market to avoid nano-flat development." 然而該設計的大小並不能令人信服，因其本身設計就是一個納米樓的例子。另一方面，近年出現的納米辦公室被用作住宅用途都很常見，亦被多次報導

Channel C HK: <https://youtu.be/298OpMulltw>

HKET: <https://inews.hket.com/article/2904091>

當中更涉及消防，安全，地契上的問題

而地盤建成後，細小的辦公室尺寸能否達至有關規劃的預計效果成疑。

綜合上述原因，我認為相關規劃沒有可預見的優點。並提出對該規劃反對。

家安大廈住戶

5-2

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

211117-091559-90906

提交限期

Deadline for submission:

23/11/2021

提交日期及時間

Date and time of submission:

17/11/2021 09:15:59

有關的規劃申請編號

The application no. to which the comment relates:

A/H3/444

「提意見人」姓名/名稱

Name of person making this comment:

小姐 Miss Miss Li

意見詳情

Details of the Comment :

致 城市規劃委員會,

反對市區重建局A/H3/444 規劃申請：

本人反對市建局更改石塘咀德輔道西380號由住宅改建為辦公室及商店及服務行業用途原因如下：

1. 改建成辦公室及商店及服務行業會影響本區居民日常生活。
2. 改建成辦公室及商店及服務行業的行為會令本區的環境惡化,拆除大廈會為本區帶來大量的沙塵泥土,從而令本區的空氣質數下降,居民容易因為吸入空氣質數差的空氣而影響健康
3. 承上,改建不但會影響空氣質數,還會帶來嘈音對社區有許多負面影響,不能接受
4. 改建成辦公室及商店及服務行業增加非本區居民出現,加劇本區的交通擠塞
5. 承上,增加非本區居民出現會對本區治安帶來負面影響
6. 石塘咀德輔道西380號是戰前的唐樓反對市建局破壞歷史街區的建築特色及舊城肌理
7. 石塘咀德輔道西380號一直有住客、商鋪使用,狀況良好,根本沒有拆卸重建的必要

本人要求市建局否決市建局更改石塘咀德輔道西380號由住宅改建為辦公室及商店及服務行業這項申請

石塘咀居民

寄件者: [REDACTED]
寄件日期: 2021年11月21日星期日 3:53
收件者: tpbpd
主旨: A/H3/444 380 Des Voeux Road West, Shek Tong Tsui

A/H3/444
380 Des Voeux Road West, Shek Tong Tsui
Site area : About 139.2sq.m
Zoning : "Res (Group A) 6"
Applied development : Office and Shop and Services / PR 15 / 100mPD

Dear TPB Members,

The applicant is so eager to insist that the site is not suitable for residential that it takes on the famous line from Hamlet that 'doth protest too much'.

The Application Site is not conducive to residential development

Given that the Site is adjacent to Des Voeux Road West where heavy road traffic is evident, it is inevitable that the development will be heavily subject to adverse air and noise impacts.

*"In general, the Board will give favourable consideration to planning applications for office developments which produce specific environmental and planning gains – for example, **if the site is located near to major source of air and noise pollution such as a major road**, and the proposed office development is equipped with central airconditioning and other noise mitigation measures which make it less susceptible to pollution than a residential development. Other forms of planning gain which the Board would favour in a proposed office development would include public open space and community facilities required in the planning district."*

This is a long narrow site with a pedestrian alleyway separating it from a residential building. There is a public garden at the end. In the context of urban living a residential tower with its smaller footprint would in fact allow better ventilation between Des Voeux and Sai On Lane, and would certainly be more beneficial to the residents at Grace Mansion than a bulky wall effect office block on a site that is currently only 4 stories high. Shops and services could be provided in the podium.

A well planned structure towards the Sai On Lane would allow residents to look out onto the podium of Grace Mansion and the public garden.

The proposed development is a good precedent for the market to avoid nano-flat development. the residential redevelopment would lead to the increase in the supply of substandard flats that are not supported by the TPB nor the Government

So don't build nano flats, with a lift shaft at the centre this could be a development of two family sized units per floor. Just what Hong Kong needs to encourage an increase in the fertility rates. This is a district close to many prestigious schools. It is the developers who choose to go down the road of "substandard" developments. There is a market for well planned family-friendly homes.

The proposed uses will not cause land use interface problems, but will facilitate rejuvenation of the old urban core.

This statement is applicable to any form of redevelopment.

*The minutes of the MPC Meeting on 23.4.2010 showed that the reason for the rezoning of the Site and its surrounding area to "R(A)" **was to maintain the existing residential nature of the area at that time.***

Indeed.....

In view of the zoning, the residential nature of the location and the proximity to public gardens, basketball court and good schools members should reject this application.

Mary Mulvihill

5-4

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

211122-184039-90781

提交限期

Deadline for submission:

23/11/2021

提交日期及時間

Date and time of submission:

22/11/2021 18:40:39

有關的規劃申請編號

The application no. to which the comment relates:

A/H3/444

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Gary Lor

意見詳情

Details of the Comment :

Dear Sir/Madam,

I strongly support the application A/H3/444, for the proposed office and shops and services in Shek Tong Tsui. As a resident for many years in the neighborhood, I'm excited to see a fresh image of the area.

Given the Site is conveniently located at a good location and well served by public transportation, it is more than suitable for an office development, and the building should be able to block the traffic noise from Des Voeux Road West. In addition, it provides us some new trendy options within the neighborhood. The area is also traditionally mix-used, which should not create compatible issue.

5-5

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

211123-162829-34420

提交限期

Deadline for submission:

23/11/2021

提交日期及時間

Date and time of submission:

23/11/2021 16:28:29

有關的規劃申請編號

The application no. to which the comment relates:

A/H3/444

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Leung Tik Sang

意見詳情

Details of the Comment :

As a local resident nearby, I understand that residents who live alongside the Des Voeux Road West have long been suffer from the nuisances especially cars and trams, and the restaurants during night time. Proposing an office building might be a good idea to avoid the direct exposure to the surrounding nuisances. Given the applicant has no intention to develop the site into tiny flats, I am happy to see a new office development in our community. Hence, I strongly support this application.

6

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**參考編號****Reference Number:**

211123-163234-30995

提交限期**Deadline for submission:**

23/11/2021

提交日期及時間**Date and time of submission:**

23/11/2021 16:32:34

有關的規劃申請編號**The application no. to which the comment relates:**

A/H3/444

「提意見人」姓名/名稱**Name of person making this comment:**

女士 Ms. Ma Ka Ki

意見詳情**Details of the Comment :**

I agree with this application No. A/H3/444 for office with shops and services development. I think it is better to reserve this site as an office development rather than for residential because the site is extremely small that may lead to nano-flat development. Without any adverse impact, I wish that more office and shops will be developed in the future to benefit local residents in our neighborhood.

7

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

211123-162526-23104

提交限期

Deadline for submission:

23/11/2021

提交日期及時間

Date and time of submission:

23/11/2021 16:25:26

有關的規劃申請編號

The application no. to which the comment relates:

A/H3/444

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Chan Luk Kar

意見詳情

Details of the Comment :

I support A/H3/444 application. As I recall, the building at 380 Des Voeux Road West is too tiny to be redeveloped into residential and I see no point to object this application which the development scheme is similar to many small office buildings located in Central and Sheung Wan district.

8

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**參考編號****Reference Number:**

211123-170040-06696

提交限期**Deadline for submission:**

23/11/2021

提交日期及時間**Date and time of submission:**

23/11/2021 17:00:40

有關的規劃申請編號**The application no. to which the comment relates:**

A/H3/444

「提意見人」姓名/名稱**Name of person making this comment:**

先生 Mr. Lam Chung Kit

意見詳情**Details of the Comment :**

I very much support and agree with this application for the office development at 380 Des Voeux Road West. As an architecture enthusiast, although there are many similar office buildings in Japan such as "Nicolas G Hayek Center" and "G.Itoya", there are not many office buildings with a similar shape in Hong Kong. I think it is a great opportunity to infuse such kind of concept from Japanese and as a result to achieve a better architectural advancement in Hong Kong.

9

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

211123-163459-30129

提交限期

Deadline for submission:

23/11/2021

提交日期及時間

Date and time of submission:

23/11/2021 16:34:59

有關的規劃申請編號

The application no. to which the comment relates:

A/H3/444

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Wong Tai Cheung

意見詳情

Details of the Comment :

It is great to hear the redevelopment proposal of the existing building at 380 Des Voeux Road West. The proposed office and shop and services could make good use of land resources to provide additional office space with reasonable scale out the existing underutilized Resi-building. Despite the site is located in a "R(A)" zone, considering the lack of small office space in the district, it could be more appropriate choice to develop this site into an office building. Hence, I fully support this application (A/H3/444).

Advisory Clauses

- (a) To note the comments of DLO/HKW&S, LandsD that the lot was carved out under private agreements, the actual site area of the Site shall be subject to verification;
- (b) to note the comments of CBS/HKW, BD regarding the provision of fireman's lift under Regulation 41B of the B(P)R; provision of access and facilities for persons with a disability for all parts of non-domestic building/areas under Regulation 72 of the B(P)R; and the policy on GFA concessions under Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 in particular the 10% overall cap on GFA concessions and, where appropriate, the requirements of suitable building design guidelines under PNAP APP-152;
- (c) to note the comments of CHE/HK, HyD regarding the proposed canopy/projection outside the lot boundary and above public footpath shall have 3500mm vertical clearance and 600mm horizontal clearance from carriageway; the applicant should be responsible for the construction, installation and maintenance of the proposed canopy at the cost of the applicant, including the lighting system; the applicant should ensure no falling of losing part or the canopy onto the public footpath; and adequate drainage system should be provided to ensure the rainwater at the proposed canopy is properly collected and no dripping onto the public footpath is allowed.
- (d) to note the comments of CA/CMD2, ArchSD that 20% greenery is suggested to be provided in accordance with PNAP APP-152;
- (e) to note the comments of DEP regarding the selection of a proper location for fresh-air intake during detailed design stage and avoiding exposing future occupants under unacceptable environmental nuisance or impact;
- (f) to note comments of AMO regarding the works arising from the proposed redevelopment should not cause any adverse impact on the existing Grade 2 historic building of East Wing, St. Louis School, No 179 Third Street, Sai Ying Pun; and
- (g) to note the comments of D of FS regarding the fire service installations and water supplies for firefighting shall be provided to the satisfaction of the Fire Services Department; and the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011.



(資料來源：由申請人於2022年4月14日提交的進一步資料)
(Source: Further information submitted by
the applicant on 14.4.2022)

參考編號
REFERENCE No.
A/H3/444

繪圖
DRAWING
A - 1



(資料來源：由申請人於2022年2月24日提交的進一步資料)
(Source: Further information submitted by
the applicant on 24.2.2022)

參考編號
REFERENCE No.
A/H3/444

繪圖
DRAWING
A - 2



(資料來源：由申請人於2022年2月24日提交的進一步資料)
(Source: Further information submitted by
the applicant on 24.2.2022)

參考編號
REFERENCE No.
A/H3/444

繪圖
DRAWING
A - 3



(資料來源：由申請人於2022年4月1日提交的進一步資料)
(Source: Further information submitted by
the applicant on 1.4.2022)

參考編號
REFERENCE No.
A/H3/444

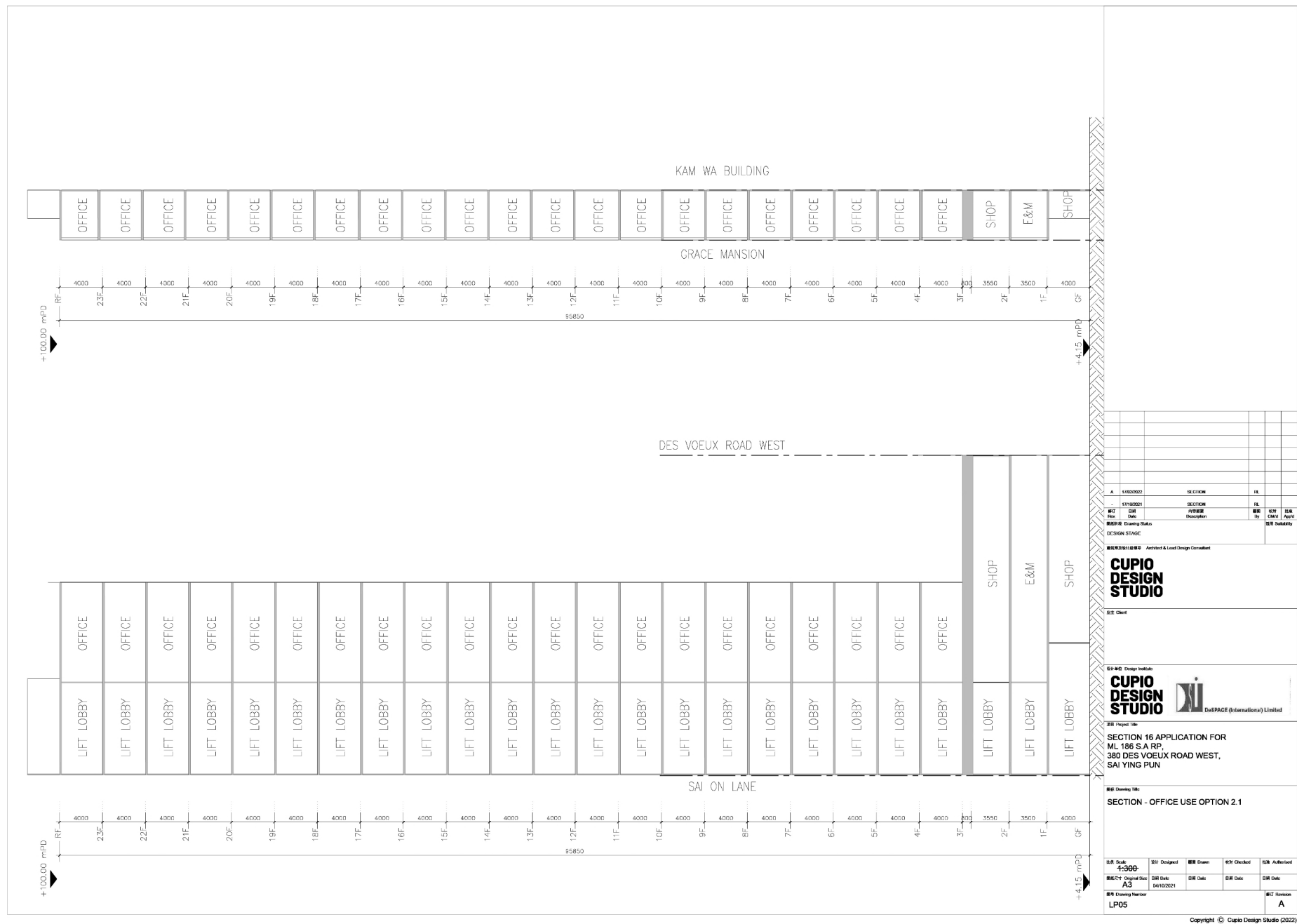
繪圖
DRAWING
A - 4



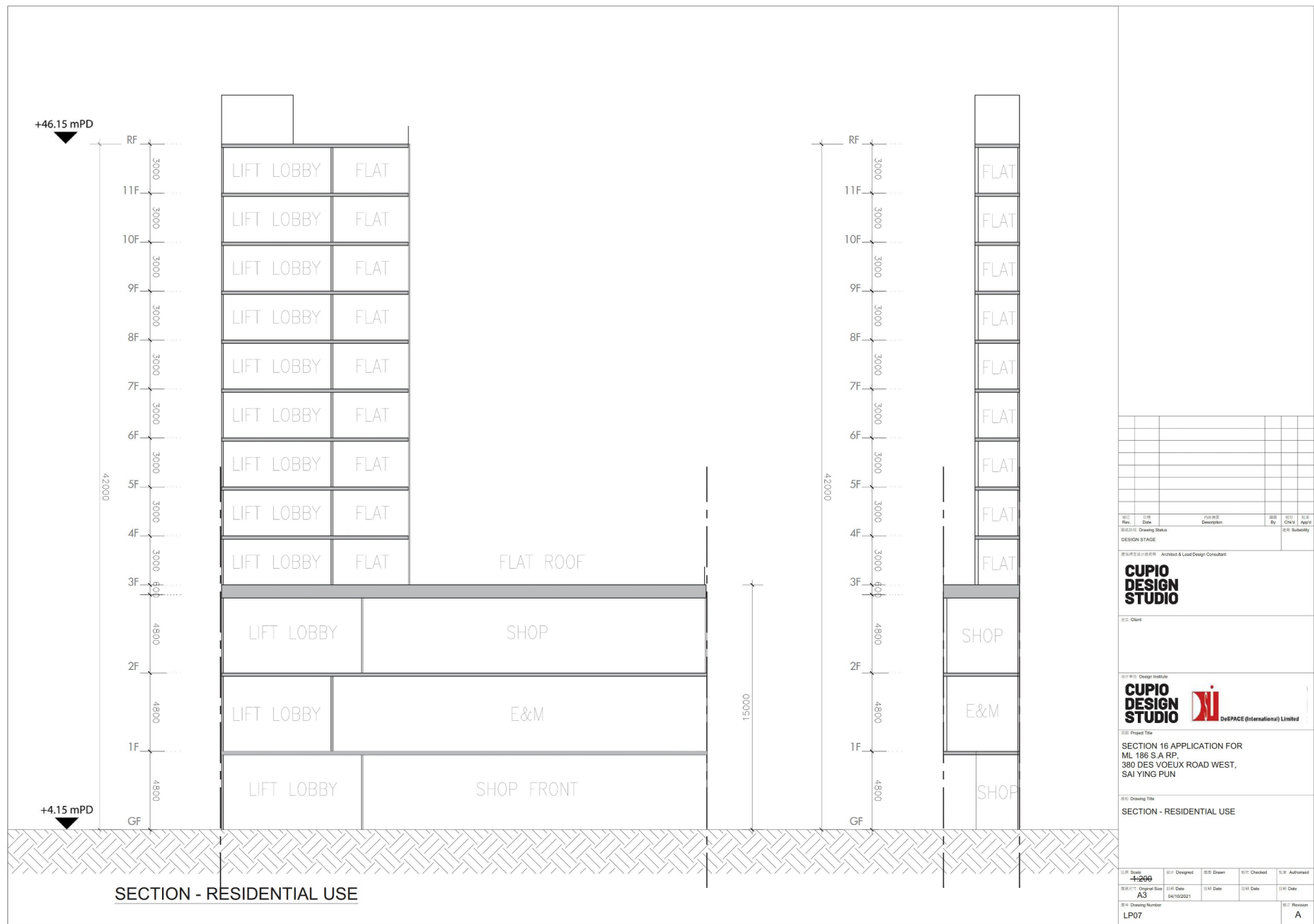
(資料來源：由申請人於2022年2月24日提交的進一步資料)
(Source: Further information submitted by
the applicant on 24.2.2022)

參考編號
REFERENCE No.
A/H3/444

繪圖
DRAWING
A - 6



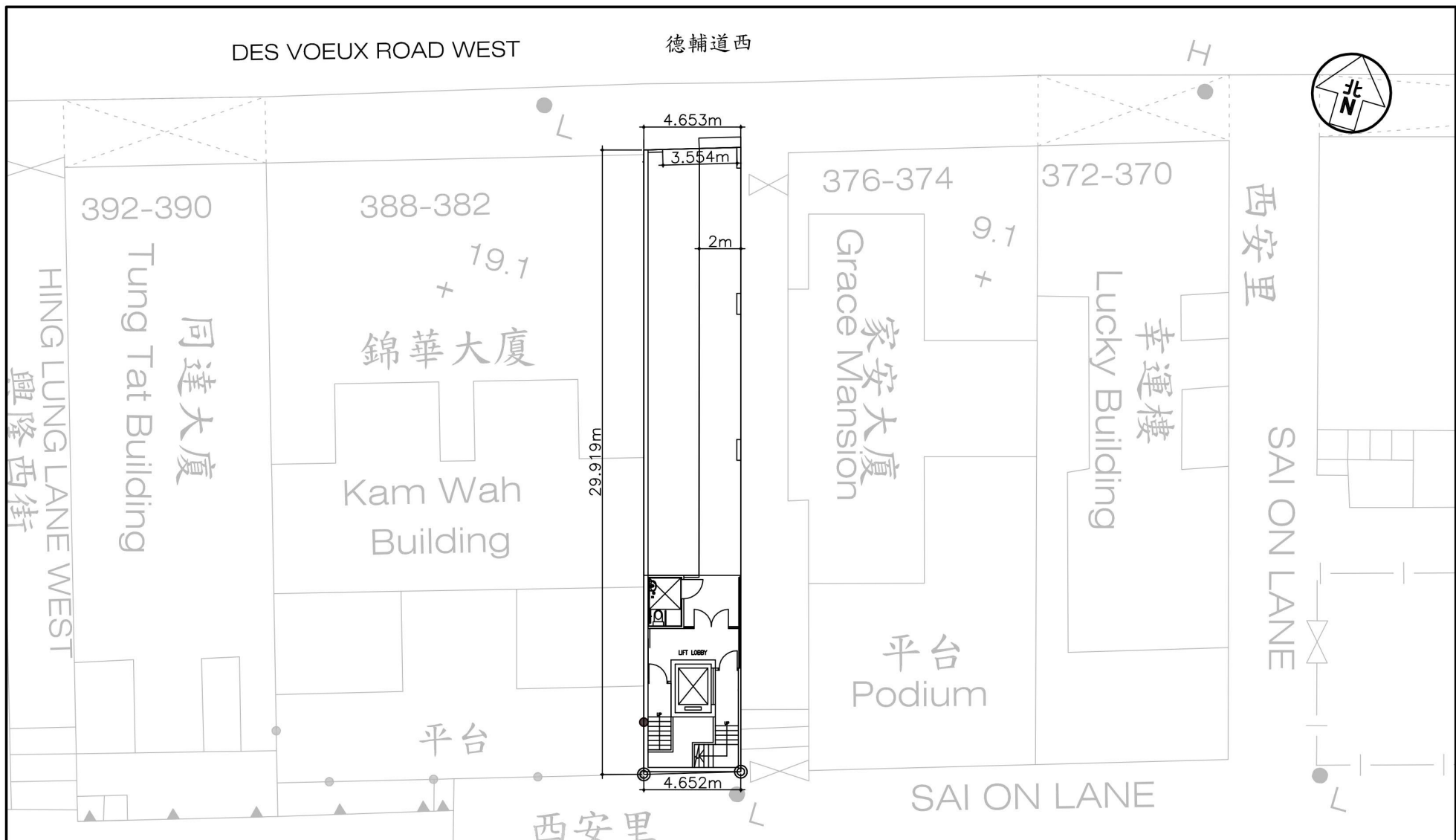
(資料來源：由申請人於2022年4月14日提交的進一步資料)
(Source: Further information submitted by
the applicant on 14.4.2022)



(資料來源：由申請人於2022年2月24日提交的進一步資料)
(Source: Further information submitted by the applicant on 24.2.2022)

參考編號
REFERENCE No.
A/H3/444

繪圖
DRAWING
A - 9

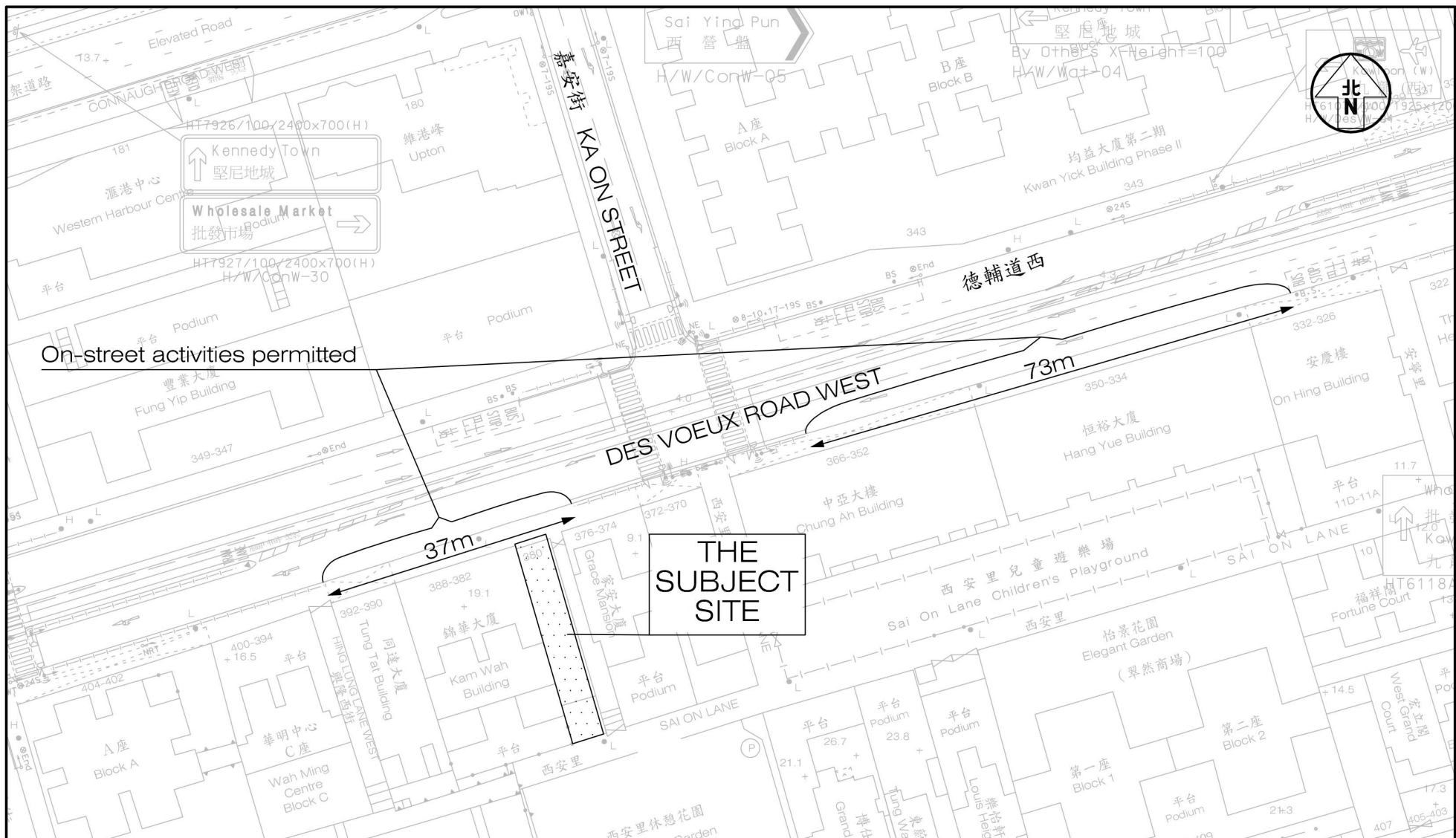


Project Title	SECTION 16 PLANNING APPLICATION FOR THE PROPOSED "OFFICE" AND "SHOP AND SERVICES" USES IN "RESIDENTIAL (GROUP A)6" ZONE, 380 DES VOEUX ROAD WEST, HONG KONG, THE REMAINING PORTION OF SECTION A OF MARINE LOT NO.186	Figure No.	2	Revision	A	CKM Asia Limited Traffic and Transportation Planning Consultants 21st Floor, Methodist House, 36 Hennessy Road, Wan Chai, Hong Kong Tel : (852) 2520 5990 Fax : (852) 2528 6343 Email : mail@ckmasia.com.hk
Figure Title	G/F LAYOUT PLAN	Designed by	C Y Y	Drawn by	N C M	
		Checked by	K C	Scale in A4	1 : 250	
		Date	24 FEB 2022			

(資料來源：由申請人於2022年2月24日提交的進一步資料)
(Source: Further information submitted by the applicant on 24.2.2022)

參考編號 REFERENCE No. A/H3/444	繪圖 DRAWING A - 10
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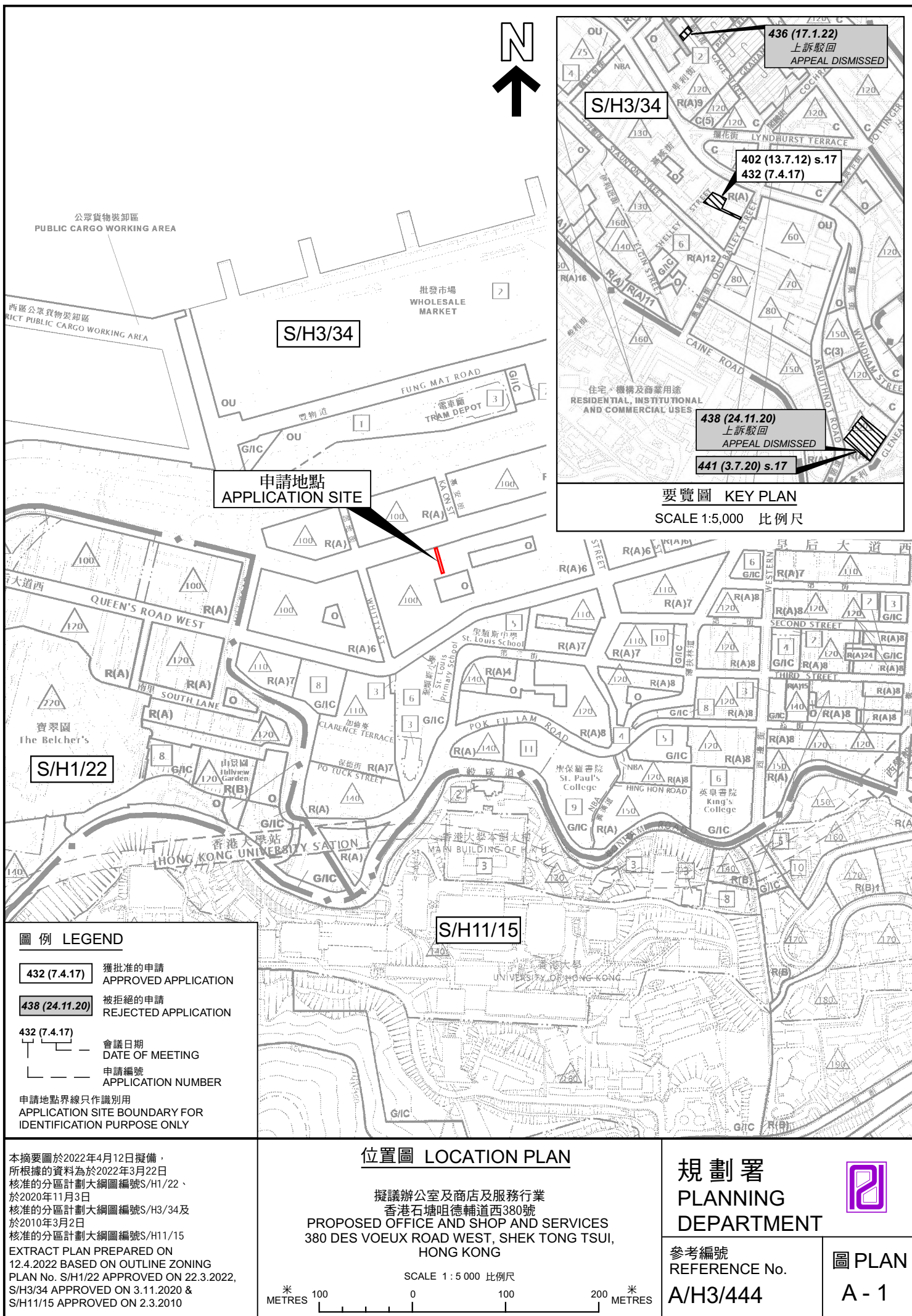
T:\JOB\J7150-J7199\J7161\2022 02\Fig 2 RevA.dwg



Project Title SECTION 16 PLANNING APPLICATION FOR THE PROPOSED "OFFICE" AND "SHOP AND SERVICES" USES IN "RESIDENTIAL (GROUP A)6" ZONE, 380 DES VOEUX ROAD WEST, HONG KONG, THE REMAINING PORTION OF SECTION A OF MARINE LOT NO.186	Figure No. 4	Revision A
Figure Title LOCATION OF KERBSIDES AT DES VOEUX ROAD WEST	Designed by C Y Y	CKM Asia Limited Traffic and Transportation Planning Consultants 21st Floor, Methodist House, 36 Hennessy Road, Wan Chai, Hong Kong Tel : (852) 2520 5990 Fax : (852) 2528 6343 Email : mail@ckmasia.com.hk

(資料來源：由申請人於2022年2月24日提交的進一步資料)
 (Source: Further information submitted by the applicant on 24.2.2022)

參考編號 REFERENCE No. A/H3/444	繪圖 DRAWING A - 11
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本摘要圖於2022年4月12日擬備，
所根據的資料為於2022年3月22日
核准的分區計劃大綱圖編號S/H1/22、
於2020年11月3日
核准的分區計劃大綱圖編號S/H/34及
於2010年3月2日
核准的分區計劃大綱圖編號S/H11/15
EXTRACT PLAN PREPARED ON
12.4.2022 BASED ON OUTLINE ZONING
PLAN No. S/H1/22 APPROVED ON 22.3.2022,
S/H3/34 APPROVED ON 3.11.2020 &
S/H11/15 APPROVED ON 2.3.2010

位置圖 LOCATION PLAN

擬議辦公室及商店及服務行業
 香港石塘咀德輔道西380號
 PROPOSED OFFICE AND SHOP AND SERVICES
 380 DES VOEUX ROAD WEST, SHEK TONG TSUI,
 HONG KONG

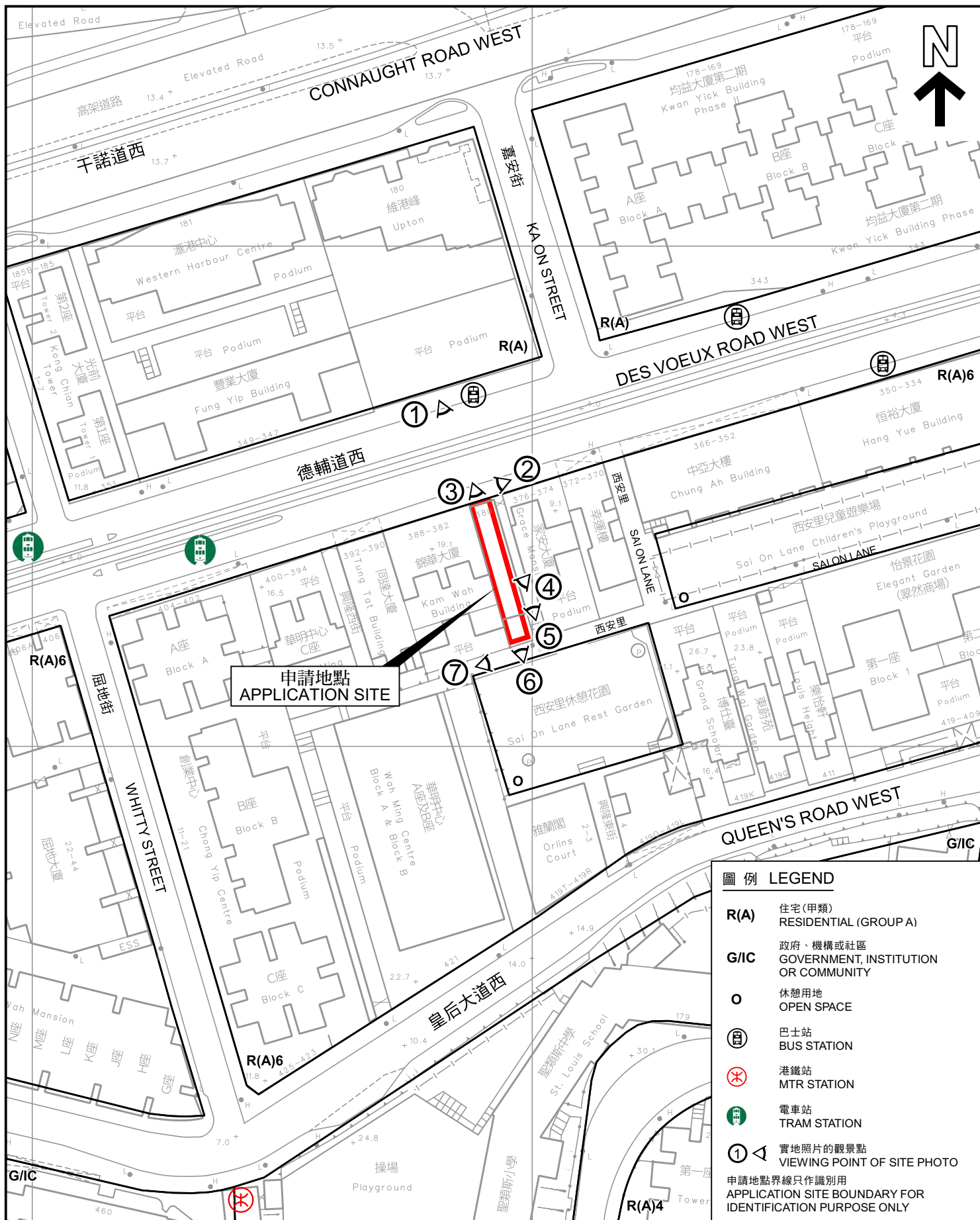
SCALE 1 : 5 000 比例尺

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H3/444

PLAN
A - 1



平面圖 SITE PLAN

擬議辦公室及商店及服務行業
香港石塘咀德輔道西380號
PROPOSED OFFICE AND SHOP AND SERVICES
380 DES VOEUX ROAD WEST, SHEK TONG TSUI,
HONG KONG

本摘要圖於2021年12月14日擬備，
所根據的資料為測量圖編號11-SW-7A及B
EXTRACT PLAN PREPARED ON
14.12.2021 BASED ON SURVEY SHEETS
No. 11-SW-7A & B

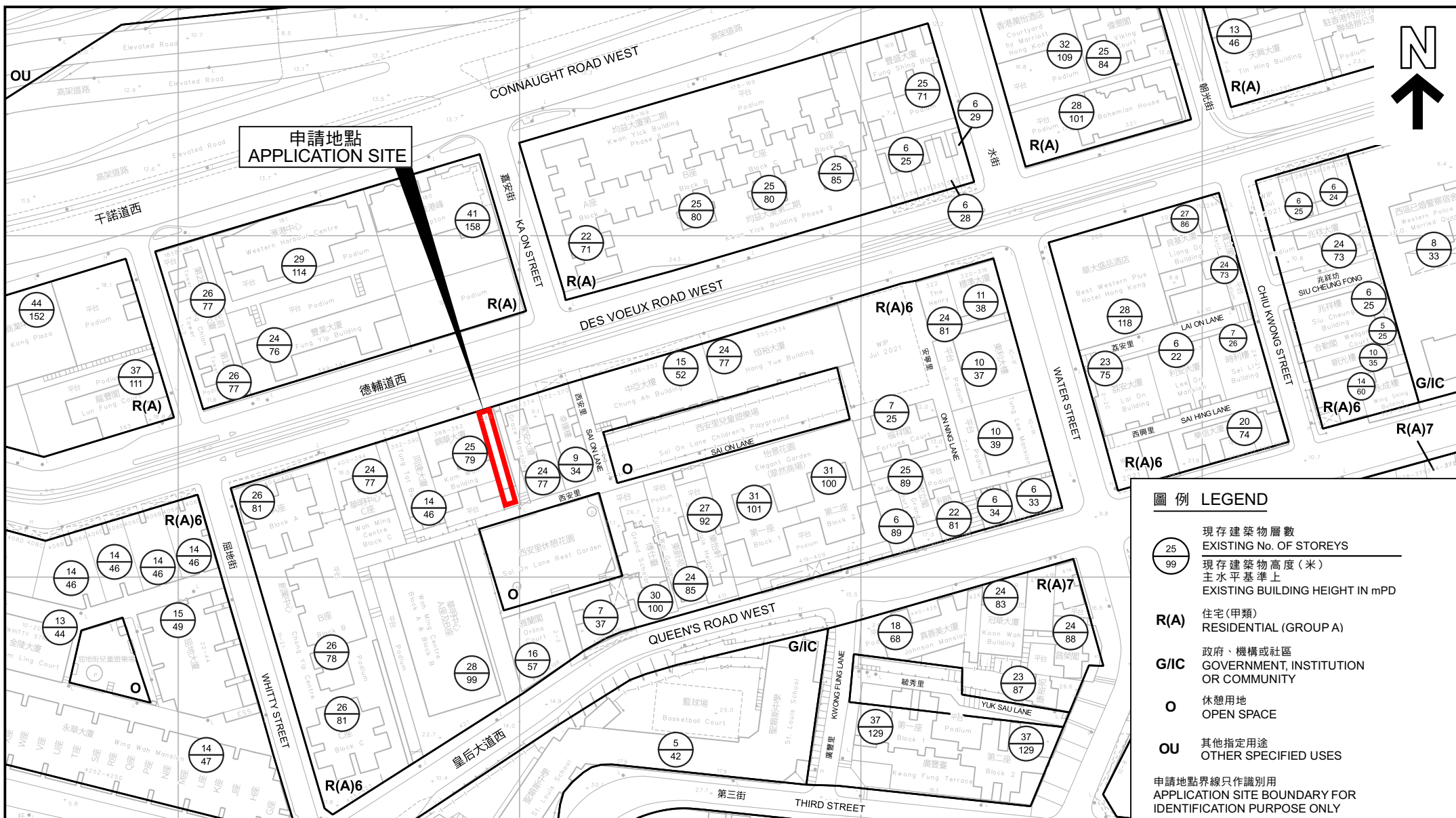
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米 METRES 20 0 20 40 米 METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H3/444

圖 PLAN
A - 2



圖例 LEGEND

- 25
99 現存建築物層數
EXISTING No. OF STOREYS
- 25
99 現存建築物高度(米)
主水平基準上
EXISTING BUILDING HEIGHT IN mPD
- R(A) 住宅(甲類)
RESIDENTIAL (GROUP A)
- G/IC 政府、機構或社區
GOVERNMENT, INSTITUTION
OR COMMUNITY
- O 休憩用地
OPEN SPACE
- OU 其他指定用途
OTHER SPECIFIED USES

申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR
IDENTIFICATION PURPOSE ONLY

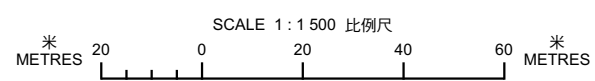
本摘要圖於2022年4月11日擬備，
所根據的資料為測量圖編號11-SW-7A及B

EXTRACT PLAN PREPARED ON
11.4.2022 BASED ON SURVEY SHEETS
No. 11-SW-7A & B

平面圖 SITE PLAN

擬議辦公室及商店及服務行業
香港石塘咀德輔道西380號

PROPOSED OFFICE AND SHOP AND SERVICES
380 DES VOEUX ROAD WEST, SHEK TONG TSUI,
HONG KONG

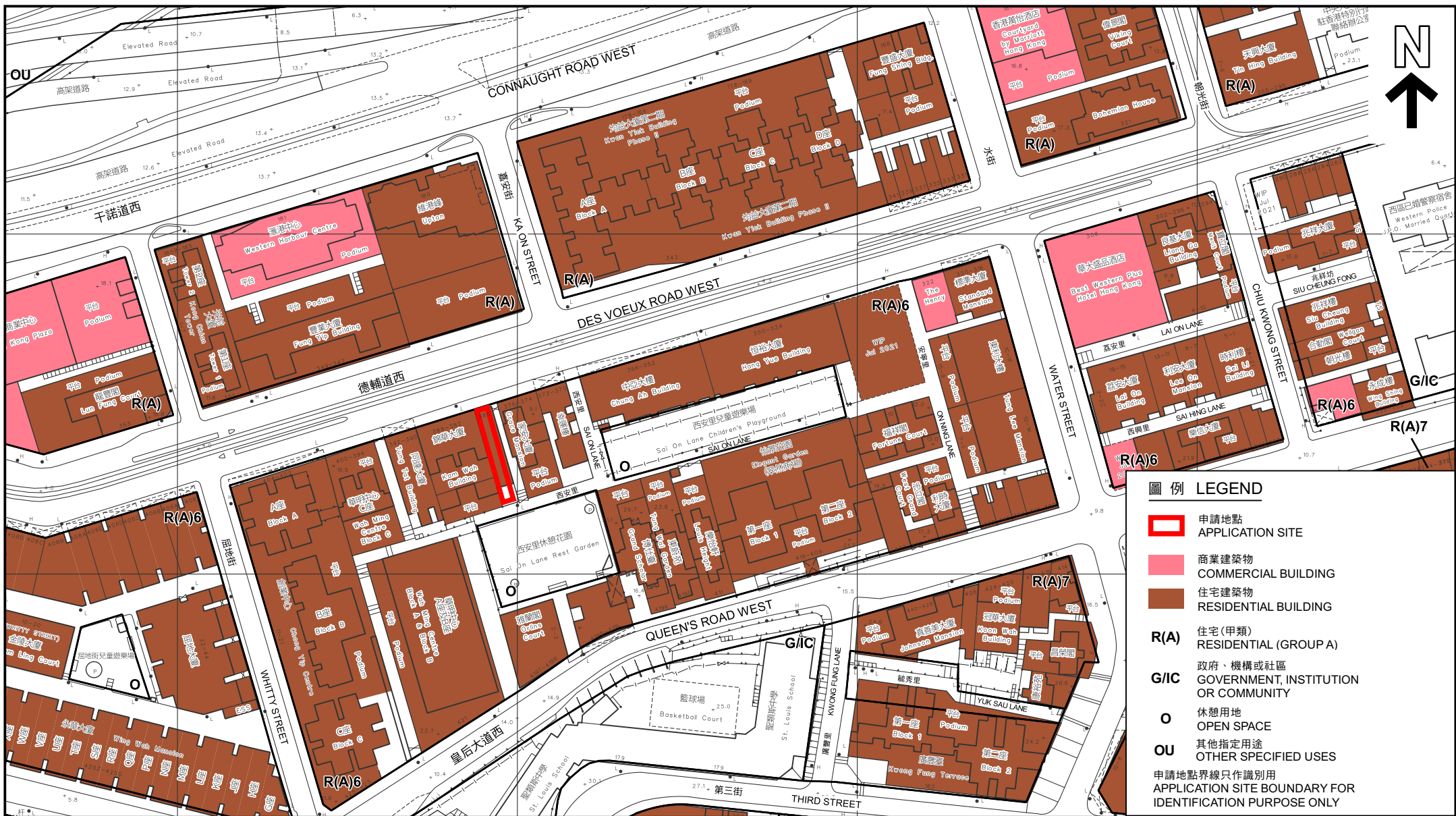


規劃署
PLANNING
DEPARTMENT



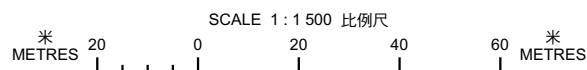
參考編號
REFERENCE No.
A/H3/444

圖 PLAN
A - 3



平面圖 SITE PLAN

申請地點的鄰近地區的現有發展
EXISTING DEVELOPMENT IN THE SURROUNDING
AREAS OF THE APPLICATION SITE



本摘要圖於2022年4月14日擬備，
所根據的資料為測量圖編號11-SW-7A及B

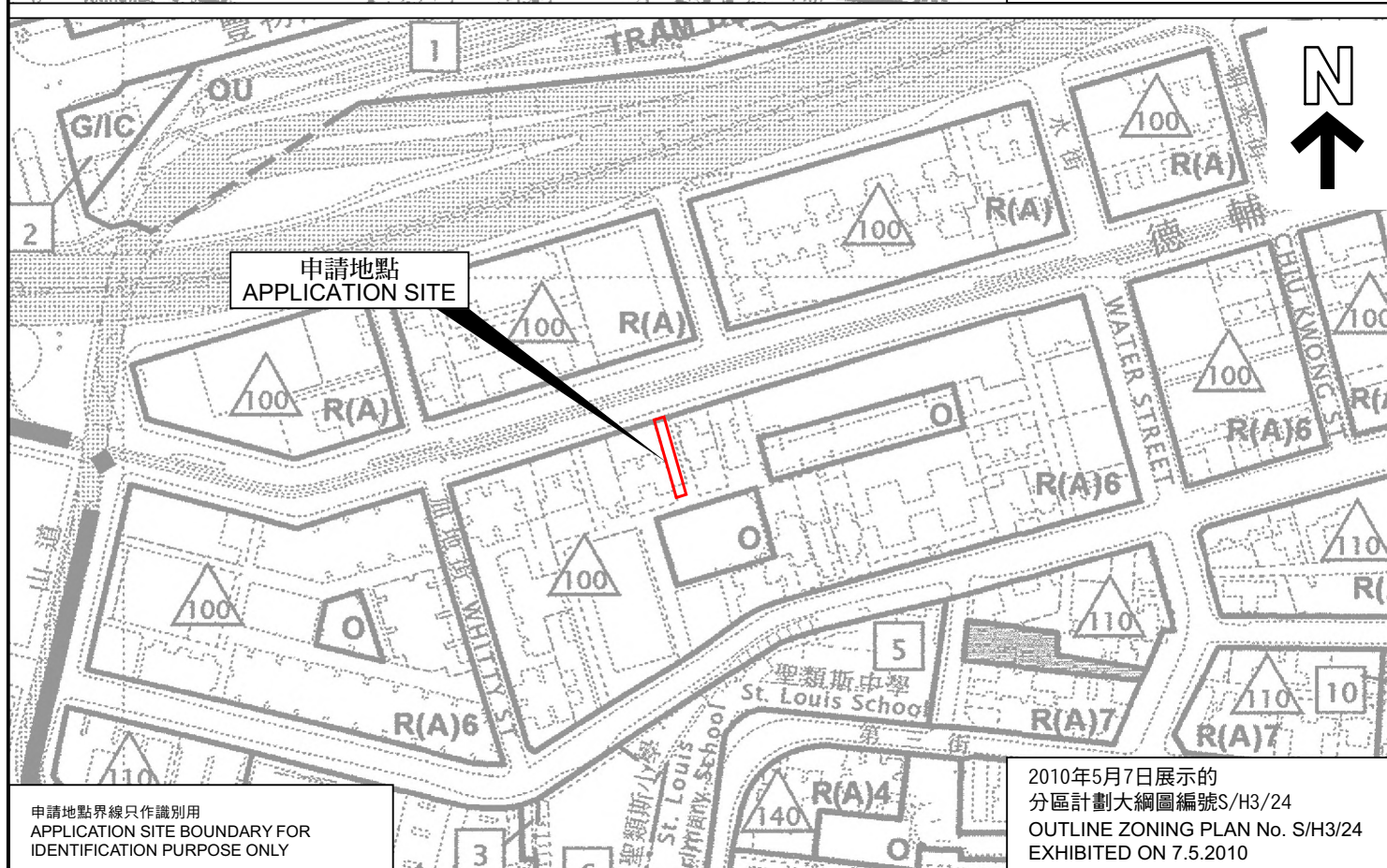
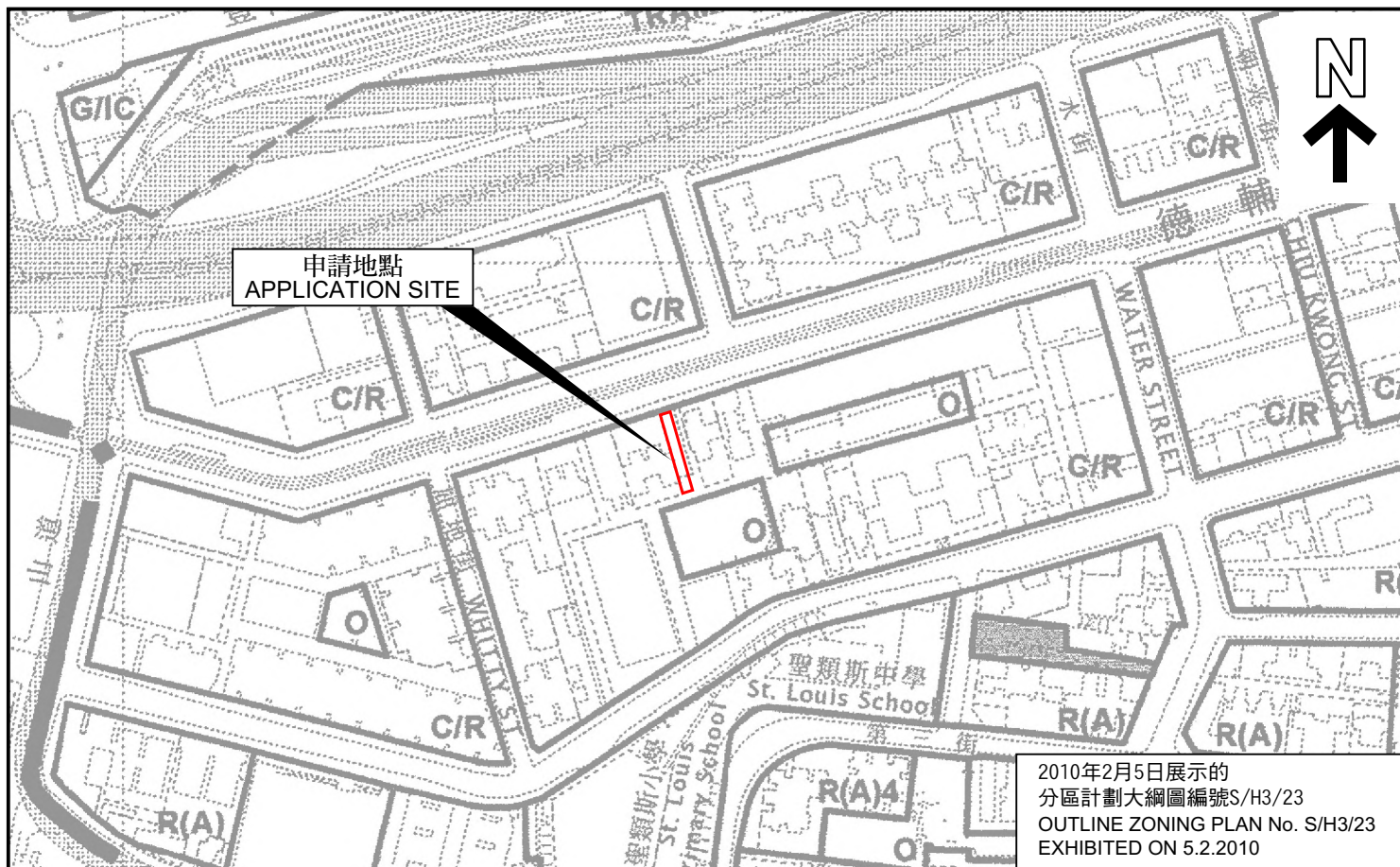
EXTRACT PLAN PREPARED ON
14.4.2022 BASED ON SURVEY SHEETS
No. 11-SW-7A & B

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H3/444

圖 PLAN
A - 4



申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR
IDENTIFICATION PURPOSE ONLY

本摘要圖於2022年4月8日擬備，所根據的資料為：
於2010年2月5日展示的分區計劃大綱圖編號S/H3/23，以及
於2010年5月7日展示的分區計劃大綱圖編號S/H3/24

EXTRACT PLAN PREPARED ON 8.4.2022
BASED ON OUTLINE ZONING PLAN Nos.
S/H3/23 EXHIBITED ON 5.2.2010 &
S/H3/24 EXHIBITED ON 7.5.2010

位置圖 LOCATION PLAN

擬議辦公室及商店及服務行業
香港石塘咀德輔道西380號
PROPOSED OFFICE AND SHOP AND SERVICES
380 DES VOEUX ROAD WEST, SHEK TONG TSUI,
HONG KONG

SCALE 1:2 500 比例尺
米 50 0 50 100 米
METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H3/444

圖 PLAN
A - 5



申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

擬議辦公室及商店及服務行業
香港石塘咀德輔道西380號
PROPOSED OFFICE AND SHOP AND SERVICES
380 DES VOEUX ROAD WEST, SHEK TONG TSUI,
HONG KONG

規劃署
PLANNING
DEPARTMENT

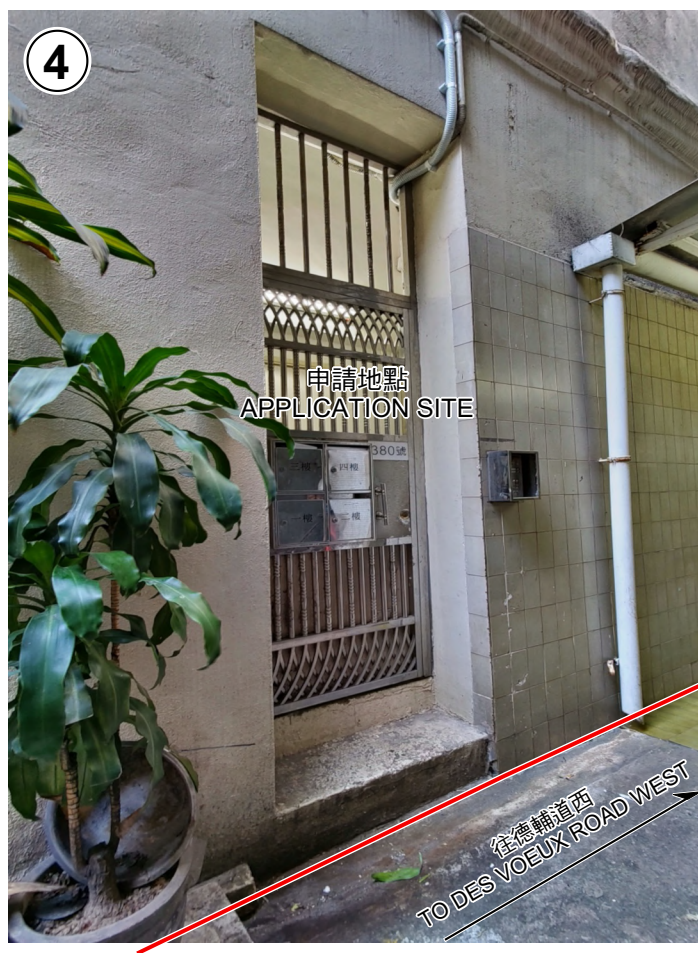


參考編號
REFERENCE No.
A/H3/444

圖 PLAN
A - 6

本圖於2022年4月8日擬備，所根據的
資料為攝於2021年11月2日的實地照片

PLAN PREPARED ON 8.4.2022
BASED ON SITE PHOTOS
TAKEN ON 2.11.2021



申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

擬議辦公室及商店及服務行業
香港石塘咀德輔道西380號
PROPOSED OFFICE AND SHOP AND SERVICES
380 DES VOEUX ROAD WEST, SHEK TONG TSUI,
HONG KONG

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H3/444

圖 PLAN
A - 7

本圖於2022年4月8日擬備，所根據的
資料為攝於2021年11月2日的實地照片

PLAN PREPARED ON 8.4.2022
BASED ON SITE PHOTOS
TAKEN ON 2.11.2021



申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

擬議辦公室及商店及服務行業
香港石塘咀德輔道西380號
PROPOSED OFFICE AND SHOP AND SERVICES
380 DES VOEUX ROAD WEST, SHEK TONG TSUI,
HONG KONG

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H3/444

圖 PLAN
A - 8

本圖於2022年4月8日擬備，所根據的
資料為攝於2021年11月2日的實地照片

PLAN PREPARED ON 8.4.2022
BASED ON SITE PHOTOS
TAKEN ON 2.11.2021



申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本圖於2022年4月8日擬備，所根據的資料為攝於2021年11月2日的實地照片

PLAN PREPARED ON 8.4.2022
BASED ON SITE PHOTO
TAKEN ON 2.11.2021

實地照片 SITE PHOTO

擬議辦公室及商店及服務行業
香港石塘咀德輔道西380號
PROPOSED OFFICE AND SHOP AND SERVICES
380 DES VOEUX ROAD WEST, SHEK TONG TSUI,
HONG KONG

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H3/444

圖 PLAN
A - 9

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/444 Proposed Office and Shop and Services in “Residential (Group A)6”
Zone, 380 Des Voeux Road West, Shek Tong Tsui, Hong Kong
(MPC Paper No. A/H3/444A)

47. The Secretary reported that the application site (the Site) was located in Sai Ying Pun/Sheung Wan. Professor Roger C.K. Chan had declared an interest on the item for his spouse owning a flat in Sai Ying Pun. As the property owned by Professor Roger C.K. Chan’s spouse had no direct view of the Site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

48. With the aid of a PowerPoint presentation, Ms Karmin Tong, STP/HK, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

[Professor Roger C.K. Chan left the meeting during the presentation session.]

49. Members had no question on the application.

Deliberation Session

50. The Chairman remarked that the Site was located in a predominantly residential area and there was no justification for a departure from the planning intention of the residential zoning for the area.

51. After deliberation, the Committee decided to reject the application. The reasons were :

“(a) the proposed development is not in line with the planning intention of the

“Residential (Group A)6” (“R(A)6”) zone which is for high-density residential developments and there is no strong planning justification for a departure from the planning intention of the “R(A)6” zone; and

- (b) the proposed development does not comply with Town Planning Board Guidelines No. 5 in that the proposed office is located in a predominantly residential area.”

[The Chairman thanked Ms Karmin Tong, STP/HK, for her attendance to answer Members’ enquiries. She left the meeting at this point.]

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/H3/444

By Post & Fax (3590 6233)

6 May 2022

DeSPACE (International) Ltd.
Suite 1601, Tower 2, Lippo Centre
89 Queensway
Admiralty, Hong Kong
(Attn.: Gregory K.C. Lam)

Dear Sir/Madam,

**Proposed Office and Shop and Services in “Residential (Group A)6” Zone,
380 Des Voeux Road West, Shek Tong Tsui, Hong Kong**

I refer to my letter to you dated 13.4.2022.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reasons are :

- (a) the proposed development is not in line with the planning intention of the “Residential (Group A)6” (“R(A)6”) zone which is for high-density residential developments and there is no strong planning justification for a departure from the planning intention of the “R(A)6” zone; and
- (b) the proposed development does not comply with TPB Guidelines No. 5 in that the proposed office is located in a predominantly residential area.

A copy of the TPB Paper in respect of the application is available at TPB website at this link (https://www.info.gov.hk/tpb/en/meetings/MPC/Agenda/693_mpc_agenda.html). The relevant extract of minutes of the TPB meeting held on 22.4.2022 is enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 27.5.2022). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

Under the Town Planning Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal

should be submitted to the TPB in the form of a fresh application under section 16 of the Town Planning Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Ms Karmin Tong of Hong Kong District Planning Office at 2231 4932.

Yours faithfully,



(Leticia LEUNG)

for Secretary, Town Planning Board



DeSPACE (International) Limited

Date: 26th May 2022

BY EMAIL

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong

Dear Sir/Madam,

**APPLICATION FOR REVIEW OF PLANNING DECISION UNDER
SECTION 17(1) OF TOWN PLANNING ORDINANCE (CHAPTER 131)
APPLICATION FOR THE PROPOSED "OFFICE" AND "SHOP AND SERVICES" USES
IN "RESIDENTIAL (GROUP A)6" ZONE
380 DES VOEUX ROAD WEST, SHEK TONG TSUI, HONG KONG
REMAINING PORTION OF SECTION A OF MARINE LOT NO. 186**

(Application no. A/H3/444)

We refer to your letter dated 6 May 2022 (TPB ref: TPB/A/H3/444) for the captioned planning application.

DeSPACE(International) Limited acts on behalf of the Applicant, LUCK RICH PROPERTIES LIMITED to apply for a review of the decision under Section 17(1) of the Town Planning Ordinance. A set of supplementary information would be further submitted in coming weeks to provide justifications to support the captioned planning application.

Should you have any queries with this submission, please feel free to contact Mr. Endy CHENG at 24933626 or myself at 35906333. Thank you for your kind attention.

Yours faithfully,
FOR AND ON BEHALF OF
DeSPACE (INTERNATIONAL) LIMITED



Greg Lam

cc.
DPO/HK

(Attn: Ms. Natalie LUK (TP/HK 11) By Email)



DeSPACE (International) Limited

Date: 29th July 2022

BY EMAIL

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong

Dear Sir/Madam,

**APPLICATION FOR REVIEW OF PLANNING DECISION UNDER
SECTION 17(1) OF TOWN PLANNING ORDINANCE (CHAPTER 131)
APPLICATION FOR THE PROPOSED "OFFICE" AND "SHOP AND SERVICES" USES
IN "RESIDENTIAL (GROUP A)6" ZONE
380 DES VOEUX ROAD WEST, SHEK TONG TSUI, HONG KONG
REMAINING PORTION OF SECTION A OF MARINE LOT NO. 186**

(Application no. A/H3/444)

We refer to your letter dated 9 June 2022 regarding our request for a review of the decision under Section 17(1) of the Town Planning Ordinance.

Enclosed is a set of our supplementary information for your consideration.

Should you have any queries with this submission, please feel free to contact Mr. Endy CHENG at 24933626 or the undersigned at 35906333. Thank you for your kind attention.

Yours faithfully,
FOR AND ON BEHALF OF
DeSPACE (INTERNATIONAL) LIMITED



Greg Lam

cc.
DPO/HK

(Attn: Mr. WONG Kai Nang, Canon (ATP/HK 11)

By Email)

Written Representations

[1] The Application

The Applicant proposes a 24-storey commercial building comprising a 21-storey office tower over a 3-storey podium with 'Shop and Services' use (G/F and 2/F) and E&M facilities (1/F) at 380 Des Voeux Road West (DVRW), Shek Tong Tsui (the Site). The Site falls within an area zoned "R(A)6" on the approved Sai Ying Pun & Sheung Wan OZP No. S/H3/34. According to the Notes of the OZP for "R(A)6" zone, while 'Shop and Services' use is always permitted on the lowest three floors of a building, planning permission from the Town Planning Board (the Board) is required for 'Office' use above the lowest three floors.

Development parameters table

Major Development Parameters	
Site Area	139.2m ² (about)
Maximum Non-Domestic Plot Ratio (PR)	15
Maximum Non-Domestic Gross Floor Area (GFA) <ul style="list-style-type: none"> - Office (3/F and above) - Shop and Services (Lowest 3 Floors) 	Not more than 2,088m ² <ul style="list-style-type: none"> - Not more than 1,754m² - Not more than 334m² <i>(E&M facilities on 1/F is not accountable for GFA)</i>
Site Coverage (SC) <ul style="list-style-type: none"> - Podium (G/F to 2/F) - Tower (3/F to 23/F) 	100% 60%
No. of Blocks	1
BH (at main roof level)	100mPD
No. of Storeys	24 (G/F to 23/F)
Parking Spaces and Loading/Unloading (L/UL) Facilities	Nil

The main uses by floor for the proposed development (**Drawing A-7**) are summarized as follows:

Floor	Main Uses
G/F	Shop and Services / Lift Lobby
1/F	E&M facilities
2/F	Shop and Services
3/F	Office / Flat Roof
4/F to 23/F	Office

[2] The Town Planning Board's Decision

The subject s.16 planning application was rejected by the RNTPC based on the ground that that the Site was located in a predominantly residential area and there was no justification for a departure from the planning intention of the residential zoning for the area. We would like to kindly express our different views about the decisions on “predominantly residential area” and “departure from the planning intention of the residential zoning”, and thus provide additional information, justifications or different perspectives of viewing the planning context to the TPB.

[3] Justifications for Review

3.1 In line with the planning intention

Attentions of TPB Members are kindly drawn to the two Appeal Board cases, i.e. Town Planning Appeal No. 2 of 2019 (“the Glenealy Decision”) Glenealy Decision and No. 4 of 2019 (“the Gage Decision”) as they were also concerned with a similar application for planning permission for a proposed Office and Shop and Services/Eating Place in an R(A) zone. It was held in the two appeal cases that the planning intention for a site zoned “R(A)” is that it should primarily be used for high-density residential development but that it would also be consistent with the planning intention to permit other uses covered in Column 2 of the Schedule of Uses (such as office) if permission to do so (with or without conditions) is given based on the individual merits of a particular case by reference to the relevant planning criteria. It was held incorrect by the Appeal Board in Glenealy Decision and Gage Decision to judge a proposed office use of within “R(A)” zone would necessarily be a deviation from the planning intention of an R(A) zone.

3.2 Predominantly mixed commercial/residential in nature

It is stated in the MPC paper that the proposed office development with ‘Shop and Services’ use on the lowest three floors is considered not entirely incompatible with the surrounding developments and does not exceed the maximum BH of 100mPD as stipulated on the OZP.


In the MPC paper, it was based entirely on the building types in the immediate surrounding within the same street block as indicated on Plan A-4 in determining that it has not satisfied criterion (e) of TPB PG-No.5. In this regard, we however express a different opinion. The rigor 2-dimension representation of building types has disregarded the unique multiplicity of cross-uses and other intricate factors, which might have over-simplified the dynamic spatial phenomena. The definition of “the locality” is critical in determining whether the Site should be considered to be located in a “predominantly residential area”, and should be subject to interpretation with the town planning considerations in each case. “The locality” is also construed by the particular geographical locations, the characters, streetscapes, street activities and even the general “impression”, which are explained in paragraphs below. As

such, the TPB is kindly invited to give a holistic consideration, from a 3-dimension perspective, also on the broader, unique planning circumstances and factors of the Sai Ying Pun area.

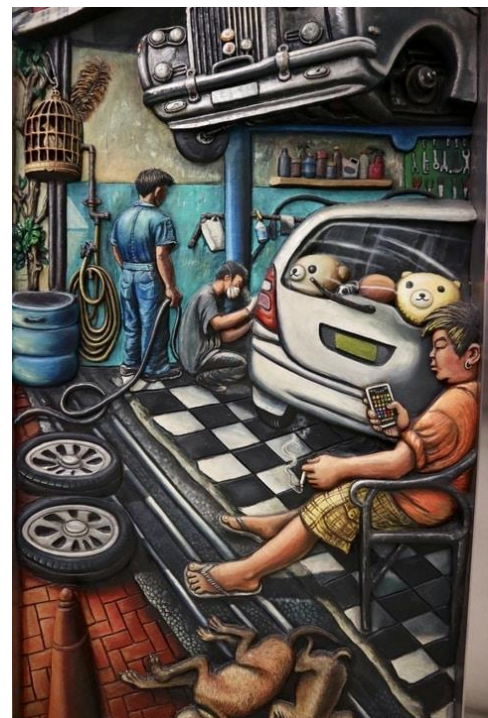
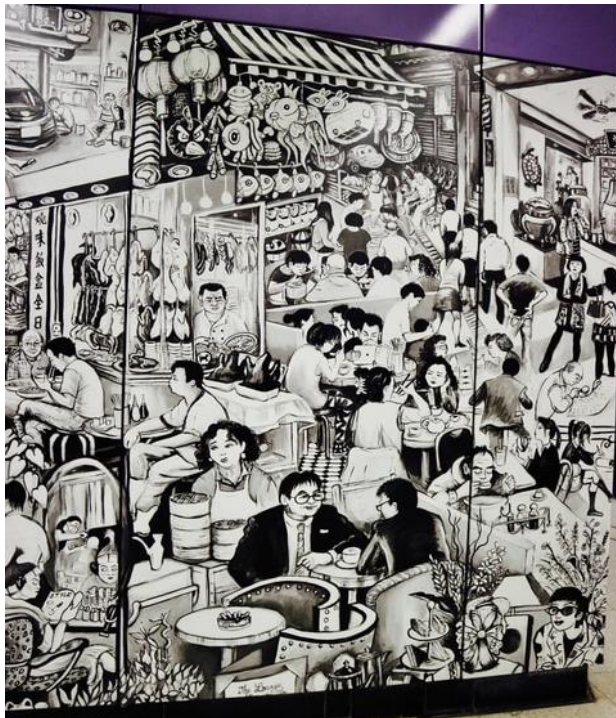
In both appeal cases mentioned, the Appeal Board arrived at the conclusion that “at the end of the day, the character of a locality is a question of fact; it may as well be a matter of impression.” Pinpointing the evaluation on the predominance of land uses, the thought processes and judgment in detail in the two appeal cases are summarized in the table below:

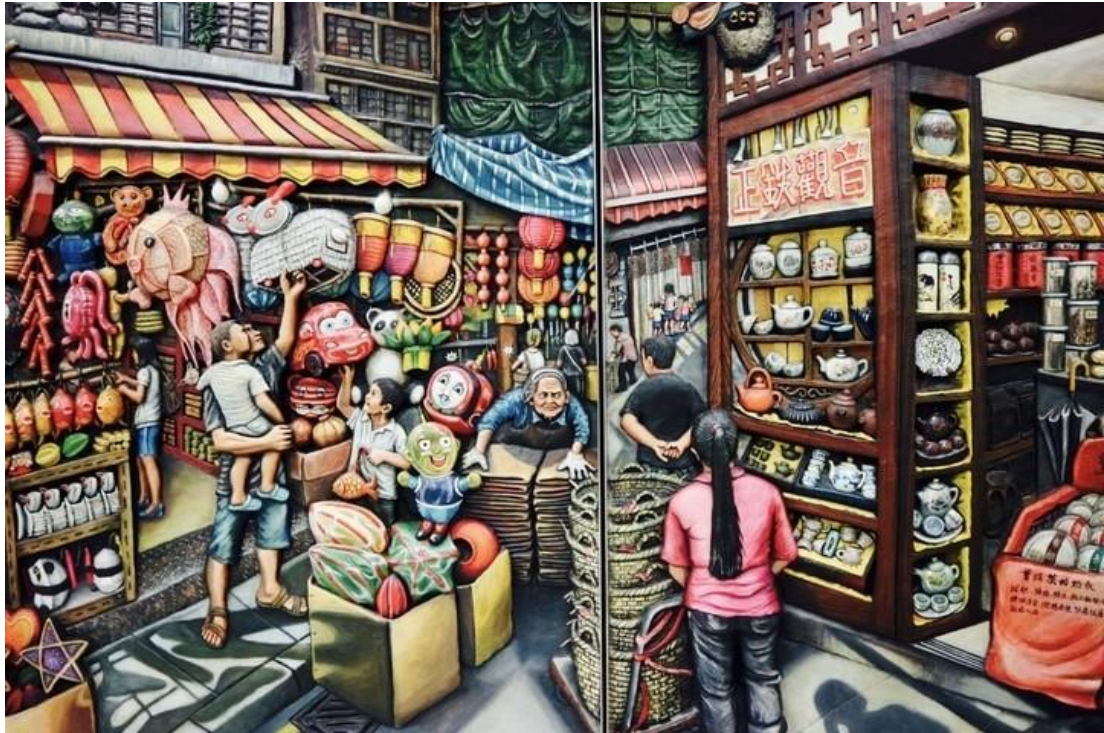
<i>Proposed Office, Shop and Services and Eating Place at 36 Gage Street</i>		
A/H3/436 (88.1 m ²)	TPB	<p>TPB rejected the case. A member said that if the site was used for residential development based on the notional schemes submitted by the applicant, <u>the flat would be very small in size and that was undesirable</u>. The main reason for very small flat size in the notional residential scheme was due to the more restrictive SC control under B(P)R for higher buildings. If the application was approved, the impact on the character of the street block should be duly considered. Three members concurred and considered approval of the application would set an undesirable precedent for similar developments within the “R(A)9” zone and the case was rejected.</p> <p>(1198th TPB Meeting on 29.3.2019)</p>
Planning Appeal No. 4 of 2019	Appeal Board	<p>The Appeal Board agreed with the view...”that the character of a locality is a question of fact and <u>a matter of impression</u>. That being the case, it <u>would NOT be correct to determine the character of the area</u> in which the Appeal Site is located <u>by simply comparing the total areas of the floor spaces being used for commercial, residential and GIC uses</u> calculated using the methodology adopted by Knight Frank.”</p> <p>In terms of the facts and evidence, the Appeal Board has, in particular, taken into account and considered the following facts and matters (Para. 69 of the paper) :-</p> <ul style="list-style-type: none"> (a) The characteristics of the surrounding area (the building types, uses, the commercial activities) (b) The view and impression of the Appeal Site and the

		<p>surrounding area <u>which we formed</u> during the Site Visit.</p> <p>(c) The definition of “apartment-like service apartments” in that case.</p> <p>Based on the above analysis, the Appeal Board members were unanimously of the view that the Appeal Site was located in a predominantly residential area.</p>
<i>Proposed Office, Shop and Services / Eating Place at 3-6 Glenealy, Central, HK</i>		
A/H3/438	TPB	<p>The then different TPB members views are summarized as follows:</p> <p>(a) <u>Member said that macro issues (ex. Overall housing / office supply) should be dealt with in the plan-making process. The assessment for the application should focus on whether the site would be suitable for office development.</u></p> <p>(b) <u>Given the location of the site at the fringe of the CBD and the no adverse impact on the surrounding environment, it was considered that TPB PG-No.5 was generally complied with</u> and the application could be supported.</p> <p>(c) <u>Only two buildings had been developed for commercial use before rezoned to R(A), and other buildings within the zone were for residential use.</u> As such, the site was considered locating in a predominantly residential area.</p> <p>(d) Even if a larger area was taken into account, the site was more akin to the <u>residential area along Caine Road</u> rather than the commercial area to its north-east in the LKF area.</p> <p>(e) the site was occupying a relatively large portion of the subject “R(A)” zone, the <u>character and ambience would be affected.</u></p> <p>While the proposed office development with shop and services/eating places on the lowest four floors was considered not fully in line with the planning intention of the “R(A)” zone, approval of which would set an undesirable</p>

		<p>precedent, and that the applicant had not demonstrated that the application site was not conducive to residential development, the application was rejected by TPB.</p> <p>(1192th TPB Meeting on 11.1.2019)</p>
<p>Planning Appeal No. 2 of 2019</p>	<p>Appeal Board</p>	<p>The Appeal Board held that “at the end of the day, the character of a locality is a question of fact; it may well be <u>a matter of impression.</u>” It goes on to <u>base its analysis</u> of the predominance of land uses on impressions, personal experience and feelings about the surroundings when one is walking in the area, especially about the atmosphere and sounds, as it states that, “...<u>all five members of this Appeal Board are familiar with the surroundings of the Site</u> and have personal knowledge thereof...if one turns from Wyndham Street to Glenealy, and continues to walk up the fairly steep gradient along Glenealy (which is not particularly easy), one would start to <u>feel the change in atmosphere</u>...it becomes much <u>more quiet and tranquil</u>. On the opposite side to Glenealy would be the Hong Kong Sheng Kung Hei Compound, which is also <u>quiet and peaceful</u> most of the time...one would also feel that Glenealy is a continuation of the residential area.” For these reasons, the Appeal Board held that criteria 2(e) of TPB PG-no.5 has not been satisfied.</p> 

This holistic method of interpretation and analysis of an area by the Appeal Board shall be applicable to the subject case. The real characters and impressions of the area may best be revealed and represented by the art and wall paintings bottom-up from the laymen in the neighborhood itself. Below are some examples depicting the general perceptions towards Sai Ying Pun from the neighborhood itself, as built up over many years, which mostly comprises vibrant, active and diverse commercial activities. They show that the streets have long been crowded with pedestrians and shoppers, and the busy and hectic vibe on the streets contributed by the abundance of local stores, gourmets, markets fixed hawker stalls and the commercial activities does not fade throughout the year. With the depicted physical and historical characters with a high level of on-street commercial activities, the broader area of on which the Appeal Site sits is totally not being predominantly residential, but highly intermixed with commercial and residential developments instead. It would be beneficial to provide small office to cater the local needs backing up these commercial services.





Since the MTR Island Line extended westward to stations of Sai Ying Pun, the University of Hong Kong and Kennedy Town, and the diversity of the Western District has further enhanced, which has made it become a hot spot of a various activities. In redevelopment, the proposed small-scale office use will only merge humbly and seamlessly with the dynamic activities and mixed characters of Sai Ying Pun.

Focusing on DVRW, it is located at a highly accessible location directly connects to the CBD, with major traffic routes predominantly running in an east-west direction. It is an especially convenient location after the commencement of HKU Station. It is classified as “District Distributor” according to the Transport Department’s Annual Traffic Census 2018, with a considerable amount of traffic flow. It is one of the centres of activity in Sai Wing Pun and is busy throughout the year.



There are many local stores that have been operating for decades on the roadside and their business is still prosperous. Along the densely populated DVRW, the tram squealing noise is a serious urban noise source and disturbance to many residents, which suggests that the Site is likely to be susceptible to air pollution and traffic noise. All these traits imply that DVRW, though with people resided for providing the necessary labour workforce in support of the commercial activities, is essentially characterized by a mixed-use landscape, as a **transient zone leading from the CBD** to the quieter residential area in Kennedy Town. Small-scale

offices will meet the local demand of small businesses who could not afford the high rent in the CBD or even in Sheung Wan. Office developments are also less susceptible to the noise and air impacts from DVRW due to the fixed window design and the installation of central air-conditioning system.

3.3 Whether the proposed office building is at the right location

The Site is immediately adjoining the bustling DVRW, which is the major source of air and noise pollution of the vicinity, the proposed office is considered at the right location given the following reasons:

- ✧ Office development is less susceptible to the noise and air impacts from DVRW and will not create environmental nuisance and vice versa due to the fixed window design and the installation of central air-conditioning system.
- ✧ Providing more residential units at locations highly accessible to CBD might not be unfavorable as mixed-use development could help balance job distribution and reduce daily commuting trips to/from CBD, thus reducing traffic congestion.
- ✧ With a higher site coverage and PR, the proposed office building is considered a 'good' buffer building to screen the noise impact for residential use to the further south.
- ✧ Office development at the Site does not require prescribed windows for sunlight and air ventilation, thus will have more design flexibility under the severe site constraints of being sandwiched closely by two adjoining buildings.
- ✧ The Site is located along the major distributor of the vicinity - DVRW which directly connects to the CBD. It is also well served by public transports, especially after the commencement of HKU Station. It would be beneficial to provide small office to cater the local needs, especially to the vicinity where is undergoing a rapid change.
- ✧ At a highly accessible location, the proposed development will not create any traffic problems and TD has no objection to the case. It also complies with main planning criteria "c" of TPB PG-No.5.

On the other hand, the subject site is considered to be **non-conductive for residential development** for the reasons explained below. Both notional and proposed schemes submitted via the s.16 and s.17 application are designed with the assumptions of optimization of their respective permissible development potentials and compliance with the prevailing building and fire safety regulations and Sustainable Building Design Guidelines (SBDG), for a better comparison with one another.

Reason 1: The low efficiency ratio due to site constraints would only yield a very limited no. of flat production and would result in flats in substandard in size, i.e. “nano-flats” under B(P)R

The Site is small and has a narrow and elongated configuration with frontages of **only about 4.65m wide**. It is sandwiched between two high-rise residential buildings Under the B(P)R, the proposed office building is allowed to be erected up to 60% site coverage (above podium) with a higher plot ratio (PR) at 15; while the SC and PR of any residential schemes would be much limited (Table 1 refers), which would be 39% and 5.4 under the notional residential scheme. Under this notional scheme, the maximum floor plate will have an area of less than 54sqm, within which nearly **36 sqm** will be required for staircases, lift shafts and common corridor and the remaining GFA for domestic use is only about **18 sqm** on each floor. The efficiency ratio is even worse with a higher PR at 8 and the corresponding SC of 33.33% under the B(P)R. Developing the site as residential use is considered a waste of scarce urban land resources.

Table 1:- Development Controls under B(P)R

Percentage Site Coverages and Plot Ratios

Height of building in metres	Domestic buildings						Non-domestic buildings					
	Percentage site coverage			Plot ratio			Percentage site coverage			Plot ratio		
	Class A	Class B	Class C	Class A	Class B	Class C	Class A	Class B	Class C	Class A	Class B	Class C
	site	site	site	site	site	site	site	site	site	site	site	site
Not exceeding 15 m	66.6	75	80	3.3	3.75	4.0	100	100	100	5	5	5
Over 15 m but not exceeding 18 m	60	67	72	3.6	4.0	4.3	97.5	97.5	97.5	5.8	5.8	5.8
Over 18 m but not exceeding 21 m	56	62	67	3.9	4.3	4.7	95	95	95	6.7	6.7	6.7
Over 21 m but not exceeding 24 m	52	58	63	4.2	4.6	5.0	92	92	92	7.4	7.4	7.4
Over 24 m but not exceeding 27 m	49	55	59	4.4	4.9	5.3	89	90	90	8.0	8.1	8.1
Over 27 m but not exceeding 30 m	46	52	55	4.6	5.2	5.5	85	87	88	8.5	8.7	8.8
Over 30 m but not exceeding 36 m	42	47.5	50	5.0	5.7	6.0	80	82.5	85	9.5	9.9	10.2
Over 36 m but not exceeding 43 m	39	44	47	5.4	6.1	6.5	75	77.5	80	10.5	10.8	11.2
Over 43 m but not exceeding 49 m	37	41	44	5.9	6.5	7.0	69	72.5	75	11.0	11.6	12.0
Over 49 m but not exceeding 55 m	35	39	42	6.3	7.0	7.5	64	67.5	70	11.5	12.1	12.6
Over 55 m but not exceeding 61 m	34	38	41	6.8	7.6	8.0	60	62.5	65	12.2	12.5	13.0
Over 61 m	33.33	37.5	40	8.0	9.0	10.0	60	62.5	65	15	15	15

(L.N. 294 of 1976)

It is also mentioned in the MPC paper that the size of the proposed residential flats to be built at the Site would be dependent on the design of the future development and the applicant's decision whether to redevelop the Site with the maximum permissible SC/PR under B(P)R; and that the notional residential scheme submitted by the applicant is only one of the many schemes achievable under B(P)R. In response to this comment, the Applicant has prepared

more notional residential schemes of different SC/PR assumptions to demonstrate that the Site is not conducive to residential developments due to its small plot size and elongated shape. (*Attachment A* refers) Under all scenarios of the notional residential schemes, the Site would inefficiently yield **a very limited nos. of flat productions and create substandard flat sizes** for R(A) Development Flat which are definitely not the type of flat the Hong Kong Government aims to increase in supply. The substandard “nano-flats” are not the type of building plans acceptable by BD with the more stringent standards nowadays.

Reason 2: With the site constraints, residential development will be more susceptible to air and noise pollutions than the proposed office development equipped with central air-conditioning and other noise mitigation measures

The Site is immediately bounded by high-rise residential building to the east and west. Further setting backwards of the building in the “alley” would render worse indoor living environment due to the deficiency of natural light and air ventilation. On the other hand, in case that the residential building would be situated along DVRW, the subject Site would be subject to the noise and air impacts from the bustling DVRW - a District Distributor (DD) as mentioned above. For residential use, it is provided in the HKPSG Chapter 9, a not less than 10m setback (Table 3.1) is recommended from the DD to avoid air impact, and at least 120m buffer distance (Table 1.3) away from DD to mitigate noise impact. A fixed window design is both undesirable for residential development.

Additional Traffic Noise Measurement

To substantiate of the above statement, a quantitative assessment on the potential traffic noise impacts from Des Voeux Road West, the major sources of pollution, are conducted and submitted in this s.17 review application. The Assessment Criteria is based on HKPSG on the maximum permissible road traffic noise level at the external facades of noise sensitive buildings which rely on openable windows for ventilation, which is specified as follows:

$L_{10(1 \text{ hour})}$ 70dB(A), for all domestic premises

A site measurement was conducted on 15th- 17th Jul 2022 continuously at 3/F of Project Site at 1 hour interval to study the associated traffic noise impact. Measurement was taken at 1.2m above the floor and 1m away from the facade of openable windows (which would be for ventilation purpose) facing Des Voeux Road West in a dormitory of the existing building on the site. Weather was fine during the measurement period. The measurement set-up is shown in **Figure.1**.



Figure 1. Measurement Set-up

Assessment Result

The measured $L_{Aeq, 1hrs}$ and $L_{10, 1hrs}$ of each measured hours are summarized in **Table 2** and shown graphically in **Figure 2**. From the measurement result, most measured L_{10} levels during day-time period (07:00-19:00) and early evening time period (19:00-20:00) exceeded criteria 70dB(A) by 1-2 dB(A). The highest L_{10} level 72.13dB(A) was measured at 16th Jul 10:00-11:00hours. It shows that the surrounding environment of the Site is not desirable for residential use. This persistent exceedance of standards could hardly be overcome by any noise mitigation measures to protect the long-term health of future residents.

Table 2. The result summary of measured noise level

Date	Time	LAeq, dB(A)	L10, dB(A)	L10 requirement	Compliance(Y/N)
15-Jul	17:00-18:00*	68.68	71.80	70	N
	18:00-19:00	68.31	71.28	70	N
	19:00-20:00	67.67	70.59	70	N
	20:00-21:00	66.89	70.04	70	Y
	21:00-22:00	66.91	69.86	70	Y
	22:00-23:00	66.43	69.70	70	Y
	23:00-00:00	65.20	68.72	70	Y
16-Jul	00:00-01:00	63.87	66.59	70	Y
	01:00-02:00	61.55	63.82	70	Y
	02:00-03:00	60.46	62.88	70	Y
	03:00-04:00	60.62	61.70	70	Y
	04:00-05:00	60.32	61.94	70	Y
	05:00-06:00	62.04	65.11	70	Y
	06:00-07:00	65.13	68.78	70	Y
	07:00-08:00	67.13	70.74	70	N
	08:00-09:00	67.98	71.11	70	N
	09:00-10:00	68.37	71.46	70	N
	10:00-11:00*	68.92	72.13	70	N
	11:00-12:00	69.11	71.79	70	N
	12:00-13:00	69.01	71.92	70	N
	13:00-14:00	69.33	72.07	70	N
	14:00-15:00	69.69	71.86	70	N
	15:00-16:00	69.05	71.81	70	N
	16:00-17:00	68.57	71.51	70	N
	17:00-18:00*	68.79	71.93	70	N
	18:00-19:00	67.85	70.78	70	N
	19:00-20:00	67.76	70.72	70	N
	20:00-21:00	67.24	70.07	70	Y
	21:00-22:00	66.57	69.80	70	Y
	22:00-23:00	66.50	69.77	70	Y
	23:00-00:00	64.98	68.19	70	Y
17-Jul	00:00-01:00	63.29	65.94	70	Y
	01:00-02:00	61.87	64.15	70	Y
	02:00-03:00	60.21	62.56	70	Y
	03:00-04:00	59.55	61.41	70	Y
	04:00-05:00	61.08	63.02	70	Y

	05:00-06:00	61.98	64.72	70	Y
	06:00-07:00	64.81	68.36	70	Y
	07:00-08:00	65.75	69.55	70	Y
	08:00-09:00	67.18	70.19	70	Y
	09:00-10:00	66.95	70.17	70	Y
	10:00-11:00	67.33	70.45	70	N
	11:00-12:00	67.67	70.68	70	N
	12:00-13:00*	68.73	71.81	70	N
	13:00-14:00	68.54	71.48	70	N
	14:00-15:00	68.08	71.16	70	N
	15:00-16:00	68.07	70.75	70	N
	16:00-17:00	67.27	70.36	70	Y

[1] *Peak Hours identified

[2] Noise level exceedance of 70.4 dB highlighted in red

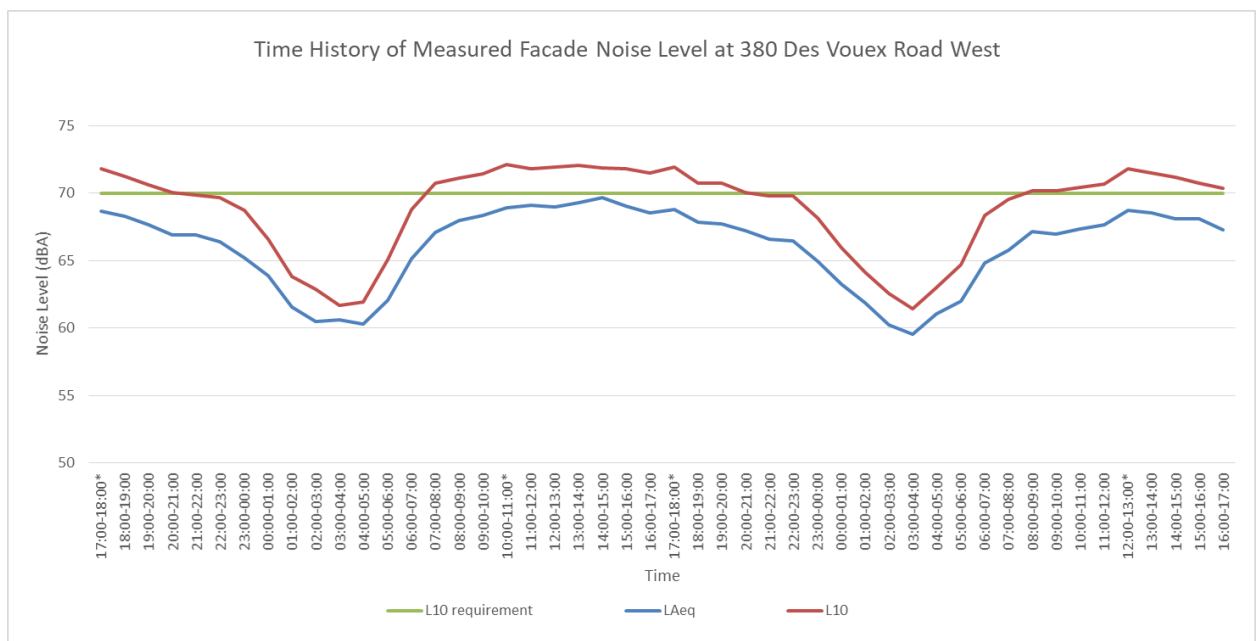


Figure 2. The measured noise levels

3.4 In Line with TPB's Prevailing Position on Non-housing Proposal in "R" Zone

According to the 1198th TPB Meeting held on 29.3.2019, it was stressed that the TPB guidelines "were intended for general reference only and the decision to approve or reject an application rested entirely with the Board". For the precedent case-by-case considerations by the TPB based on individual merits, focusing especially on predominance of land uses and site suitability for which uses, some previously approved s.16 / s.17 cases are drawn as reference to substantiate our statements above, which are summarized below:

<i>Proposed Office, Eating Place and Shop and Services within the R(A) Zone at 2-4 Shelley Street, Sheung Wan</i>	
A/H3/402 (13.7.2012) (310.79 m ²) (Approved with conditions)	According to the TPB paper, this case is located in an area mixed with commercial and residential developments along the Mid-levels Escalator. <u>Commercial activities such as restaurants, bars and shops are found on the ground level of buildings.</u> There are also commercial/office buildings in the immediate surroundings. It was considered as not being incompatible with the surroundings uses. (1015 th TPB Meeting on 13.7.2012)
<i>Proposed Office at 197-197A Reclamation Street, Yau Ma Tei</i>	
A/K2/193 (10.6.2011) (137.96 m ²) (Approved with condition)	As stated in the TPB paper, the site is surrounded by predominately tenement buildings with G/F for shop use and some commercial/residential developments with the lowest floors for commercial uses. Commercial/office developments are mainly located to the east along Nathan Road. The proposal is not compatible with the residential nature of the surrounding area. Members shared the view that the applicant had put forward a practical scheme in view <u>of the site constraint due to the small size</u> of the site and they considered that office development in the area <u>would not create great compatibility problem</u> . Two members and the Vice-chairman were of the view that the proposal would <u>help improve the environment of the area and provide incentive for redevelopment</u> . Another member suggested that the area was still residential in nature, the applicant should be advised to incorporate some design in the proposed development such that it would not generate any impact to the surrounding residential developments, which was agreed by members. (985 th TPB Meeting on 10.6.2011)

	After considerations of a range of individual merits, the Board approved with conditions. <u>It indicates that the compatibility of commercial and residential uses can be ascertained and controlled by design.</u>
<i>Proposed Office at 3/F to 5/F 598 Shanghai Street, Mongkok</i>	
A/K3/574 (12.5.2017) (210.964 m ²) (Approved with condition)	Given the <u>small size of the site</u> , the proposed development would have <u>insignificant impact on the housing land supply</u> and <u>was not expected to have significant adverse effect on the character of the neighborhood</u> . It was generally in line with the TPB PG-No.5 in that the proposed purposely-design office development was compatible with the surrounding land uses and would not generate adverse traffic impact on the adjacent road network. This case was therefore approved with conditions. (580 th MPC Meeting on 12.5.2017)
<i>Proposed Hotel at 17-19 Third Street, Sai Ying Pun</i>	
A/H3/392 (28.5.2010) (95.97 m ²) (Approved with condition)	In this case, TPB Members were concerned if the proposed development <u>would change the existing character</u> of the subject area <u>with predominant low and medium-rise residential developments</u> . One other member held a different view and considered that a hotel for short-stay backpackers would not necessarily alter the character of the area. The Vice-Chairman considered that the proposed hotel use, be it long-stay or short-stay, was compatible with the residential neighborhood. (419 th MPC Meeting on 28.5.2010) Despite the <u>debates among TPB members</u> on whether it would affect the existing unique character of the subject area, <u>the case was approved by the Metro Planning Committee</u> with the design of façade subject to approval conditions. On the other hand, the land use compatibility of this DVRW case will be much less of a controversy due to the mixed nature of land use in the surroundings as aforementioned. As compared to Third Street with a <u>much quieter neighborhood</u> , <u>the subject site is subject to higher impact of traffic noise and air pollution along the DVRW</u> and hence less suitable for residential uses.
<i>Proposed Hotel at 11-25 Tai Nan Street, Kowloon</i>	

<p>A/K3/561</p> <p>(189.622m²)</p> <p>(Approved with condition)</p>	<p>The site <u>was located within a predominantly residential neighborhood with commercial uses on the ground floor</u> level of the residential buildings, and some commercial and hotel developments. The site was considered <u>small in size</u> of the site at sandwiched between a construction site for hotel development and a residential building, and that <u>the net gain in the number of residential units (i.e. 18 to 20 flats) that could be provided upon redevelopment was limited</u>. The TPB members were of the view that:</p> <ul style="list-style-type: none"> ● <u>approving the application might not adversely affect the overall supply of housing units as the lot would unlikely be redeveloped for residential development on its own. There would also only be marginal net gain of 2 residential units if building was redeveloped for residential use;</u> ● rejecting the application would not help in any way to increase housing supply; ● It would be <u>beneficial from an urban renewal point of view</u> to approve the application; and ● The proposed development was considered <u>not incompatible with the surrounding development in land use terms and not expected to have any significant adverse effect on the character of the neighborhood.</u> <p>Based on the above, the TPB approved the case with conditions.</p> <p>(1079th TPB Meeting on 13.2.2015)</p>
--	--

Also possessing the merits of individual approved precedent cases and with even a higher degree of site suitability as elaborated above, the Planning Department is invited to give favourable considerations to the subject proposal.

3.5 The Proposal is Compliance with Planning criteria of TPB PG-No.5

As explained in the s.16 planning application and the supplemental information in this s.17 application, compliance with TPB PG-No.5 of the subject case is fully justified. A summary is provided as follows:

Scope and Application – Demand for office use

- (i) There has been a demand for small offices in area in the Central and Western district. According to Hong Kong Property Review 2022, the vacancy rates of total and Grade C private offices are 9.9 % and 8.7% respectively, which are both lower than the overall figures in Hong Kong¹
- (ii) The proposed development provides a floor plate of an office unit of about 43.6 sqm this size range is most sought after in the district. DVRW as a transient zone connecting directly to the CBD. Small-scale offices will meet the local demand of small businesses who could not afford the high rent in the CBD or even in Sheung Wan.
- (iii) The location is convenient well served by public transport network, with the B1 entrance of HKU station located within 3 minutes walking distance, which would make it more attractive
- (iv) With rich commercial activities in the neighborhood, it would be beneficial to provide small office to cater the local needs backing up these commercial services.
- (v) It is one of the strategic directions in “Towards a Planning Vision and Strategy Transcending 2030” (2030+) to provide office spaces in CBDs and other office nodes with a view to creating capacity for sustaining economic growth and broadening economic base, which has been re-affirmed in the latest version published in 2021. Based on its updated assessment, the estimated land requirement for policy-driven economic uses increases from 257 hectares in the 2016 assessment to 860 hectares (lower range), which include the forward-looking visions of promote the development of science, innovation and technology-related industries and support sustained development of construction industry and recycling industry related facilities. These new policy visions will generate strong demands for commercial space in Hong Kong in future.

Main Planning Criteria

- a In Gage Decision, the Appeal Board has provided a correct interpretation of this clause that its purpose is to “achieve a properly designed office” and that it is not against small sites or for large sites only. The floor plate of an office unit of about 43.6 sqm in the subject scheme is of appropriate size for properly designed small-scale offices which will meet the local demand of small businesses

¹ Hong Kong Property Review 2022 (2022), <https://www.rvd.gov.hk/en/publications/hkpr.html>

- b The Traffic Review demonstrated that due to site constraint and narrow frontage, provision of internal transport facilities at the Site is not feasible. Alternative locations for L/UL are available at the kerbside of DVRW. The Traffic Review also demonstrated that the proposed development would not cause congestion and disruption to the traffic flow of the locality. TD had no adverse comment on the s.16 application in question;
- c The Site is well served by public transports, including MTR, franchised bus, trams and minibus.
- d The Site is located in a predominantly mixed-use area, particularly along the bustling DVRW with vibrant and variety of uses including residential, retails, restaurants, offices, markets hotels, serviced apartment, etc. It is stated in the MPC paper that the proposed office development with 'Shop and Services' use on the lowest three floors is considered not entirely incompatible with the surrounding developments. In terms of predominance of land uses, various commercial/office buildings can be identified within a 300- metre walking distance from the Site. The vicinity has the tradition of being vertically (various commercial buildings can be identified in the nearby street blocks) and horizontally mixed (shops and restaurants are always at the lowest three floors) with various locations previously zoned "C/R", in which commercial and residential uses were always permitted. Very limited number of buildings are purely residential in nature in the area. In this regard, as explained above, the character of the area should be construed holistically by the streetscapes, street activities and the general impression and feelings that the area would offer to people experience in it, which include the thriving, busy and noisy vibe of the commercial and transport activities which have long been established in Sai Yong Pun.
- e Office development is more efficient and can achieve environmental gains by avoiding environmental nuisance caused by road traffic and the surrounding retail uses. The proposed development will also provide a long active frontage on G/F to contribute to local vitality and utilize the permissible development potential. These can be considered as planning gains.
- f DVRW is the main source of noise and air pollution in the locality. The proposed development will be installed with central air conditioning system and fixed window design which can mitigate the environmental impacts caused by DVRW. The proposed office development is less susceptible to the noise and air pollution from DVRW than residential development, as office development does not require prescribed windows for sunlight and air ventilation. It can also serve as a buffer building to the residential

developments located to its further south.

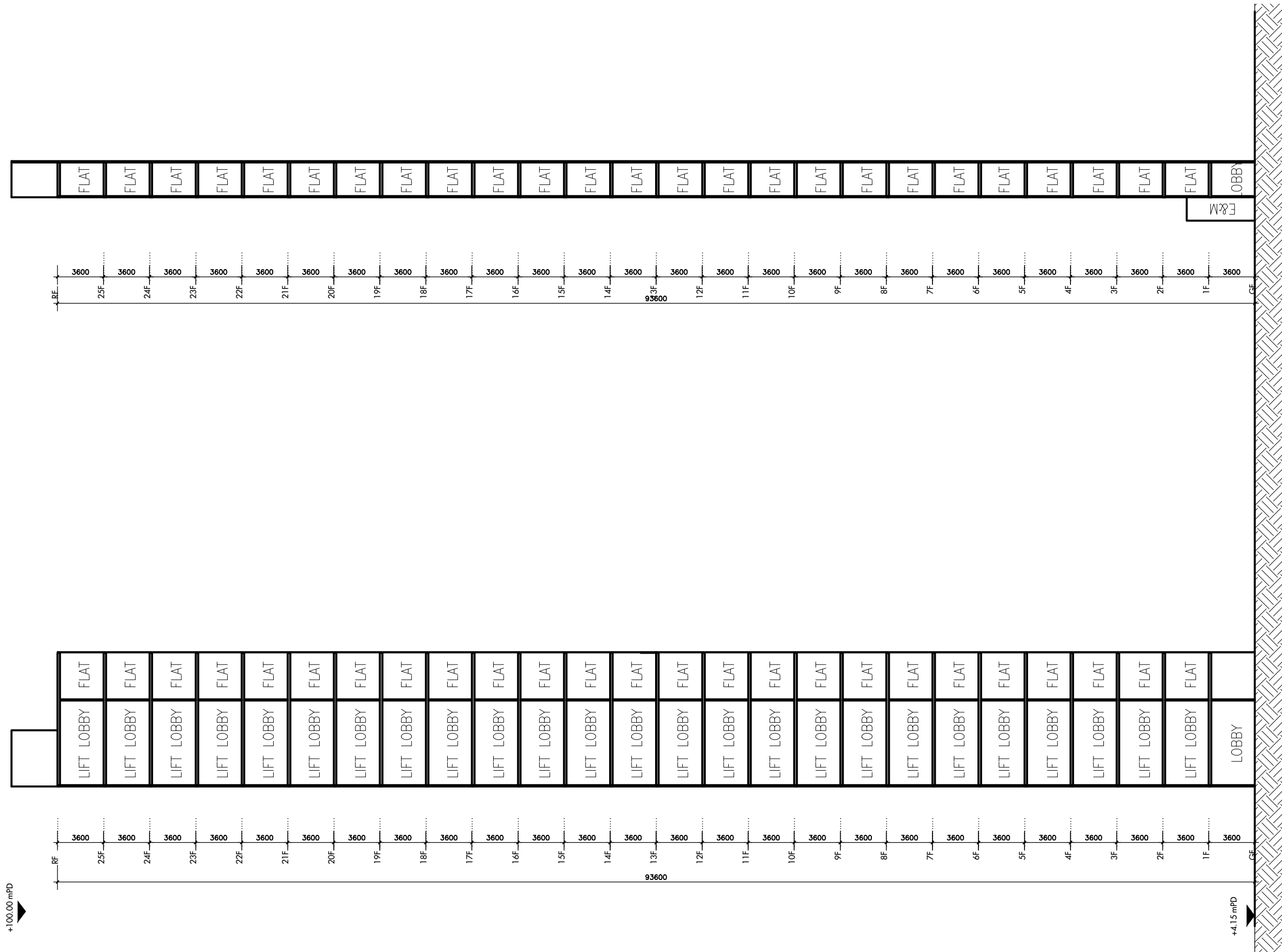
3.6 Clarification on the Issue of Alleyway

The alleyway between the application site and the adjacent Grace Mansion currently serves as an access the entrances of the existing residential building at the application site and Grace Mansion. However, the Applicant confirms that such an alleyway will not be used in the redevelopment proposal for the office.

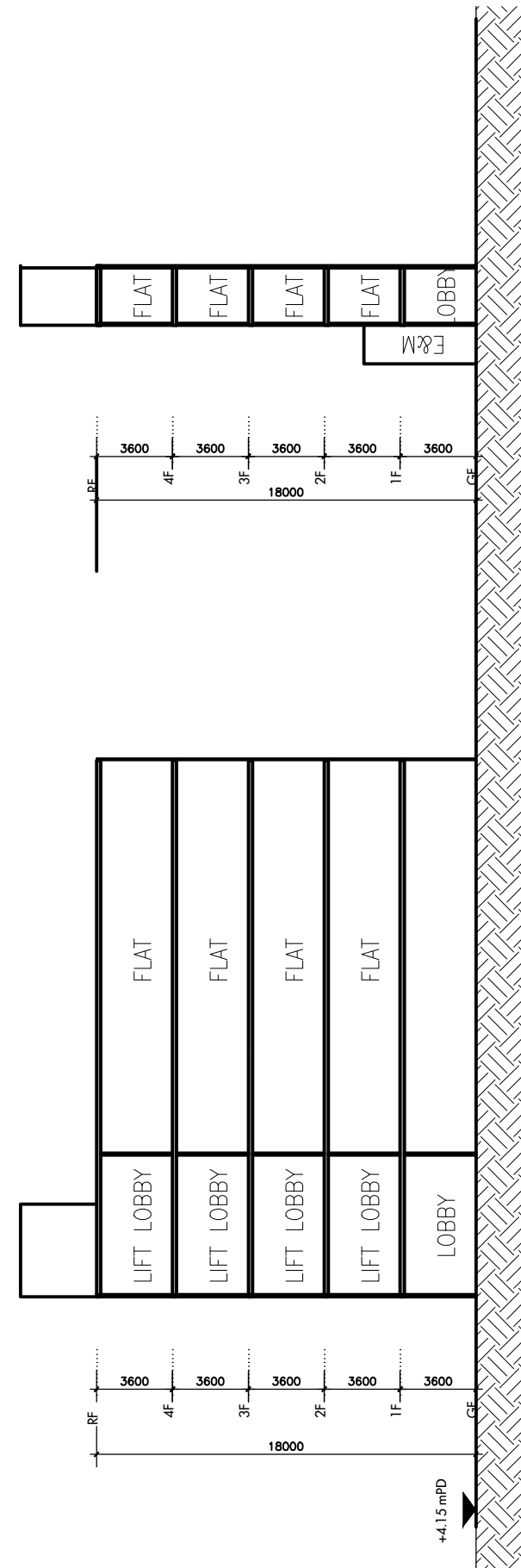
[4] Summary

Small businesses are pillars to the Hong Kong economy. They should be looked after and facilitated as far as possible within the existing socio-economic framework. After all, office and residential uses are in nature complementary to each other. Office buildings in a residential area can give life to the area during daytime. No nuisance caused by the office uses is anticipated. A TPB Member raised in case no. A/H3/436 at the meeting on 17/01/2022 for proposed office development in “R(A)” zone that “...mixed-use development could help balance job distribution and reduce daily commuting trips to/from CBD, thus reducing traffic congestion”. With the proposed development parameters fully comply with the OZP, the scale and nature of the Proposed Development is considered perfectly compatible with its surrounding environment.

It is demonstrated in this written representation that the site is located in a predominantly mixed area, not suitable for residential development and satisfies the Scope and Application and the Planning Criteria of the TPB-PG No.5. It is considered that the site constraints rendering non-conducive for residential developments should be a major factor of this case which may be more appropriate to be given more weights in relation to other planning criteria and flexibility should be exercised when considering this case. Additional supporting materials, including noise measurement results, an additional notional residential scheme (*Attachment A*) and case comparisons are presented herewith. Based on the above, the TPB is kindly invited to give favorable considerations to this application.



-	02-08-2022		SECTION		AL				
修订 Rev.	日期 Date		内容摘要 Description		绘图 By		校对 Chk'd		批准 App'd
图底阶段 Drawing Status							适用 Suitability		
DESIGN STAGE									
建筑师及设计组领导 Architect & Lead Design Consultant									
<div>CUPIO DESIGN STUDIO</div>									
业主 Client									
设计单位 Design Institute									
<div><div>CUPIO DESIGN STUDIO</div><div></div><div>DeSPACE (International) Limited</div></div>									
项目 Project Title									
SECTION 16 APPLICATION FOR ML 186 S.A RP, 380 DES VOEUX ROAD WEST, SAI YING PUN									
图标 Drawing Title									
SECTION - RESIDENTIAL USE SCHEME A									
比例 Scale	设计 Designed	绘图 Drawn	校对 Checked	批准 Authorised					
1:300									
图底尺寸 Original Size	日期 Date	日期 Date	日期 Date	日期 Date					
A3	02/08/2022								
图号 Drawing Number								修订 Revision	
SK05								-	



SECTION - RESIDENTIAL USE


-	02-08-2022	SECTION					AL		
修订 Rev.	日期 Date	内容摘要 Description					画面 By	校对 Chkd	批准 App'd
图纸阶段 Drawing Status								适用 Suitability	
DESIGN STAGE									
建筑师及设计组领导 Architect & Lead Design Consultant									
<div>CUIPO DESIGN STUDIO</div>									
业主 Client									
设计单位 Design Institute									
<div>CUIPO DESIGN STUDIO</div> <div> DeSPACE (International) Limited</div>									
项目 Project Title									
SECTION 16 APPLICATION FOR ML 186 S.A RP, 380 DES VOEUX ROAD WEST, SAI YING PUN									
图名 Drawing Title									
SECTION - RESIDENTIAL USE SCHEME B									
比例 Scale	1:300	设计 Designed	画面 Drawn	校对 Checked	批准 Authorised				
图纸尺寸 Original Size	A3	日期 Date 02/08/2022	日期 Date	日期 Date	日期 Date				
图号 Drawing Number								修订 Revision	
SK04								-	

Table: 5.1 comparison Between the Proposed Office Scheme and the Hypothetical Residential Scheme

	Non-Domestic Scheme	Domestic Scheme A	Domestic Scheme B
Site Area	139.2 sqm	139.2 sqm	139.2 sqm
Total GFA	Not more than 2088 sqm	Approx. 906.2 sqm	Approx. 459.36 sqm
Site Coverage (Above 15 m)	60%	33.33%	66.6%
No. of Units	20	24	4
Average Unit Size	43.5 sqm	10.9 sqm	49.8 sqm
Plot Ratio	15	8	3.3
Building Height	Not more than 100mPD	Not more than 100mPD	Not more than 100mPD
Number of Storey	23	24	4
UFA of Typical Floor	43.5 sqm	10.9 sqm	49.8 sqm

REMARKS: According to Building (Planning) Regulations, site coverage decreases with increasing plot ratio when we develop for greater height. As for the subject site, we can only acquire 8 as the permitted plot ratio under Domestic Scheme A with the building site coverage has to go down to 33.33%. If we go for a larger site coverage (e.g. Domestic Scheme B), larger or more desirable flat sizes can be produced, yet the plot ratio and the maximum GFA achieved will be significantly lower, and thus the precious land resources in this prominent area will be largely wasted.

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220617-142146-07555

提交限期

Deadline for submission:

02/07/2022

R-1

提交日期及時間

Date and time of submission:

17/06/2022 14:21:46

有關的規劃申請編號

The application no. to which the comment relates:

A/H3/444

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. 陳

意見詳情

Details of the Comment :

敬啟者：

本人是德輔道西擬議規劃附近的居民，有感規劃會造成居民不良影響特來信表達對擬議規劃(A/H3/444)的反對意見，原因如下：

1. 與地區規劃不同

德輔道西的大廈都是以住宅為主，地下為商鋪的建築。周邊商戶及建設皆為附近居民民生服務。

而規劃打算興建的辦公室及商店與原來的規劃格格不入，周邊商戶配套也不合適。若建成後增加的使用者亦有機會影響原有居民使用民生服務。

2. 地盤面積過少，與趨勢不符

與地盤鄰近的創業商場在2年前剛重新裝修並統一所有小型店鋪更名為石塘坊。

上述例子顯示，現時附近居民需求的都是中大型的辦公室及商店及服務行業。而規劃打算興建的商店面積細少，而辦公室更是市場上所謂的納米樓尺寸。

實與社會趨勢不符。若強行建設只會造成死場，浪費寶貴的土地資源。

綜上述原因，本人誠懇希望委員能反對上述規劃申請。

祝

台安

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Re: A/H3/444 380 Des Voeux Road West, Shek Tong Tsui

28/06/2022 02:50

From:

To:

File Ref:

tpbpd <tpbpd@pland.gov.hk>

R-2

Dear TPB Members,

Re review:

The applicant claimed that the Site is not conducive to residential developments due to its small plot size and elongated shape, and only 9 "nano-flats" of about 13.45m² (in terms of usable floor area) could be provided, which would be undesirable. However, the size of the proposed residential flats to be built at the Site would be dependent on the design of the future development and the applicant's decision whether to redevelop the Site with the maximum permissible SC/PR under B(P)R. It should be noted that the notional residential scheme submitted by the applicant is only one of the many schemes achievable under B(P)R.

Indeed, so no justification for review.

Mary-Mulvihill

From:

To: tpbpd <tpbpd@pland.gov.hk>

Date: Sunday, 21 November 2021 3:52 AM CST

Subject: A/H3/444 380 Des Voeux Road West, Shek Tong Tsui

A/H3/444

380 Des Voeux Road West, Shek Tong Tsui

Site area : About 139.2sq.m

Zoning : "Res (Group A) 6"

Applied development : Office and Shop and Services / PR 15 / 100mPD

Dear TPB Members,

The applicant is so eager to insist that the site is not suitable for residential that it takes on the famous line from Hamlet that 'doth protest too much'.

The Application Site is not conducive to residential development

Given that the Site is adjacent to Des Voeux Road West where heavy road traffic is evident, it is inevitable that the development will be heavily subject to adverse air and noise impacts.

"In general, the Board will give favourable consideration to planning applications for office developments which produce specific environmental and planning gains – for example, if the site is located near to major source of air and noise pollution such as a major road, and the proposed office development is

equipped with central airconditioning and other noise mitigation measures which make it less susceptible to pollution than a residential development. Other forms of planning gain which the Board 5 would favour in a proposed office development would include public open space and community facilities required in the planning district."

This is a long narrow site with a pedestrian alleyway separating it from a residential building. There is a public garden at the end. In the context of urban living a residential tower with its smaller footprint would in fact allow better ventilation between Des Voeux and Sai On Lane, and would certainly be more beneficial to the residents at Grace Mansion than a bulky wall effect office block on a site that is currently only 4 stories high. Shops and services could be provided in the podium.

A well planned structure towards the Sai On Lane would allow residents to look out onto the podium of Grace Mansion and the public garden.

The proposed development is a good precedent for the market to avoid nano-flat development.

the residential redevelopment would lead to the increase in the supply of substandard flats that are not supported by the TPB nor the Government

So don't build nano flats, with a lift shaft at the centre this could be a development of two family sized units per floor. Just what Hong Kong needs to encourage an increase in the fertility rates. This is a district close to many prestigious schools. It is the developers who choose to go down the road of "substandard" developments. There is a market for well planned family-friendly homes.

The proposed uses will not cause land use interface problems, but will facilitate rejuvenation of the old urban core.

This statement is applicable to any form of redevelopment.

*The minutes of the MPC Meeting on 23.4.2010 showed that the reason for the rezoning of the Site and its surrounding area to "R(A)" **was to maintain the existing residential nature of the area at that time.***

Indeed.....

In view of the zoning, the residential nature of the location and the proximity to public gardens, basketball court and good schools members should reject this application.

Mary Mulvihill

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk



To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

R-3

有關的規劃申請編號 The application no. to which the comment relates

A/H3/444

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

致城市規劃委員會

家安大廈(德輔道西)業主立案法團就以上計劃表達意見：我們認為該計劃會導致鄰近大廈產生環境衛生、噪音及治安問題。香港人口不斷增加，住屋需求大；政府近年積極妥地建屋以滿足市民的需求。380號地段面積窄而長，建做小型住宅單位更適合於改作商業用途，況且鄰近有石塘咀和香港商業大廈。因此本法團要求城規會拒絕 380號業主改變用途的申請。

家安大廈(德輔道西)
業主立案法團

「提意見人」姓名/名稱 Name of person/company making this comment

簽署 Signature



日期 Date 28-06-2022

☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&publi



Re: A/H3/444 380 Des Voeux Road West, Shek Tong Tsui
28/08/2022 02:32

From:
To:
File Ref:

[Redacted]

Seq 1

R-4

Dear TPB Members,

In its own statement:

Providing more residential units at locations highly accessible to CBD might not be unfavorable as mixed-use development could help balance job distribution and reduce daily commuting trips to/from CBD, thus **reducing traffic congestion**.

Meaning it would be favourable! QED

Mary Mulvihill

From: [Redacted]
To: tpbpa@tpbpa@pland.gov.hk
Date: Tuesday, 28 June 2022 2:50 AM CST
Subject: Re: A/H3/444 380 Des Voeux Road West, Shek Tong Tsui

Dear TPB Members,

Re review:

The applicant claimed that the Site is not conducive to residential developments due to its small plot size and elongated shape, and only 9 "nano-flats" of about 13.45m² (in terms of usable floor area) could be provided, which would be undesirable. However, the size of the proposed residential flats to be built at the Site would be dependent on the design of the future development and the applicant's decision whether to redevelop the Site with the maximum permissible SC/PR under B(P)R. It should be noted that the notional residential scheme submitted by the applicant is only one of the many schemes achievable under B(P)R.

Indeed, so no justification for review.

Mary Mulvihill

From: [Redacted]
To: tpbpa@tpbpa@pland.gov.hk
Date: Sunday, 21 November 2021 3:52 AM CST
Subject: A/H3/444 380 Des Voeux Road West, Shek Tong Tsui

A/H3/444
380 Des Voeux Road West, Shek Tong Tsui
Site area : About 139.2sq.m
Zoning : "Res (Group A) 6"
Applied development : Office and Shop and Services / PR 15 / 100mPD

Dear TPB Members,

The applicant is so eager to insist that the site is not suitable for residential that it takes on the famous line from Hamlet that 'doth protest too much'.

The Application Site is not conducive to residential development

Given that the Site is adjacent to Des Voeux Road West where heavy road traffic is evident, it is inevitable that the development will be heavily subject to adverse air and noise impacts.

*"In general, the Board will give favourable consideration to planning applications for office developments which produce specific environmental and planning gains – for example, **if the site is located near to major source of air and noise pollution such as a major road**, and the proposed office development is equipped with central airconditioning and other noise mitigation measures which make it less susceptible to pollution than a residential development. Other forms of planning gain which the Board would favour in a proposed office development would include public open space and community facilities required in the planning district."*

This is a long narrow site with a pedestrian alleyway separating it from a residential building. There is a public garden at the end. In the context of urban living a residential tower with its smaller footprint would in fact allow better ventilation between Des Voeux and Sai On Lane, and would certainly be more beneficial to the residents at Grace Mansion than a bulky wall effect office block on a site that is currently only 4 stories high. Shops and services could be provided in the podium.

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The proposed uses will not cause land use interface problems, but will facilitate rejuvenation of the old urban core.

This statement is applicable to any form of redevelopment.

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Indeed.....

In view of the zoning, the residential nature of the location and the proximity to public gardens, basketball court and good schools members should reject this

application.

Mary Mulvihill

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220901-200226-41302

提交限期

Deadline for submission:

02/09/2022

Seq 1

提交日期及時間

Date and time of submission:

01/09/2022 20:02:26

P-5

有關的規劃申請編號

The application no. to which the comment relates:

A/H3/444

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Li

意見詳情

Details of the Comment :

敬啟者：

本人是德輔道西擬議規劃附近的居民，有感規劃會造成居民不良影響特來信表達對擬議規劃(A/H3/444)的反對意見，原因如下：

1. 與地區規劃不同

德輔道西的大廈都是以住宅為主，地下為商鋪的建築。周邊商戶及建設皆為附近居民民生服務。

而規劃打算興建的辦公室及商店與原來的規劃格格不入，周邊商戶配套也不合適。若建成後增加的使用者亦有機會影響原有居民使用民生服務。

2. 地盤面積過少，與趨勢不符

與地盤鄰近的創業商場在2年前剛重新裝修並統一所有小型店鋪更名為石塘坊。

上述例子顯示，現時附近居民需求的都是中大型的辦公室及商店及服務行業。而規劃打算興建的商店面積細少，而辦公室更是市場上所謂的納米樓尺寸。

實與社會趨勢不符。若強行建設只會造成死場，浪費寶貴的土地資源。

綜上述原因，本人誠懇希望委員能反對上述規劃申請。

祝
台安

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Hong Kong West & South, Lands Department that the lot was carved out under private agreements, the actual site area of the Site shall be subject to verification;
- (b) to note the comments of the Chief Building Surveyor/Hong Kong West, Buildings Department that detailed comments under the Buildings Ordinance will be provided at building plan submission stage. Under the Buildings Ordinance (BO), any person who intends to carry out demolition works or building works is required to appoint an Authorized Person, and a Registered Structural Engineer and/or Registered Geotechnical Engineer where necessary, to prepare and submit plans for the approval of the Building Authority, save for the building works exempted from the BO or the building works falling within the designated minor works items implemented through the simplified requirements under the Minor Works Control System;
- (c) to note the comments of the Chief Highway Engineer/Hong Kong, Highways Department regarding the proposed canopy/projection outside the lot boundary and above public footpath shall have 3500mm vertical clearance and 600mm horizontal clearance from carriageway; the applicant should be responsible for the construction, installation and maintenance of the proposed canopy at the cost of the applicant, including the lighting system; the applicant should ensure no falling of losing part or the canopy onto the public footpath; and adequate drainage system should be provided to ensure the rainwater at the proposed canopy is properly collected and no dripping onto the public footpath is allowed;
- (d) to note the comments of Chief Architect/Central Management Division 2, Architectural Services Department that 20% greenery is suggested to be provided in accordance with PNAP APP-152;
- (e) to note the comments of the Director of Environmental Protection regarding the selection of a proper location for fresh-air intake during detailed design stage and avoiding exposing future occupants under unacceptable environmental nuisance or impact;
- (f) to note comments of the Antiquities and Monuments Office, Development Bureau regarding the preservation of some parts of the building/or fabrics with historic value for incorporating in the new development;
- (g) to note the comments of the Director of Fire Services regarding the fire service installations and water supplies for firefighting shall be provided to the satisfaction of the Fire Services Department; and the requirements of emergency vehicular access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011; and
- (h) to note the comments of the Commissioner of Police regarding no adverse traffic obstruction in or beyond the Site and the submission of Temporary Traffic Arrangement involving works on public carriageway and/or footpath to Police

(Road Management Office) and other stakeholders for comment prior to its implementation.