

TOWN PLANNING BOARD

Minutes of 656th Meeting of the Metro Planning Committee held at 9:00 a.m. on 18.9.2020

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Wilson Y.W. Fung

Vice-chairman

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Dr Roger C.K. Chan

Mr C.H. Tse

Chief Traffic Engineer/Hong Kong,
Transport Department
Mr M.K. Cheung

Chief Engineer (Works), Home Affairs Department
Mr Gavin C.T. Tse

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Dr Sunny C.W. Cheung

Assistant Director (Regional 1), Lands Department
Mr Simon S.W. Wang

Deputy Director of Planning/District
Miss Fiona S.Y. Lung

Secretary

In Attendance

Assistant Director of Planning/Board
Ms April K.Y. Kun

Chief Town Planner/Town Planning Board
Ms Caroline T.Y. Tang

Town Planner/Town Planning Board
Mr Ryan C.K. Ho

Opening Remarks

1. The Chairman said that the meeting would be conducted with video conferencing arrangement.

Agenda Item 1

Confirmation of the Draft Minutes of the 654th and 655th MPC Meeting held on 1.9.2020 and 4.9.2020

[Open Meeting]

2. The draft minutes of the 654th and 655th MPC meeting held on 1.9.2020 and 4.9.2020 respectively were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

3. The Secretary reported that there were no matters arising.

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/TW/14 Application for Amendment to the Notes of the “Government, Institution or Community (2)” Zone on the Approved Tsuen Wan Outline Zoning Plan No. S/TW/33, to Relax the Maximum Gross Floor Area, Building Height and Site Coverage for the Application Site in “Government, Institution or Community (2)” Zone, Lot 1236 RP in D.D. 453 and Extension Thereto, Lo Wai, Tsuen Wan, New Territories
(MPC Paper No. Y/TW/14B)

4. The Secretary reported that the application site was located in Tsuen Wan. Kenneth To & Associates Limited (KTA) and WSP (Asia) Limited (WSP) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Daniel K.S. Lau - being an ex-employee of the Hong Kong Housing Society which had business dealings with KTA;

- Mr Alex T.H. Lai - his former firm having business dealings with WSP;

- Mr Stanley T.S. Choi - his spouse being a director of a company which owned properties in Tsuen Wan; and

- Professor John C.Y. Ng - his spouse owning a flat in Tsuen Wan.

5. The Committee noted that the applicant had requested deferment of consideration of the application. Mr Alex T.H. Lai had not yet arrived to join the meeting. As Mr Daniel K.S. Lau had no involvement in the application and the properties owned by the company of Mr Stanley T.S. Choi’s spouse and Professor John C.Y. Ng’s spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

6. The Committee noted that the applicant's representative requested on 26.8.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the third time that the applicant requested deferment of the application. The applicant indicated that, since the last deferment, he had been liaising with the Water Supplies Department and more time was required to prepare a revised Water Supply Impact Assessment to address the departmental comments.

7. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

[Ms Katy C.W. Fung, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), and Ms Jessica Y.C. Ho, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), were invited to the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/820 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Use (Excluding Industrial Undertakings Involving the Use/Storage of Dangerous Goods) in “Other Specified Uses” annotated “Business” Zone and area shown as ‘Road’, 1016-1018 Tai Nan West Street, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K5/820)

8. The Committee noted that two replacement pages (p.8 of the Main Paper and p.1 of Appendix V) rectifying typographical errors had been tabled/issued for Members’ reference.

Presentation and Question Sessions

9. With the aid of a PowerPoint presentation, Ms Jessica Y.C. Ho, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) restriction for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of dangerous goods);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, two public comments from the same individual expressing concerns on the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was generally in line with the planning intention

of the “Other Specified Uses” annotated “Business” zone and the proposed building height (BH) of 130mPD complied with the BH restriction stipulated under the Outline Zoning Plan. The proposed minor relaxation of PR generally followed the policy on revitalization of pre-1987 industrial buildings, and the Development Bureau (DEVB) gave policy support to the application. Concerned government departments had no objection to or no adverse comment on the application on traffic, environmental and other aspects. Various planning and design merits, including building setbacks in accordance with the Outline Development Plan (ODP)’s requirements, two corner splays at Tai Nan West Street, a canopy along the building edges and greening provision (greenery coverage of 20%), were proposed to enhance the pedestrian environment and visual amenity along the building frontages. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

10. Some Members raised the following questions:
 - (a) noting that there was long-run shortfall of industrial floor space in Hong Kong as advised by DEVB, whether such shortfall was on a local or district basis;
 - (b) whether the proposed building setback was a requirement under the statutory plan which served specific planning purpose in the area, and whether there was a holistic district plan for streetscape enhancement. As the proposed planter boxes on the setback area might obstruct the pedestrian circulation which might compromise the purpose of street widening and streetscape improvement, whether such provision was permitted on the setback area;
 - (c) whether there was any precedent case that the proposed setback area was owned by the applicant upon completion of the development, and the mechanism to ensure that the proposed setback area would be opened for public use;
 - (d) design of the proposed canopy and whether there was any requirement on

the design of the canopy such as dimensions; and

- (e) details of the greening provision, calculation of the greenery area in the proposal, in particular whether the planter boxes on ground level were countable to the greenery area calculation, and possibility of planting trees along the setback area and public pavement.

11. In response, Ms Katy C.W. Fung, DPO/TWK, made the following main points:

- (a) the 2014 Area Assessments of Industrial Land in the Territory completed by PlanD had identified that there was demand for industrial floor space, including warehouse/storage use in Cheung Sha Wan area. Approval of the application would help address such demand;
- (b) the setback requirements were stipulated on the ODP, an administrative plan, since 2002, which were intended for streetscape improvement in the area. With the proposed building setback of 2m to 3.5m wide, the footpaths along Wing Hong Street, Tai Nan West Street and King Lam Street would be widened to 4m to 6m wide, and planter boxes of 0.75m to 1m wide would be provided along the setback areas. In view of Members' concerns on the excessive size of the planter boxes, the applicant would be advised to reduce the size of the planter boxes at the detailed design stage should the application be approved;
- (c) there was provision under section 22 of the Building (Planning) Regulations (B(P)R) for an applicant to claim for bonus PR for the proposed development upon the Government's acceptance of the surrender of the setback area. However, for the current application, the applicant had indicated that no bonus PR would be claimed for the proposed development and the proposed setback areas would be maintained and managed by the applicant in future. It was not uncommon in other similar cases that the setback area would continue to be owned and maintained by the applicants upon redevelopment. At the building plan submission stage, PlanD would ensure that the proposed development would follow the s.16 approved

scheme and no additional structures would be erected at the setback areas;

- (d) a glass canopy, with a width of 1.5m, was proposed along the building edges facing Wing Hong Street, Tai Nan West Street and King Lam Street for weather protection, in response to departmental comments. The design of canopy was regulated by B(P)R. Besides, the provision of canopy might also have implication on the calculation of PR and site coverage (SC) to be assessed by the Building Authority;
- (e) since the site area was larger than 1,000m², the greenery requirement under the Sustainable Building Design Guidelines and the associated Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-152 were applicable to the application site. With reference to PNAP APP-152, a minimum SC of overall greenery of 20%, of which 10% in the primary zone, should be achieved. The proposed scheme had incorporated (i) planter boxes within the setback areas on ground level to enhance the pedestrian environment, (ii) a communal garden on 2/F for the users/workers of the proposed development, (iii) recessed platforms on 29/F for greening, and (iv) vertical greening on the podium façades on G/F and 1/F along Wing Hong Street and Tai Nan West Street. The planter boxes and recessed platforms on 29/F had not been included in the greenery area calculation. Regarding Members' suggestion of tree planting along the setback areas, the applicant would be advised to explore the feasibility at the detailed design stage should the application be approved, whilst tree planting on public footpath would be subject to concerned government department's assessment.

[Messrs Alex T.H. Lai and Franklin Yu, Ms Sandy H.Y. Wong and Dr Frankie W.C. Yeung joined the meeting during the question and answer session.]

Deliberation Session

12. While Members were in support of the policy on revitalisation of pre-1987 industrial buildings, a Member pointed out that the application site was a corner site open on three sides and the applicant should adopt a building and landscape design which could add

amenity value to the area. Some Members considered that there was insufficient information to demonstrate that the design of the proposed setback areas and greenery measures on ground level could improve the pedestrian environment and accessibility in the area, in particular that the provision of planter boxes of significant size at the setback area on ground level which would obstruct pedestrian flow and the narrow width of the canopy might not benefit pedestrians. Noting that the concerned setback areas would be managed by the applicant instead of surrendering to the Government in future, a Member raised concern on whether the prevailing mechanism could ensure that the proposed setback areas would only be used for public passage as the arrangement of public open space in private development was commonly found unsatisfactory. A few Members considered that the applicant should explore with the Government on the possibility of tree planting along the footpath, while some Members pointed out that maintaining a clear width for smooth pedestrian circulation should be of utmost importance.

13. The Chairman concluded that whilst Members had no in-principle objection to the application for minor relaxation of PR restriction for permitted industrial use, there were concerns on the landscaping design and arrangement of the proposed setback areas. The applicant should be requested to provide further information to address Members' concerns. Additional information on the future management of the setback areas should also be provided.

14. After deliberation, the Committee decided to defer a decision on the application, pending the applicant's submission of further information and clarification on building design and landscaping treatment especially within the setback areas at pedestrian level under the proposed scheme.

[The Chairman thanked Ms Katy C.W. Fung, DPO/TWK, and Ms Jessica Y.C. Ho, STP/TWK, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Hong Kong District

Agenda Item 5

Section 16 Application

[Open Meeting]

A/H15/284 Proposed School (Kindergarten and Nursery) in “Other Specified Uses” annotated “Business (1)” Zone, 2/F and 3/F of an Office Building at Aberdeen Inland Lot No. 360, Hong Kong
(MPC Paper No. A/H15/284)

15. The Secretary reported that Llewelyn-Davies Hong Kong Limited (LD) and AECOM Asia Company Limited (AECOM) were two of the consultants of the applicant. Mr Thomas O.S. Ho had declared an interest on the item for having current business dealings with AECOM and past business dealings with LD.

16. The Committee noted that the applicant had requested deferment of consideration of application. As Mr Thomas O.S. Ho had no involvement in the application, the Committee agreed that he could stay in the meeting.

17. The Committee noted that the applicant’s representative requested on 31.8.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

18. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[Mr Wilson Y.W. Fung joined the meeting at this point.]

[Mr Vincent W.Y. Wong, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H19/80 Proposed Minor Relaxation of Building Height Restriction for Permitted Commercial Development within “Commercial (1)” Zone and Proposed Eating Place and Shop and Services Uses within an area shown as ‘Pedestrian Precinct/Street’ in “Commercial (1)” Zone, 7 Stanley Market Road and 78 and 79 Stanley Main Street, Stanley, Hong Kong
(Stanley Lots 427 and 428 and Stanley Inland Lot 124)
(MPC Paper No. A/H19/80A)

19. The Secretary reported that the application was submitted by Rostar Company Limited (Rostar). Mr Alex T.H. Lai had declared an interest on the item as his former firm had business dealings with Rostar.

20. As Alex T.H. Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

21. With the aid of a PowerPoint presentation, Mr Vincent W.Y. Wong, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of building height (BH) restriction for permitted commercial development within “Commercial (1)” (“C(1)”) zone and proposed ‘eating place’ and ‘shop and services’ uses within an area

shown as ‘Pedestrian Precinct/Street’ (‘PP/S’);

- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, 22 public comments from the chairman of Hong Kong Stanley Sports Association and individuals objecting to the application were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development would frustrate the intention of designating the ‘PP/S’, which was to enhance the provision of a safe and convenient pedestrian network for the area. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD advised that encroachment onto the area shown as ‘PP/S’ on G/F would reduce the width of the concerned area to about 1.5m at certain portion, thus affecting pedestrian circulation, which was contrary to the intention of pedestrianising the central bazaar area. As part of the ‘PP/S’ area would be designated for landscaped area, the Commission for Transport (C for T) considered that the Hong Kong Planning Standards and Guidelines (HKPSG) and barrier free access requirements were not fulfilled, and landscaping on footpath might reduce the effective width of pedestrian circulation. C for T also considered the Traffic Impact Assessment (TIA) and Traffic Management Plan not acceptable. The applicant failed to demonstrate that the proposed development would not cause adverse impacts on the traffic and planned pedestrian circulation in the area. In terms of urban design, CTP/UD&L, PlanD advised that the proposed encroachment of ‘PP/S’ area by the proposed development might affect its openness as compared to the scheme conforming to the Outline Zoning Plan (OZP). The applicant had yet to demonstrate that there were any planning and design merits to justify the proposed 20% increase in BH for development within the “C(1)” zone. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

22. The Chairman and some Members raised the following questions:

- (a) the land status of the application site and the area shown as 'PP/S' on the OZP;
- (b) whether any structure including built-over structure was permitted in the area shown as the 'PP/S';
- (c) the overall design framework of Stanley area, and how the 'PP/S' could improve the pedestrian circulation in the area;
- (d) whether any existing tree would be affected by the proposed development;
- (e) whether a TIA had been conducted by the applicant in support of the proposed development, and the proposed number of parking spaces to be provided at the application site;
- (f) noting that the BH of the adjoining residential building (i.e. U-C Court) was 39.3mPD, why the proposed development with a BH of about 30.7mPD was considered excessive;
- (g) noting CTP/UD&L, PlanD's comment that "the applicant is requested to rectify the misleading information in the Visual Impact Assessment and relevant photomontages", the details of the misleading information; and
- (h) how the proposed development could reinforce the identity of Stanley as a tourist attractions as claimed by the applicant, and how it would improve the overall streetscape and satisfy the visual and emotional perceptions of the pedestrians.

23. In response, Mr Vincent W.Y. Wong, STP/HK, made the following points:

- (a) the application site comprised three private lots. Stanley Lot (STL) 427 and STL 428 were building lots, while the remaining Stanley Inland Lot (StIL) 124 was restricted to agricultural or garden purpose only and no

building or structure except boundary wall or fence was permitted. StIL 124 partly encroached onto the area shown as 'PP/S' on the OZP. To implement the 'PP/S', opportunity was taken to impose lease condition to Condition of Lease Extension of StIL 124 in 2008, amongst others, requiring the owner of StIL 124 to surrender the area encroached onto the area shown as 'PP/S' (i.e. Pink Hatched Black Area of StIL 124) to the Government upon request, free of cost. The remaining area shown as 'PP/S' on the OZP mainly consisted of government land. The central bazaar area located to the east of the application site was granted to the Food and Environmental Hygiene Department under a Temporary Government Land Allocation;

- (b) the 'PP/S' area was intended to improve and widen the existing pedestrian street for provision of a safe and convenient pedestrian network in the area. Hence, the proposed use(s) within the 'PP/S' area should not cause any adverse impact on or obstruction to the pedestrian circulation in the area. According to the covering Notes of the OZP, the proposed uses and structures including the over-hanging structure in the 'PP/S' area required planning permission;
- (c) the major design framework of the area was incorporated in the Stanley Old Town Area Layout Plan No. L/H19A/1 adopted on 22.5.1993. According to the Layout Plan, the subject 'PP/S' area was 8m in width, comprising a 3.5m wide lay-by and a 4.5m wide footpath. It was intended to replan the bazaar area at Stanley to allow an orderly and regularised redevelopment and to pedestrianise the Stanley Old Town area for provision of a safe and convenient pedestrian network in the area. It could also improve the connectivity between the old town area and the Stanley Promenade;
- (d) three existing trees were found in the vicinity of the application site. According to the submission, the proposed building footprint was set back to avoid direct conflict with the adjacent registered Old and Valuable Tree and the two mature trees through slight pruning of canopies of the trees;
- (e) TIA was submitted by the applicant but it was considered not acceptable by

the Transport Department. According to the submission, one parking space and one loading/unloading space would be provided and operated on a part-time basis at the application site, which could not meet the parking provision (i.e. eight parking spaces and two loading/unloading spaces) as required under HKPSG;

- (f) as U-C Court was built before the BH restriction was imposed on the OZP on 22.7.1994, it might not be a relevant reference for considering the BH relaxation of the proposed development. Another existing development (i.e. Villa Fiorelli) to the immediate south of the application site with a BH of 25.84mPD was within the BH restriction of the “C(1)” zone. Taking into account the BH of the existing development in the area, the BH of the proposed development was considered excessive;
- (g) CTP/UD&L of PlanD had pointed out that the BH of the OZP compliance scheme and the adjoining building (i.e. U-C Court) as shown on the photomontage (Drawing A-11) was inaccurate; and
- (h) the applicant claimed that the proposed development could provide a social gathering area with a public viewing deck on roof level for public enjoyment, which could create a new attraction point for tourists in the area.

Deliberation Session

24. The Chairman drew Members’ attention that the intention of designating ‘PP/S’ on the OZP was to improve the pedestrian environment and accessibility of Stanley area, which had been gradually implemented. A Member said that vehicle-pedestrian conflicts on Stanley Market Road during weekends and public holidays were not uncommon. The proposed development would frustrate the intention of designating the ‘PP/S’ and hence the application should not be supported. Another Member shared the view and pointed out that there was visual concern as the proposed building was massive. A Member considered that there was no justification for relaxing the BH restriction for the proposed development, and the applicant failed to address the traffic concern. A Member pointed out that there were no strong planning gains and design merits to justify the proposed development.

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

- “(a) the proposed development would frustrate the intention of designating part of the site as area shown as ‘Pedestrian Precinct/Street’, which is to facilitate the provision of a safe and convenient pedestrian network for the area;
- (b) the applicant fails to demonstrate that the proposed development would not cause adverse traffic, pedestrian circulation and visual impacts on the surrounding area; and
- (c) the applicant fails to demonstrate strong planning and design merits to justify the proposed minor relaxation of the building height restriction within the “Commercial (1)” zone.”

[The Chairman thanked Mr Vincent W.Y. Wong, STP/HK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

[Mr Ng Tak Wah, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H20/195 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Use in “Other Specified Uses” annotated “Business” Zone, 14-16 Lee Chung Street, Chai Wan, Hong Kong
(MPC Paper No. A/H20/195A)

26. The Secretary reported that the application site was located in Chai Wan. Llewelyn-Davies Hong Kong Limited (LD) and Aedas Limited (Aedas) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Raymond K.W. Lee (Chairman) - his spouse owning a workshop in an industrial building in Chai Wan;
- Mr Thomas O.S. Ho - having past business dealings with LD; and
- Mr Alex T.H. Lai - his former firm having business dealings with Aedas.

27. As the property owned by Mr Raymond K.W. Lee's spouse had no direct view of the application site and Messrs Thomas O.S. Ho and Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

28. The Committee noted that a replacement page (p.1 of Appendix V of the Paper) rectifying a typographical error had been tabled/issued for Members' reference.

Presentation and Question Sessions

29. With the aid of a PowerPoint presentation, Mr Ng Tak Wah, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) for permitted non-polluting industrial use;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, a total of 60 public comments were received, including 55 supporting comments from individuals, and five objecting comments from a District Council member and individuals. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper.

The proposed development was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone. The building was wholesale-converted for non-industrial purposes under the previous scheme of industrial building (IB) revitalisation pursued by the Government between 2010 and 2016, and the wholesale conversion was completed in 2018. The Secretary for Development (SDEV) advised that the present IB revitalisation policy was not applicable to the current case as the subject building was wholesale-converted for non-industrial purposes under the previous scheme of IB revitalisation. Notwithstanding that, taking into account no adverse impacts on infrastructure/technical aspects and the planning/design merits brought by the proposed development, SDEV was in support of the application from site optimisation and urban renewal perspectives. The Director-General of Trade and Industry had no objection to the application given that it would put the site into optimal use to produce more industrial space. On planning and design merits, the Chief Town Planner/Urban Design & Landscape (CTP/UD&L), PlanD considered that the proposed development would unlikely have significant adverse visual impact on the surrounding areas and the proposed building setback and greenery would enhance the pedestrian environment and visual amenity along the building frontage. Relevant government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessment above were relevant.

30. The Chairman and some Members raised the following questions:
- (a) the definition and common types of non-polluting industrial uses;
 - (b) noting that the applicant did not apply for minor relaxation of building height (BH) restriction for the proposed development, as compared with the existing building, whether there was an increase in BH upon redevelopment;
 - (c) the planning gains and design merits of the proposed development;

- (d) whether there was any setback requirement on the statutory and administrative plan in the area; and
- (e) whether any structure would be erected on the setback area, the ownership and arrangement of the setback area, and how the street frontage could be activated as claimed by the applicant.

31. In response, Mr Ng Tak Wah, STP/HK, made the following main points:

- (a) non-polluting industrial uses referred to any industrial use which did not involve activities that were detriment to the occupants of the building and amenity of the area by environmental nuisance. It generally included workshop, storage and distribution of goods and material without general environmental pollution and nuisance to neighbours, etc.;
- (b) the application site was currently occupied by a 11-storey IB with a BH of about 43.62mPD and the proposed scheme had a BH of not more than 120mPD;
- (c) a setback of about 1.1m from the lot boundary or about 7.5m from the centre line of Lee Chung Street upto 15m in height would be provided on the G/F to widen part of the public footpath along Lee Chung Street from 2.6m to 3.7m. A canopy of about 1.1m in width would be provided at the entrance of the building. A podium garden with planting along the podium edge would be included on the 3/F of the proposed development to enhance visual amenity. A building separation of about 9m from the adjacent building, and a 3-tier stepping BH profile from above podium level to roof top level would be incorporated into the design to mitigate the visual bulkiness, to facilitate cross-ventilation and to improve visual amenity of the industrial area;
- (d) the building setback was proposed on a voluntary basis as there was no requirement for building setback on the statutory or administrative plan; and

- (e) according to the submission, staircases/ramp at the entrance to the proposed development were included within the setback area and, at the current stage, there was no detailed proposal on the design of the setback area which would be used as a circulation space. The proposed setback area would continue to be owned and managed by the applicant. The applicant would further explore a flexible building design on lower floors to allow some permissible uses under the “OU(B)” zone in order to activate the street frontage. Design treatments (e.g. colours, architectural features, materials articulations) to further enhance design interests would be explored at the detailed design stage.

[Mr Alex T.H. Lai left the meeting at this point.]

Deliberation Session

32. A Member pointed out that the application site was located at the end of an internal street which occupied a less prominent location. The application could be approved as it was applying for minor relaxation of PR restriction only and voluntary building setback was proposed by the applicant to enhance the pedestrian environment. The application was generally in line with the planning intention and the Government’s latest policy on IB revitalisation. Nonetheless, other Members generally had reservation on the application. A Member considered that there were limited planning and design merits in the proposed development in comparison with similar applications in other districts and considered that the applicant should provide further information on the design of the setback area and greening measures to demonstrate how the proposed development could enhance the pedestrian environment. Another Member pointed out that part of the proposed setback area was occupied by staircases and there was concern that the setback area could not cater for pedestrian circulation. A Member opined that the proposed edge planting at podium level could not benefit the general public. Another Member pointed out that the proposed BH profile could be stepping down towards Lee Chung Street instead of the adjoining building to offer better visual interests to the pedestrians. Noting that the subject application was the first application for minor relaxation of PR restriction relating to the IB revitalisation policy in Chai Wan area, a Member considered that the applicant should be encouraged to adopt a quality design to set a desirable precedent for similar applications in the area.

33. After deliberation, the Committee decided to defer a decision on the application, pending the applicant's submission of further information and clarification on building design and landscaping treatment especially within the setback area at pedestrian level under the proposed scheme.

[The Chairman thanked Mr Ng Tak Wah, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Professor Jonathan W.C. Wong left the meeting at this point.]

[Ms Jessie K.P. Kwan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Kowloon District

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/783 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Proposed Hotel Use in "Other Specified Uses" annotated "Business" Zone, 1 Tai Yip Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/783B)

34. The Secretary reported that Llewelyn-Davies Hong Kong Limited (LD) was one of the consultants of the applicant. Mr Thomas O.S. Ho had declared an interest on the item for having past business dealings with LD.

35. As Mr Thomas O.S. Ho had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

36. With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, STP/K,

presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) and building height (BH) restrictions for proposed hotel use;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication periods, three public comments from individuals objecting to the application were received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed hotel development was generally in line with the planning intention of the “Other Specific Uses” annotated “Business” zone and the transformation taking place in Kwun Tong Business Area from industrial to business/commercial uses. It was also generally in line with the Town Planning Board Guidelines No. 22D. The proposed minor relaxation of PR generally followed the policy on revitalization of pre-1987 industrial buildings, and the Development Bureau gave policy support to the application. The Commissioner for Tourism supported the application as the proposed hotel development would help increase the provision of hotel facilities, broaden the range of accommodation for visitors, and support the development of convention and exhibition, tourism and hotel industries. In response to the departmental comment, the applicant reduced the proposed BH from 125mPD as originally submitted to 115.4mPD. Given that the minor relaxation of BH restriction from 100mPD to 115.4mPD (+15%) sought was generally proportional to the applied minor relaxation of PR restriction from 12 to 14.4 (+20%) with reasonable floor-to-floor height adopted, the proposed minor relaxation of BH restriction at the application site might be tolerated. Various planning and design merits including full-height building setbacks in accordance with the Outline

Development Plan's requirements and greening provision (i.e. greenery coverage of about 23.3%) were adopted in the proposed scheme. In response to the departmental comment, a canopy for pedestrian weather protection was proposed along part of the façade facing Wai Yip Street. Concerned government departments had no objection to or no adverse comments on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

37. Some Members raised the following questions:

- (a) the scope for additional planning gains and merits in relation to the proposed development;
- (b) whether there was separated pedestrian and vehicular access to the proposed development; and
- (c) whether additional basement level could be provided to accommodate back-of-house facilities so that the overall BH could be reduced and the building permeability at the primary zone could be improved.

38. In response, Ms Jessie K.P. Kwan, STP/K, made the following main points:

- (a) the application site was a corner site and full-height setbacks from three sides of site boundary abutting Wai Yip Street, Tai Yip Street and the back alley (about 22% of the site area) would be opened for public passage. While the greenery requirement under the Sustainable Building Design Guidelines was not applicable to the site, the proposed development would still achieve an overall greenery provision of 20% of the site. With the small site area (about 537m²) and upon surrendering of the setback areas and fulfilment of provision of internal traffic facilities (including parking and access arrangement) as set out in the Hong Kong Planning Standards and Guidelines, there was limited available space at street level for landscape treatment to enhance the quality of the public realm;

- (b) separated pedestrian and vehicular access would be provided at the application site. The vehicular access to the proposed development was located at the back alley via Tai Yip Street, whilst the pedestrian access would be provided at Wai Yip Street; and
- (c) according to the applicant, essential electrical and mechanical facilities (e.g. high voltage transformer room) should preferably be situated on G/F for fire safety reasons. There was no information in the submission on whether the back-of-house facilities could be accommodated at basement.

Deliberation Session

39. Members were in support of the policy on revitalisation of pre-1987 industrial buildings. Nevertheless, a Member pointed out that according to the general principles evolved from the Committee's past experience in processing applications for minor relaxation of both PR and BH restrictions, the Committee would look into the planning and design merits of the proposals. In that regard, the same Member had reservation on the application as there was no strong planning and design merit in the proposed scheme. Another Member expressed that the applicant failed to justify why additional basement level could not be provided in the proposed development to improve the overall building design. A Member pointed out that the small size of the application site might pose constraints on design but agreed that the planning and design merits were not sufficient to warrant planning permission for relaxation of both PR and BH restrictions. Other Members generally had reservation on the application and considered that the applicant should provide additional information for the Committee's further consideration.

40. The Chairman concluded that more information should be provided by the applicant to justify the proposal, in particular, the consideration of provision of an additional basement level to accommodate back-of-house facilities so that more floor space could be made available on ground level for landscape treatment to enhance the streetscape and pedestrian environment in the area while reducing the overall BH of the proposed building. Meanwhile, a summary of planning and design merits of the approved similar applications in the vicinity could be provided for Committee's reference.

41. In response to a Member's observation on the lack of details in the submitted diagrams, the Chairman remarked that while the Committee should not be overly involved in design details, the applicant should submit sufficient information to illustrate the design concept of the proposed development scheme for the Committee's consideration.

42. After deliberation, the Committee decided to defer a decision on the application pending (i) the applicant's further information on the possibility of provision of basement level as well as the planning and design merits of the proposal, and (ii) PlanD's additional information in relation to the planning and design merits of approved similar applications in the vicinity for Members' reference.

[The Chairman thanked Ms Jessie K.P. Kwan, STP/K, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting]

A/K14/786 Proposed Wholesale Conversion of an Existing Industrial Building for 'Hotel (Guesthouse)' with 'Shop and Services' and Other Uses (including Place of Recreation, Sports or Culture/Office (Audio-visual Recording Studio)/Office (Design and Media Production)/Research, Design and Development Centre) in "Other Specified Uses" annotated "Business" Zone, 86 Hung To Road, Kwun Tong, Kowloon
(MPC Paper No. A/K14/786A)

43. The Committee noted that the applicant's representative requested on 8.9.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised Traffic Impact Assessment and responses to departmental comments.

44. After deliberation, the Committee decided to defer a decision on the application

as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 10

Section 16 Application

[Open Meeting]

A/K14/787 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Use (Excluding Industrial Undertakings Involving the Use/Storage of Dangerous Goods) in "Other Specified Uses" annotated "Business" Zone, 33 Hung To Road, Kwun Tong, Kowloon

(MPC Paper No. A/K14/787A)

45. The Committee noted that the applicant's representative requested on 8.9.2020 deferment of consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including revised technical assessments and responses to departmental comments.

46. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and

could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

[Mr Daniel K.S. Lau left the meeting at this point.]

[Mr Mak Chung Hang, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/334 Proposed Minor Relaxation of Plot Ratio and Building Height
Restrictions for Permitted Flat Use in "Residential (Group C) 5" Zone,
14 Cornwall Street, Kowloon Tong, Kowloon
(MPC Paper No. A/K18/334A)

47. The Secretary reported that the application was located in Kowloon Tong. The following Members had declared interests on the item:

Dr Lawrence W.C. Poon - living in the quarters of the City University of
Hong Kong in Kowloon Tong; and

Mr Stanley T.S. Choi - his spouse being a director of a company which
owned properties in Kowloon Tong.

48. As the residence of Dr Lawrence W.C. Poon had direct view of the application site, the Committee agreed that he should be invited to leave the meeting temporarily for the item. As the properties owned by the company of Mr Stanley T.S. Choi's spouse had no direct view of the application site, the Committee agreed that he could stay in the meeting.

[Dr Lawrence W.C. Poon left the meeting at this point.]

Presentation and Question Sessions

49. With the aid of a PowerPoint presentation, Mr Mak Chung Hang, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) and building height (BH) restrictions for permitted flat use;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication periods, a total of 1,165 public comments were received. Among them, one comment from an individual supported the application, 1,146 comments from the Incorporated Owners/property management office/residents of the adjacent residential developments (Devon Court and One Beacon Hill), a former Legislative Council member (Hon Chan Hoi Yan), a District Council member of Kowloon Tong Constituency (Mr Ho Hin Ming) and individuals objected to the application, and 18 comments from individuals expressed views or indicated no comment. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The applicant had not provided strong justifications nor planning and design merits in support of the proposed minor relaxation of PR (+20%) and BH (+25%) restrictions. Whilst relevant government departments had no adverse comment on the application and the proposed development was not expected to have adverse impacts on air ventilation, geotechnical, drainage, environmental, sewerage and traffic aspects, there was no previous and similar application for minor relaxation of PR and/or BH

restrictions at the application site and within the “Residential (Group C)5” (“R(C)5”) zone in Kowloon Tong area respectively. Approval of the subject application without strong justifications or planning and design merits would create an undesirable precedence effect. The cumulative effect of approving similar applications with excessive building bulk would deteriorate the existing character of the residential neighbourhood and jeopardise the stepped building height profile in the area. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

50. The Secretary reported that two petition letters were received from the Incorporated Owners and property management office of One Beacon Hill respectively before the meeting. Both parties had submitted public comments conveying similar views during the statutory publication period, and were covered in the Paper. The two petition letters were submitted after expiry of the statutory publication period and should not be treated as having been made under section 16(2F) of the Town Planning Ordinance.

51. The Chairman and Members raised the following questions:

- (a) the difference in BH between the existing development and the proposed development, and the BH of the adjoining development;
- (b) whether there was any BH restriction at the application site in terms of mPD, whether basement level could be disregarded in determining the maximum number of storeys, and whether structure at basement level was permitted within the non-building area (NBA);
- (c) the local character of the area and whether a stepped height concept was imposed on the Outline Zoning Plan (OZP);
- (d) whether there was any gross floor area (GFA)/PR restriction under lease;
- (e) the site constraints for the proposed development at the application site as claimed by the applicant, and whether they were relevant considerations

that should be taken into account by the Committee;

- (f) as compared to the existing development, whether the number of flats would be reduced upon completion of the proposed development;
- (g) the planning and design merits of the proposed development, and whether they were justified to support the proposed minor relaxation of BH and PR restrictions; and
- (h) the public comments received during the statutory publication periods.

52. In response, Mr Mak Chung Hang, STP/K, made the following main points:

- (a) the application site was currently occupied by a 5-storey building including one level of carport on ground floor, whilst the proposed redevelopment involved a BH of 10 storeys, including 2 storeys of basement carpark. The adjoining residential building, namely Devon Court, had a BH of 8 storeys, which was in compliance with the BH restriction under the OZP;
- (b) there was no BH restriction in terms of mPD imposed on the application site, and there was no exemption clause to exclude basement level in determining the maximum number of storeys at the subject “R(C)” zone under the OZP, and construction of basement level was allowed within the NBA;
- (c) the application site was located at the lower part of the Beacon Hill area which was zoned “R(C)5” subject to a maximum BH of 8 storeys including basement. The subject site served as a transitional area of BH profile in the area. The “stepped height” concept had been adopted as a key urban design principle for the area to the north of Cornwall Street to provide for a gradual change in BH from 3 storeys in the Kowloon Tong Garden Estate in the south to low/medium-rise buildings on the lower slopes of Beacon Hill in the north;
- (d) there was no GFA/PR restriction under lease, whilst the permissible site

coverages varying with the total number of storeys to be built were specified in the lease;

- (e) the applicant indicated that 48.8% of the site could not be built over due to slope/geotechnical structures and NBA requirement designated in the ODP/lease, which had substantially hindered the building footprint and flexibility in building design. Nonetheless, it was considered that development at the remaining site area could still achieve the maximum PR of 2.1. In consideration of similar applications, favourable consideration would be given if the applicant could demonstrate that the development intensity could not be achieved without the proposed relaxation of PR/BH restrictions. For example, a similar application for minor relaxation of BH restriction in the adjoining “R(C)7” zone was approved as the development at the site was restricted by MTR railway line and gas pipelines underneath and additional basement level could not be provided. Another application at Waterloo Road was approved for relaxation of PR/BH restrictions to accommodate the GFA accountable from land resumed by the Government for road widening project, with the resulting PR exceeding the permissible PR on the OZP;
- (f) the number of flats would be reduced from 24 to 13 (including 7 duplex units) upon completion of the proposed development;
- (g) according to the submission, green and innovative building design including acoustics windows/balconies, greening and openings on G/F were adopted in the proposed scheme. A 6m setback along Cornwall Street and a 3m setback along Kent Road were provided in accordance with the NBAs designated on the draft Kowloon Tong Outline Development Plan (ODP) No. D/K18/1A. The proposed development was also in line with the “stepped height” urban design concept for developments in the area as claimed by the applicant. Nevertheless, the applicant had not provided strong justification nor planning and design merits in support of the proposed minor relaxation of PR and BH restrictions; and
- (h) the public comments received during the statutory publication periods were

mainly objecting comments. The main objection reasons included the proposed 20% increase in PR was not minor; there would be adverse visual and air ventilation impacts; the proposed 22 car parking spaces would bring additional traffic to the narrow Kent Road and create adverse traffic impact; there would be geotechnical and noise impacts during construction stage of the development; approval of the application would set an undesirable precedent for similar developments in the area; and there were no benefits to the surrounding communities; and the technical assessments conducted by the applicant were misleading.

53. In response to a Member's enquiry, Mr Mak Chung Hang, STP/K, said that the District Officer (Kowloon City), Home Affairs Department (HAD) advised the Committee to take into account the local concerns when considering the subject application. Mr Gavin C.T. Tse, Chief Engineer (Works), HAD said that as a general practice, District Officers would convey local views received on planning applications and the public comments would be reflected in the Paper for the Committee's reference.

[Messrs Wilson Y.W. Fung, Stanley T.S. Choi, Franklin Yu and Dr Frankie W.C. Yeung left the meeting during the question and answer session.]

Deliberation Session

54. Members did not support the application as the proposal had no benefits to the general public and the applicant's justifications were not strong. Although the applicant claimed that the proposed minor relaxation of PR and BH restrictions would give an opportunity to incorporate sustainable building design and to facilitate better site utilisation, such design could still be achieved without the proposed minor relaxation of PR and BH restrictions. Moreover, approval of the application would adversely affect the existing character of the residential neighbourhood and jeopardise the stepped height profile in the area.

55. In response to a Member's concern over the prevailing mechanism in conveying local views on planning applications, the Chairman said that there was an established co-ordination mechanism amongst relevant government departments, which would be

reviewed from time to time.

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

- “(a) there are no strong planning justifications for the proposed relaxation of plot ratio and building height; and
- (b) the applicant fails to demonstrate that the proposed planning and design merits could not be achieved without minor relaxation of the plot ratio and building height restrictions.”

Agenda Item 12

Section 16 Application

[Open Meeting]

A/K18/337 Proposed Minor Relaxation of Building Height Restriction for Permitted Educational Institution (Academic Complex) in “Government, Institution or Community (7)” Zone and an area shown as ‘Road’, 224 Waterloo Road (Part), Kowloon Tong, Kowloon
(MPC Paper No. A/K18/337)

57. The Secretary reported that the application site was located in Kowloon Tong and the application was submitted by the Hong Kong Baptist University (HKBU). Llewelyn-Davies Hong Kong Limited (LD), MVA Hong Kong Limited (MVA) and WSP (Asia) Limited (WSP) were three of the consultants of the applicant. The following Members had declared interests on the item:

Ms Sandy H.Y. Wong - being a council and court member of HKBU;

Professor Jonathan W.C.
Wong - being an employee of HKBU;

- Mr Alex T.H. Lai - his former firm having business dealings with HKBU and WSP;
- Mr Thomas O.S. Ho - having current business dealings with MVA and past business dealings with LD;
- Dr Lawrence W.C. Poon - living in the quarters of the City University of Hong Kong in Kowloon Tong; and
- Mr Stanley T.S. Choi - his spouse being a director of a company which owned properties in Kowloon Tong.

58. The Committee noted that the applicant had request deferral of consideration of the application. The Committee noted that Professor Jonathan W.C. Wong, Messrs Alex T.H. Lai and Stanley T.S. Choi and Dr Lawrence W.C. Poon had already left the meeting. As the interest of Ms Sandy H.Y. Wong was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion. As Mr Thomas O.S. Ho had no involvement in the application, the Committee agreed that he could stay in the meeting.

59. The Committee noted that the applicant's representative requested on 31.8.2020 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

60. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special

circumstances.

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K7/120 Proposed School (Tutorial School) in “Residential (Group B)” Zone,
G/F, Block H, 268B Prince Edward Road West, Ho Man Tin, Kowloon
(MPC Paper No. A/K7/120)

61. The Secretary reported that the application site was located in Ho Man Tin. Mr Stanley T.S. Choi had declared an interest on the item for co-owning with his spouse a flat in Ho Man Tin and his spouse being a director of a company which owned properties in Ho Man Tin.

62. The Committee noted that Mr Stanley T.S. Choi had already left the meeting.

Presentation and Question Sessions

63. With the aid of a PowerPoint presentation, Mr Mak Chung Hang, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed school (tutorial school);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed tutorial school was considered not totally incompatible with

the existing surrounding land uses as similar applications for tutorial schools were approved by the Committee in the vicinity. However, there was no separate stairways and/or lifts/escalators exclusively serving the tutorial school. In that regard, the application was not in line with the Town Planning Board Guidelines No. 40 in that the current access arrangement might cause disturbance or nuisance to the residents living in the same residential building. The premises was the subject of a previous application (No. A/K7/85) for proposed tutorial school submitted by a different applicant, which was rejected by the Town Planning Board upon review in 2018 mainly on the above concern. Rejection of the current application was in line with the Committee's previous decision. Furthermore, approval of the application would set an undesirable precedent for other similar applications for tutorial schools within residential buildings in the area with no separate access.

64. Members had no question on the application.

Deliberation Session

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

- “(a) the proposed tutorial school will cause disturbance or nuisance to the residents of the same residential building as there is no separate access to the proposed tutorial school; and
- (b) approval of the application will set an undesirable precedent for other similar applications for tutorial schools within residential buildings in the area with no separate access.”

[The Chairman thanked Mr Mak Chung Hang, STP/K, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 14

Any Other Business

66. There being no other business, the meeting was closed at 1:15 p.m.