

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H9/79

- Applicants** : Million Hope International Limited and Billion Field Enterprises Limited, represented by Masterplan Limited
- Site** : Above Tung Wong Road Connecting 3 and 5 A Kung Ngam Village Road (AKNVR), Shau Kei Wan, Hong Kong
- Site Area** : About 110m² (including 71m² of Government land)
- Lease** : Shau Kei Wan Inland Lot (SIL) 827 and 778
- SIL 827
- restricted to godown purpose excluding any godown for dangerous goods. The lot is subject to a maximum building height (BH) of 62.49mPD and a maximum gross floor area (GFA) restriction of 20,092m²; and
 - a special waiver was granted to the lot in December 2013 to allow alteration of the existing building for permitted purposes only including office, and shop and services.
- SIL 778
- restricted to industrial or godown purpose or both excluding offensive trade. The lot is subject to BH restriction of 63mPD.
- Plan** : Approved Shau Kei Wan Outline Zoning Plan (OZP) No. S/H9/18
- Zoning** : Area shown as ‘Road’; and
- “Other Specified Uses” annotated “Business” (“OU(B)”) and “OU(B)1”
- Maximum non-domestic plot ratio (PR) of 12 and a maximum building height (BH) of 80 mPD, or the PR and BH of the existing building, whichever is the greater
- Application** : Proposed Shop and Services (Footbridge)

1. The Proposal

- 1.1 The applicants seek planning permission for proposed shop and services (footbridge) above Tung Wong Road connecting 7/F of 3 AKNVR (at level +28.78mPD) and 7/F of 5 AKNVR (at level +28.83mPD) (the Site). The Site falls within an area shown as 'Road', and on land zoned "OU(B)" and "OU(B)1" on the approved Shau Kei Wan OZP No. S/H9/18 (**Plan A-1**). According to the applicants, the proposed footbridge connecting 3 and 5 AKNVR forms part of the development at 5 AKNVR and is regarded as a 'Shop and Services' use¹. According to the Notes of the OZP, while 'Shop and Services (Footbridge)' use is always permitted within the "OU(B)" and "OU(B)1" zones, it requires planning permission from the Town Planning Board (the Board) within an area shown as 'Road'.
- 1.2 The site at 3 AKNVR is the subject of a previous section 16 application (No. A/H9/75) for a proposed hospital development which was approved with conditions by the Metro Planning Committee (the Committee) of the Board on 8.1.2016. The proposed hospital is currently under construction. The site at 5 AKNVR is an existing 15-storey industrial building undergoing wholesale conversion to non-industrial uses. According to the applicants, 5 AKNVR is a non-hospital building providing specialty out-patient services with other administrative and supporting laboratories.
- 1.3 The proposed footbridge would have a minimum internal clear width of 2.6m and a minimum clear height of 2.9m which will meet or exceed the minimum dimensions stipulated in the Transport Planning and Design Manual (**Drawing A-1**). It would have a length of about 30m measuring from the centre line of the bridge, a width of about 3.9m and a height of about 6.9m (**Drawings A-1 and A-2**). The gradient of the proposed footbridge would be no steeper than 1:20 to ensure barrier free access for the disabled. The proposed footbridge would have a minimum of approximately 20m clear height from Tung Wong Road (**Drawing A-2**).
- 1.4 The proposed footbridge is located on 7/F and intended for staff and users of the two connected buildings. The proposed weather-proof footbridge would ensure the smooth, safe and efficient operation of the hospital building and the supporting services building, including the delivery of medical items for staff and patients in wheelchair or hospital beds, transportation of patients to undergo diagnosis/treatment, meal deliveries for in-patients, movement of goods and services and other administrative logistics. Besides, there will be a pneumatic tube built into the footbridge to facilitate movement of samples from the hospital to the laboratories in the supporting services building.
- 1.5 The proposed footbridge would be constructed using off-site pre-fabrication method. The main steel trusses together with some cross beams would be joined in a yard. The whole unit would be transported to the Site at the time of erection. Structural

¹ According to the applicants, the approach below for GFA and site coverage (SC) calculations would be adopted, subject to the approval from relevant government departments: (i) for the portion of the proposed footbridge within the respective site boundary of 3 and 5 AKNVR, the GFA and SC would be accounted for in both sites respectively; (ii) the SC of 3 AKNVR (building and footbridge within the site boundary) would follow the granted flexible application for SC under PNAP APP-13 and the SC for 5 AKNVR will comply with the permitted SC under Building (Planning) Regulations; and (iii) the portion of the footbridge projected over street (i.e. outside the site boundary of both 3 and 5 AKNVR) would not be accounted for GFA.

supports of the proposed footbridge would be constructed within the connecting private premises i.e. 3 and 5 AKNVR using “addition and alteration works” procedure. No permanent pier and foundation works would be needed on any public road or street.

- 1.6 The anticipated completion date of the proposed footbridge is 2020. To minimise public nuisance, vehicular and pedestrian passage along Tung Wong Road would be maintained by means of adequate temporary traffic management schemes during all stages of construction, and erection works for the proposed footbridge and other pre- and post- erection preparations/finishing would be carried out during non-peak hours. Temporary road closure at Tung Wong Road for up to three nights may be required to facilitate the works. The temporary traffic management scheme will be submitted to relevant government departments for consideration and approval before works commencement. According to the Traffic Statement provided by the applicants, the extent of works on public footpath and roads are minimal and considered minor in nature.
- 1.7 In support of the application, the applicants have submitted the following documents:
 - (a) Application form received on 21.6.2018 **(Appendix I)**
 - (b) Applicants’ letter dated 1.6.2018 together with a planning statement **(Appendix Ia)**
 - (c) Applicants’ letter dated 7.6.2018 providing replacement pages of the planning statement and application form **(Appendix Ib)**
 - (d) Applicants’ letter dated 14.6.2018 providing replacement pages of the planning statement and application form **(Appendix Ic)**
 - (e) Applicants’ letter dated 3.8.2018 providing responses to departmental and public comments **(Appendix Id)**
 - (f) Applicants’ letter dated 13.9.2018 providing responses to departmental comments **(Appendix Ie)**
- 1.8 The application was received on 21.6.2018 and was originally scheduled for consideration by the Metro Planning Committee (the Committee) of the Board on 17.8.2018. On 17.8.2018, as requested by the applicants, the Committee decided to defer making a decision on the application pending the submission of further information (FI) by the applicants. FI was submitted by the applicants on 13.9.2018. Hence, the application is scheduled for consideration by the Committee at this meeting.

2. **Justifications from the Applicants**

The justifications put forth by the applicants in support of the application are detailed in the planning statement at **Appendix Ia** and Applicants' letter dated 3.8.2018 at **Appendix Id**. Major justifications are summarised as follows:

Weather-proof Pedestrian Connection System and Reduction in At-grade Traffic

- (a) the proposed footbridge would create an alternative weather-proof pedestrian connection and would result in a reduction in at-grade pedestrian traffic and reduction in pedestrian-vehicle conflicts. As a result, road safety at the street level would be improved;

No Alternative Location

- (b) different options for the footbridge had been considered during the design stage and the proposed location of the footbridge is the only viable location given the existing constraints: (i) the two buildings at 3 and 5 AKNVR are either existing or under construction and only overlap for a very small section. Hence, it restricts the number of places it is structurally possible to incorporate a footbridge; and (ii) from a functional and structural point of view, with regard to internal usage and design of both buildings, 7/F is considered the best location to place the footbridge. Moreover, underground tunnel is considered not possible as there is no basement in the existing 5 AKNVR building;

Functional and Operational Efficiency

- (c) the hospital at 3 AKNVR requires a number of supporting functions such as a staff canteen, storage of medical items and laboratories. Many of the uses in 5AKNVR involve the movement of staff and other hospital uses/things from 5 AKNVR and 3 AKNVR and vice versa. Hospital staff would be able to access their canteen and their lockers and patients in wheelchairs and hospital beds could be moved between the two buildings without crossing Tung Wong Road on the G/F;
- (d) there would be a pneumatic tube built into the footbridge to facilitate the quick movement of samples from the hospital to the laboratories in the supporting service building (i.e. 5 AKNVR);
- (e) according to the Traffic Statement provided by the applicants, the proposed footbridge with 2.6m clear width will be more than adequate to provide a performance of Level of Service A² or better in capacity terms. The 2.6m width is proposed to ensure adequate two-way movements for wheelchair users and/or push trolleys for the transportation of various medical and supporting logistic functions;

² According to the Transport Planning and Design Manual, the level of service (LOS) in the Highway Capacity Manual (HCM-version 2000) is primarily based on the density of people in a given space and has six levels (A to F). At a walkway with LOS A, pedestrians basically move in desired paths without altering their movements in response to other pedestrians. Walking speeds are freely selected, and conflicts between pedestrians are unlikely.

Policy on Footbridge

- (f) the 2016 Policy Address announced a pilot scheme of waiving the land premium for lease modification at Kowloon East to encourage landowners to construct footbridges or subways at their own cost, in accordance with the planned comprehensive pedestrian network, with a view to providing a safe, comfortable and convenient network which separates pedestrians from vehicles. The creation of this pilot scheme illustrates the Development Bureau (DEVB) places importance on the overall benefit to the community of improved pedestrian networks, and is actively encouraging more connections such as the proposed footbridge. The pilot scheme also indicates government support for pedestrian footbridge connections as a general principle;

Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-38 Bridges Over Streets and Lanes Buildings Ordinance Section 31(1) (PNAP APP-38)

- (g) the proposed footbridge complies with PNAP APP-38, specifically paragraph 2(a)(ii): “where a bridge or associated highway structure is to be constructed wholly or partly within a private lot or gains support from or is connected to a building resting on a private lot, exemption under Buildings Ordinance section 31(1) to permit the bridge to project over streets or lanes may be given provided that the Building Authority is satisfied that the bridge is required for one or more of the following purposes: (ii) is functionally necessary to facilitate the efficient planning of the developments on both sides of the streets or lanes serving as occupants’ movement between the buildings so as to relieve heavy pedestrian traffic at street/lane level and the proposal is acceptable to the Lands Department (LandsD), the Planning Department (PlanD), the Transport Department (TD) and the Highways Department (HyD)”. The proposed footbridge is considered functionally necessary to facilitate the efficient planning of the development; and

Visual Impact

- (h) the visual impact of the proposed footbridge would be very minor due to its small size in the industrial urban environment of A Kung Ngam Village. The proposed footbridge on Tung Wong Road would be shielded from majority of the potentially sensitive receivers (such as A Kung Ngam Village) due to surrounding buildings. An indicative perspective of the proposed footbridge is provided at **Drawing A-3**.

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

The site involves parts of SIL 827 and 778 as well as Government land. The applicants are the sole “current land owner” of the private lots involved. Detailed information will be deposited at the meeting for Members’ inspection. Since the remaining area involves Government land, the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) is not applicable.

4. Background and Previous Application

- 4.1 Part of the Site connecting to 3 AKNVR is subject to a previous section 16 application (No. A/H9/75) for a proposed hospital development which was approved with conditions by the Committee on 8.1.2016 (**Appendix II**). Under the approved scheme, there is no footbridge connecting to the proposed hospital development.
- 4.2 For 5 AKNVR, a special waiver was granted to the lot in December 2013 to allow alteration of the existing building for permitted purposes only including office, and shop and services. Furthermore, according to a recent building plan approval on 23.8.2018 by the Building Authority, the existing 15-storey industrial building is proposed for wholesale conversion to non-industrial uses comprising medical clinics, treatment rooms, ancillary offices, stores, pantries/staff areas and cafe. The proposed medical clinics, consultation rooms and laboratories are regarded as ‘Shop and Services’ uses which are always permitted within the subject “OU(B)” zone. In the building plans submission, the applicants claimed that the proposed stores would not be used for storage of dangerous goods or any human remains/ animal remains.

5. Similar Application

There is no similar planning application for ‘Shop and Services (Footbridge)’ use within the area shown as ‘Road’ in the Shau Kei Wan OZP area.

6. The Application Site and Surrounding Areas (Plans A-1 to A-3)

- 6.1 The Site is:
- (a) located above Tung Wong Road which is a one-way local road with both ends connecting AKNVR; and
 - (b) connected to 3 AKNVR and 5 AKNVR on 7/F. 3 AKNVR is a proposed hospital development while 5 AKNVR (known as Eastwood Centre) is undergoing wholesale conversion to non-industrial uses comprising medical clinic, laboratories and ancillary offices.
- 6.2 The surrounding areas have the following characteristics:
- (a) A Kung Ngam Industrial Area is under transformation, immediately surrounded by a mix of commercial and industrial developments, government, institution or community uses and open spaces;
 - (b) to the immediate northwest is an industrial building subject to wholesale conversion for non-industrial uses;

- (c) to the east and west of the Site are the Temporary Public Toilet and Refuse Collection Point, and a single-storey temple on top of a mound, respectively;
- (d) to the south across A Kung Ngam Village Road is the Basel Road Playground; and
- (e) further east of the Site is the cottage area of A Kung Ngam Village with village houses, temporary structures and a few industrial and industrial-office buildings.

7. Planning Intention

The “OU(B)” and “OU(B)1” zones are intended primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or industrial-office buildings.

8. Comments from Relevant Government Bureau and Departments

8.1 The following government bureau and departments have been consulted and their views on the planning application and the public comments received are summarised as follows:

Private Healthcare Aspect

8.1.1 Comments of Director of Health (DH):

- (a) according to the proposal, the proposed footbridge will connect a new hospital at 3 AKNVR and another building with out-patient and supporting services at 5 AKNVR. As stated in the planning statement and clarified by the applicants, the proposed footbridge forms part of the proposed clinics at 5 AKNVR; the proposed hospital at 3 AKNVR and the proposed clinics at 5 AKNVR will be operated by distinct separate legal entities; and there will be no sharing of manpower between the two premises at 3 AKNVR and 5 AKNVR;
- (b) under the Private Healthcare Facilities Bill (PHFs Bill) which will replace the existing Hospital, Nursing Homes and Maternity Homes Registration Ordinance (Cap 165), the operator of a private healthcare facility (PHF), such as a day procedure centre (DPC) or clinic, has to ensure that the PHF is a distinct and exclusive unit that is able to perform its functions independently, and has a direct and separate entrance not shared with, or involving passing through, another premises serving a purpose not reasonably incidental to the

purpose of that PHF. Therefore, the future operators of the clinic and the hospital should display clear signage at their respective entrances which should be clearly separate from each other;

- (c) although the applicants intended that the footbridge becomes part of the clinic, the footbridge merely serve as a passageway. It may not necessarily be licensed under the future Private Healthcare Facilities Ordinance although it is owned by the clinic operator. The entrances of the clinic and the hospital should in any case be clearly separate from each other, e.g. at the two ends of the footbridge; and
- (d) the applicants should note that DH's comment on this application is without prejudice to its consideration of any registration/license application under Cap 165 or the future Private Healthcare Facilities Ordinance.

Land Administration Aspect

8.1.2 Comments of the District Lands Officer/Hong Kong East (DLO/HKE), LandsD:

- (a) majority of the Site is on Government land. A footbridge is proposed over Tung Wong Road to connect up Eastwood Centre erected on SIL 827 at 5 AKNVR and the proposed hospital development to be erected on SIL No. 778 at 3 AKNVR. The purpose of the application is to connect up the two buildings at the 7/F for the staff and users only. No shop and services is proposed within the footbridge;
- (b) under the original Condition of Sale governing SIL 827 (Eastwood Centre), the user is restricted to godown purpose excluding any godown for dangerous goods under the lease governing the lot subject to a maximum BH of 62.49mPD and a maximum GFA restriction of 20,092m². A Special Waiver was granted to the lot in December 2013 to allow alteration of the existing building for the permitted purposes only including office, and shop and services. The proposed medical clinic, laboratories and ancillary office use within the existing building is permissible under the Special Waiver. GFA implication arising from the footbridge connection, if any, will be examined at building plan stage;
- (c) SIL 778 (the proposed hospital development site) is restricted to industrial or godown purpose or both excluding offensive trade subject to a BH restriction of 63mPD without GFA limitation. The lot owner has submitted application for lease modification to her office for the proposed hospital use pursuant to the Board's approval;
- (d) the proposed footbridge falls within Government land. In case the planning application is approved, the applicants have to apply to this office to implement the proposed footbridge. It should however not be construed that approval will be given. In case approval is given, it

will be subject to such terms and conditions as may be imposed, including premium; and

- (e) regarding Secretary for Transport and Housing (STH)'s comment on whether road gazette is required for the proposed footbridge, it would only be considered after the Board's approval and at the lease modification stage by LandsD.

Building Aspect

8.1.3 Comments of the Chief Building Surveyor/Hong Kong East and Heritage Unit, Buildings Department (CBS/HKE&H, BD):

- (a) no objection to the application;
- (b) he has the following comments under the Buildings Ordinance (BO):
 - (i) no footbridge shall be erected over street unless exemption can be granted by the Building Authority;
 - (ii) subject to favourable comments from relevant departments, including PlanD, TD and HyD, the above exemption may be granted on the merit of the case;
 - (iii) portion of proposed footbridge within site boundary should be accountable for GFA and site coverage. Building (Planning) Regulations 20 and 23(3)(a) refer; and
 - (iv) detailed comments under BO can only be formulated at building plans submission stage.

Traffic Aspect

8.1.4 Comments of STH:

- (a) As long as the proposed road works is confirmed to be minor works, gazetted under section 5 of the Roads (Works, Use and Compensation) Ordinance is not required. Under Transport and Housing Bureau Technical Circular (Transport) No. 1/2018, the appropriate officers in LandsD may exercise the delegated authority to approve road works as minor works; and
- (b) STH's other comments can be found at **Appendix III**.

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

- (a) no objection in principle to the application;
- (b) the applicants should seek TD's comments on the following before implementation;

- (i) the proposed footbridge is 30m in length and it is proposed to be transported to the site in one whole unit. The applicants should provide swept path analysis to support its feasibility;
 - (ii) the applicants should provide details of the temporary working platform such as whether its support will occupy the existing footpath and carriageway;
 - (iii) the applicants should submit temporary traffic management scheme for C for T's approval before implementing any works involving temporary closure of existing footpath or carriageway;
 - (iv) it is noted that the proposed footbridge serves the hospital building and ambulatory centre at AKNVR only and is not opened for public use. Hence, the applicants should be responsible for the future management and maintenance of the footbridge; and
- (c) should the application be approved, the following approval conditions should be imposed.
- (i) the applicants should submit a revised Traffic Impact Assessment before the construction of the footbridge to the satisfaction of the C for T;
 - (ii) the applicants should submit a temporary traffic management scheme before the implementation of any works involving temporary closure of existing footpath or carriageway to the satisfaction of the C for T; and
 - (iii) the applicants should be responsible for the management and maintenance of the footbridge at all times.

8.1.6 Comments of the Commissioner of Police (C of P):

- (a) the Eastern Police District has no adverse comment in principle at this stage; and
- (b) the applicants should seek comments from the Hong Kong Police Force and TD when the temporary traffic arrangement is formulated.

Urban Design and Architectural Aspects

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

Visual Impact

- (a) the proposal is for a footbridge of 30m (length) x 6.9m (height) x 3.9m (width) with a height of approximately 20m above Tung Wong Road connecting a proposed hospital and outpatient clinic cum ancillary office development. Considering the nature and scale of the proposal, it is envisaged that the proposal would not be incompatible with the surrounding area. No significant adverse visual impact arising from the proposal is anticipated; and

Air Ventilation

- (b) according to the Air Ventilation Assessment – Expert Evaluation (AVA-EE) for Shau Kei Wan (October 2008), Tung Wong Road is not identified as a breezeway. The proposal also does not fall within the criteria for AVA under Joint Housing, Planning and Lands Bureau-Environment, Transport and Works Bureau Technical Circular on AVA No. 1/06.

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

- (a) no comment in principle from visual impact point of view; and
- (b) it is noted that the proposed footbridge with a length of around 30m, a width of around 3.9m and a height of around 6.9m seems not to be incompatible with the surroundings.

Environmental Aspect

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

- (a) no objection to the planning application from environmental planning angle; and
- (b) in view of the small scale of the project, the construction impacts could be surmountable if adequate environmental mitigation measures are implemented and no adverse impact is anticipated during the operation of the footbridge.

Water Supply Aspect

8.1.10 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) no objection to the application; and
- (b) WSD shall have the right of unrestricted access for the purpose of inspecting, operating, maintaining, repairing and renewing the existing water main within the proposed construction area i.e. Tung Wong Road. Furthermore, a minimum clearance of at least 5.1m shall be maintained during and after the construction stage.

Fire Safety Aspect

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

- (a) no objection in principle to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of his department. Detailed fire services requirements

will be formulated upon receipt of formal submission of general building plans; and

- (b) as no details of the emergency vehicular access (EVA) have been provided, comments could not be offered by his department at the present stage. Nevertheless, the applicants are advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building in 2011 which is administered by BD.

Other Aspect

8.1.12 Comments of the Secretary for Development (SDEV):

- (a) no comment on the application; and
- (b) the applicants have pointed out in paragraphs 12.6 to 12.9 of the planning statement that the proposed footbridge is not relevant to the Facilitation Scheme for Provision of Pedestrian Links by the Private Sector (Facilitation Scheme), which focuses on the provision of 24-hour barrier-free public footbridges and subways by private developer. However, according to paragraph 12.4 of the planning statement, the proposed bridge is not intended for general public use but only for the staff and users of two privately owned buildings; and that the location of the bridge at the 7/F makes it unsuitable for general public use. The provision of the proposed footbridge does not appear to correspond with the policy intention behind the Facilitation Scheme. He does not consider the justification stated in paragraphs 12.6 -12.9 of the planning statement would constitute any policy support for the planning application.

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

- (a) Project Manager (South), Civil Engineering and Development Department;
- (b) Chief Engineer/Hong Kong & Islands, Drainage Services Department;
- (c) Chief Highway Engineer/Hong Kong, HyD; and
- (d) District Officer (Eastern), Home Affairs Department.

9 Public Comments Received During Statutory Publication Period

9.1 During the first three weeks of the statutory publication period of the application (29.6.2018 to 20.7.2018), a total of 2 public comments, including one comment from the building manager of an adjacent industrial/office building and one comment from an individual member of the public, were received (**Appendix IV**). Both of them object to the application. Major views are summarised below:

- (a) the proposed footbridge will block the visual space and sunlight of the adjacent building, thereby downgrading the adjacent building and affecting the interest of the occupants and owner;
- (b) the proposed footbridge will also block the sky and overshadow the pavement, affecting the street environment and public enjoyment of sky view and sunshine;
- (c) it is suggested to change the alignment of the footbridge to a more direct connection (as shown in **Appendix IV**) so as to reduce construction cost and eliminate visual and environmental impact on the adjacent building;
- (d) it is also suggested to connect the two buildings at 3 and 5 AKNVR via a weather-proofed underground tunnel instead of a footbridge given the applicants own both buildings; and
- (e) the Board should reject the application as it would set an undesirable precedent.

10 **Planning Considerations and Assessment**

- 10.1 The application is to seek planning permission for a proposed footbridge, spanning over a section of public road, connecting the hospital at 3 AKNVR and the building at 5 AKNVR. According to the applicants, the proposed footbridge is to facilitate the safe and efficient operation of the two buildings, including the delivery of medical items, transportation of patients to undergo diagnosis/treatment, meal deliveries for in-patients, movement of goods and services and other administrative logistics, by providing a weather-proof connection particularly appropriate for patients in wheelchairs and hospital beds which are inconvenient to be transferred across Tung Wong Road at-grade. Besides, there will be a pneumatic tube built into the footbridge to enable movement of samples from the hospital to the laboratories in the supporting services building. According to the applicants, the proposed footbridge would only serve the users crossing between the two connected buildings but not for general public use. If the application is approved by the Board, the applicants would take up the future management and maintenance responsibilities, as required by C for T.
- 10.2 A majority of the proposed footbridge fall within Government land (71m² out of 110m² of the whole application site). While DLO/HKE has no objection to the application at this stage, she states that the applicants have to apply to her office to implement the proposed footbridge should the planning application be approved subject to terms and conditions including premium. Regarding the government policy on footbridge connection mentioned by the applicant, SDEV does not consider the justifications provided in this regard would constitute policy support for the application. He is of the view that since the proposed footbridge at 7/F is not intended for general public use but only for the staff and users of both connected buildings, its provision does not correspond with the policy intention of facilitating provision of footbridge by private sector.

- 10.3 The proposed footbridge has a dimension of 30m (length) x 6.9m (height) x 3.9m (width) with a height of approximately 20m above Tung Wong Road. Considering the nature and scale, it is considered not incompatible with the surrounding setting, which is predominantly industrial and industrial/office buildings, in both land use and visual terms. Both CA/CMD2, ArchSD and CTP/UD&L, PlanD have no adverse comments on the proposal from visual perspective.
- 10.4 According to the applicants, the proposed footbridge would bring about a reduction in at-grade pedestrian traffic and reduction in pedestrian vehicular conflicts and will be constructed using an off-site pre-fabrication method and no permanent pier and foundation works will be needed on any public roads or street. Also, temporary road closure at Tung Wong Road for a maximum of up to three nights may be required to facilitate the actual erection of the pre-fabricated footbridge. The road closure will be conducted at night time without disturbing day time traffic and pedestrian movements. In this regard, C for T has no in-principle objection to the application. However, to address C for T's technical concerns, relevant approval conditions as identified in paragraphs 11.2(b) to 11.2(c) are recommended should the application be approved by the Committee. C for T's views on the management and maintenance responsibilities of the footbridge are included in the advisory clause.
- 10.5 Other relevant departments including DH and DEP have no objection to or no adverse comments on the application.
- 10.6 Regarding public concerns on visual and environmental impacts, the assessment in paragraphs 10.2 to 10.4 above are relevant. Regarding the public suggestions on alternative footbridge alignment and connection in tunnel form instead of footbridge, the applicants have clarified that given that there is no basement in 5 AKNR site and the podium floors of the hospital are the car park levels, the current proposed location and alignment of the footbridge is the only viable option from functional as well as structural point of view.

11 **Planning Department's Views**

- 11.1 Based on the assessment made in paragraph 10 and having taken into account the public comments mentioned in paragraph 9, PlanD has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 2.11.2022, 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 provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (b) the submission of a revised Traffic Impact Assessment before the construction of the footbridge to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- (c) the submission of a temporary traffic management scheme before the implementation of any works involving temporary closure of existing footpath or carriageway to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

Advisory Clauses

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

11.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

- (a) there is no strong justification to provide a footbridge over a public road to serve the two private buildings.

12 **Decision Sought**

12.1 The Committee is invited to consider the application.

12.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.

12.3 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

13 **Attachments**

Appendix I	Application form received on 21.6.2018
Appendix Ia	Applicants' letter dated 1.6.2018
Appendix Ib	Applicants' letter dated 7.6.2018
Appendix Ic	Applicants' letter dated 14.6.2018
Appendix Id	Applicants' letter dated 3.8.2018
Appendix Ie	Applicants' letter dated 13.9.2018
Appendix II	Previous application
Appendix III	Other comments of STH
Appendix IV	Public comments received during the statutory

Appendix V	publication period Recommended advisory clauses
Drawings A-1 and A-2	Block plan, layout plan and schematic section submitted by the applicants
Drawing A-3	Indicative perspective submitted by the applicants
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
NOVEMBER 2018**