

Similar Applications

No.	OZP Zoning Application No.	Address (Site Area)	Proposed Uses ^[1]	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
1.	S/K14S/22 “OU(B)” A/K14/763	350 Kwun Tong Road, Kwun Tong (1,782m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 125.9mPD (+25.9%)	<u>Approved</u> with conditions on 22.3.2019	4m (Office)	<ul style="list-style-type: none"> ● Full-height setback along Hang Yip Street and Lai Yip Street in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 357m² (about 20% of Site Area) ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under applied; and may still allow a stepped BH profile in the Area ● Incorporation of refuge floor cum communal sky garden
2.	S/K14S/22 “OU(B)” A/K14/764 <i>(same site as No. A/K14/771)</i>	32 Hung To Road, Kwun Tong (911.2m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 130.2mPD (+30.2%)	<u>Rejected</u> on 22.3.2019 on the following grounds: (I), (II) [see remarks for details]	3.5m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Hung To Road and the back alley in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 127m² (about 14% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Incorporation of refuge floor cum communal sky garden
3.	S/K11/29 “OU(B)” A/K11/233	1 Tsat Po Street, San Po Kong (1,346.1m ²)	I	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 12.4.2019	3.325m (Workshop)	<ul style="list-style-type: none"> ● Full-height setback in accordance with OZP along Tsat Po Street and Sam Chuk Street for improving pedestrian environment. ● Greening provision of 278 m² (about 20% of Site Area)
4.	S/K9/26 “OU(B)” A/K9/274	13 Hok Yuen Street, Hung Hom (3,698.8m ²)	C/O	<u>PR</u> 12 to 12.782 (+6.52%) <u>BH</u> Nil	<u>Approved</u> with conditions on 17.5.2019	N/A	<ul style="list-style-type: none"> ● Proposed corner setback at Hok Yuen Street and 4.5m setbacks from adjacent buildings at east and west for improving the pedestrian environment ● A 26.8m-wide building gap between the two office towers ● Greening provision of 740 m² (including a landscaped garden on 1/F) (about 20% of Site Area)

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5.	S/K14S/22 “OU(B)” A/K14/766	41 King Yip Street, Kwun Tong (2,042m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 126mPD (+26%)	Approved with conditions on 16.8.2019	4.025m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along King Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment. ● Voluntary setback and corner setback (G/F to 1/F) along King Yip Street to provide more ground floor greening and weather protection to the pedestrian ● Curvilinear building design with five layers of edge plantings ● Greening provision of 530 m² (about 26% of Site Area) ● Incorporation of refuge floor cum communal sky garden ● Compliance with SBDG and incorporation of green building design measures ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under applied; and may not be incompatible with the planned stepped BH profile in the Area
6.	S/K14S/22 “OU(B)” A/K14/771 (same site as No. A/K14/764)	32 Hung To Road, Kwun Tong (911.2m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 119.7mPD (+19.7%)	Approved with conditions on 16.8.2019	3.5m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Hung To Road and the back alley in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 197 m² (about 22% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Incorporation of refuge floor cum communal sky garden ● Tower deposition to allow building separation at tower with adjoining building to facilitate wind penetration to inland area ● Compliance with SBDG and incorporation of green building design measures ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under applied; and may not be incompatible with the planned stepped BH profile in the Area. ● Confined site configuration while the applicant had made effort in the building design to improve the local environment as listed above.
7.	S/K14S/22 “OU(B)” A/K14/773	82 Hung To Road, Kwun Tong (929.03m ²)	I	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 119.85mPD (+19.85%)	Deferred by the MPC on 18.10.2019 and the applicant was requested to provide further information on the planning and design merits	4.1m (Workshop)	<ul style="list-style-type: none"> ● Building setback from above 1F ● Glass canopy for providing weather protection to the pedestrian ● Greening provision of 203 m² (about 22% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Incorporation of refuge floor cum communal sky garden ● Compliance with SBDG and incorporation of green building design measures

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8.	S/KC/29 “OU(B)” A/KC/460	57 – 61 Ta Chuen Ping Street, Kwai Chung (2,261m ²)	I-O	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	Approved with conditions on 5.7.2019	N/A	<ul style="list-style-type: none"> ● Full-height setback along Ta Chuen Ping Street wider than OZP requirement for long-term road widening and improving air ventilation
9.	S/TW/33 “Industrial” A/TW/505	14-18 Ma Kok Street, Tsuen Wan (1,858.1m ²)	I	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	Approved with conditions on 1.11.2019	3.5m (Workshop)	<ul style="list-style-type: none"> ● Voluntary full-height setback along Ma Kok Street for improving pedestrian environment ● Greening at G/F (with 0.6m setback) along Tsuen Yip Street ● Greening provision of 389 m² (about 20% of Site Area) ● Compliance with SBDG and incorporation of green building design measures
10.	S/KC/29 “OU(B)” A/KC/464	20-24 Kwai Wing Road, Kwai Chung (1,579m ²)	I	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	Approved with conditions on 29.11.2019	4.2m (Workshop)	<ul style="list-style-type: none"> ● Voluntary full-height setbacks at the northern portion of site and along Castle Peak Road - Kwai Chung for improving pedestrian environment, air ventilation and visual permeability ● Greening provision of 316m² (about 20% of Site Area) ● Provision of communal escalator with universal accessible lift and staircase open to the public for improving pedestrian connectivity, accessibility and comfort ● Compliance with SBDG and incorporation of green building design measures

Notes

[1] Proposed Uses: Industrial (I), Commercial/ Office (C/O), and Industrial-Office (I-O)

[2] For back alleys, in addition to a 1.5m full-height setback, a 1.5m non-building area (NBA) from ground level with clear headroom of 5.1 are required, which basement structures as well as cantilevered structures projecting above the minimum 5.1m headroom are allowed.

Rejection Reasons

(I) The applicant failed to demonstrate that there were sufficient planning and design merits to justify the proposed minor relaxation of building height restriction.

(II) The approval of the application would set an undesirable precedent for similar applications for minor relaxation of building height restriction in the area, the cumulative effects of approving similar applications would have adverse visual impact on the area

Recommended Advisory Clauses

- (a) the approval of the application does not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design Guidelines and any gross floor area (GFA) concession of the proposed development will be granted by the Building Authority (BA). The applicant should approach the Buildings Department (BD) direct to obtain the necessary approval. If the proposed building design elements and GFA concession/bonus PR are not approved/granted by the BA and major changes to the current scheme are required, a fresh planning application to the Town Planning Board (TPB) may be required;
- (b) to note the comments of the Chief Building Surveyor/Kowloon, BD that the proposed site coverage would exceed the permitted site coverage under the Schedule I of Building (Planning) Regulations. Modification for permitting the proposed site coverage to exceed the permitted site coverage may be accepted subject to the compliance with the requirements stipulated in PNAP APP-132;
- (c) to note the comments of District Lands Officer/Kowloon East (DLO/KE), LandsD and Chief Estate Surveyor/Development Control (CES/DC), LandsD:
 - (i) “Non-polluting industrial use” in planning terms may constitute uses in breach of the lease conditions and therefore upon receipt of the lease modification application. Should the application be approved by the Town Planning Board, the applicant is required to apply to LandsD for a lease modification to give effect to the proposal. However, there is no guarantee that the lease modification would be approved and if the application is eventually approved by LandsD in the capacity as landlord at his sole discretion, it will be subject to those terms and conditions, including, inter alia, payment of full premium and administrative fee as may be imposed by LandsD.
 - (ii) Among other conditions under the 2018 IB revitalisation measure, the lease modification letter/conditions of land exchange shall be executed within 3 years from the date of the Board’s approval letter and the proposed redevelopment shall be completed within 5 years from the date of execution of the lease modification letter/conditions of land exchange.
- (d) to note the comments of Comments of the Commissioner for Transport that the setback at Luk Hop Street fulfils the minimum NBA requirement in OZP and have no comments to the setback provided that the applicant will take up the management and maintenance responsible of the area including the proposed plants and planters.
- (e) to note the comments of the Head of Energizing Kowloon East Office, Development Bureau that the redevelopment of the site into an industrial building for non-polluting industrial use is permitted under the “OU(B)” zone, inclusion of commercial uses, especially on the lower floors, would create greater synergy effect and bring more vibrancy to the neighbourhood which is under transformation into a business area. The applicant could consider such approach despite lease modification may be involved.