

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/K15/123**

- Applicant** : The Hong Kong Housing Authority (HKHA) represented by Kenneth To & Associates Limited
- Site** : Pik Wan Road Site B, Junction of Pik Wan Road and Ko Chiu Road, Yau Tong, Kowloon
- Site Area** : 7,100m<sup>2</sup>
- Land Status** : Government Land
- Plan** : Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan (OZP) No. S/K15/25
- Zoning** : “Residential (Group A)” (“R(A)”)  
(a) Subject to a maximum plot ratio (PR) of 7.5 for a domestic building or 9 for a building that is partly domestic and partly non-domestic, or the PR of the existing building, whichever is the greater  
(b) Subject to building height restriction (BHR) of 150 meters above Principal Datum (mPD) or the height of the existing building, whichever is the greater
- Application** : Proposed Minor Relaxation of BHR for Permitted Public Housing Development

**1. The Proposal**

- 1.1 The applicant seeks planning permission for minor relaxation of BHR from 150mPD to 185mPD (i.e. increase by 40% measured in terms of absolute BH from the mean site formation level of 62mPD<sup>[1,2]</sup>) for public housing development at the application site (the Site), which falls within an area zoned “R(A)” on the OZP (**Plan A-1** and **A-2**). Since the proposed development with a maximum BH of 185mPD would exceed the BHR of 150mPD as stipulated on the OZP, planning permission from the Town Planning Board (the Board) for the minor relaxation of BHR is required.

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<sup>1</sup> Increase by about 23% in terms of mPD.

<sup>2</sup> The Site would be formed at different levels in a range between 58.5mPD in the south and 68.7mPD in the north, with mean site formation level of 62.3mPD.

- 1.2 The proposed public housing development, abutting Ko Chiu Road/Pik Wan Road, Yau Tong with existing gradient gradually increasing from 56mPD in the south to 82mPD in the north (with mean formation level of 62.3mPD after site formation by the Civil Engineering and Development Department (CEDD)<sup>[3]</sup>), comprising an “L-shaped” residential block of 36 storeys atop the flat roof of a podium with varied formation levels, there are 5-podium floors for Residential Care Homes for the Elderly (RCHE) cum Day Care Unit (DCU) at the lower platform in the southern portion, and 3-podium floors for E&M, management office and residential lobby and ancillary carpark at the upper platform in the northern portion of the Site (the Proposed Scheme) (**Plan A-2** and **Drawings A-1** to **A-8**). The proposed development will provide about 864 flats with the total PR not exceeding 9 (domestic and non-domestic PRs not exceeding 7.5 and 1.5 respectively) permissible under the OZP. Both public housing flats and social welfare facilities are uses always permitted in the subject “R(A)” zone.
- 1.3 The proposed Master Layout Plan, floor plans and sections plans of the indicative scheme submitted by the applicant are shown at **Drawings A-1** to **A-8**. The major development parameters of the proposed development are summarised in the following table:

| <b>Development Parameters</b>                       | <b>Proposed Scheme</b>   |
|---|--|
| Gross Site Area                                     | about 7,100m <sup>2</sup>  |
| Net Site Area                                       | about 5,900m <sup>2</sup> (exclude the area of slope)                        |
| Total (Domestic) PR <sup>[*]</sup>                  | not exceeding 9 (7.5)  |
| Site Coverage (based on gross site area)            |  |
| - Podium  | about 55%  |
| - Residential Block                                 | about 20%  |
| No. of Flats (about)                                | 864  |
| Design Population (about)                           | 2,420  |
| Local Open Space (LOS)                              | Not less than 2,420 m <sup>2</sup> (or 1m <sup>2</sup> per person)           |
| BH (about) (nos. of storey)                         |  |
| - Welfare portion                                   | 82.5mPD (5-storey for RCHE cum DCU)  |
| - Residential portion                               | 185mPD (36 domestic floors <sup>[^]</sup> + 3-storey podium )                |
| GIC facilities <sup>[#][@]</sup>                    | RCHE: 250 places<br>DCU: 20 places   |
| Parking and Loading/<br>Unloading (L/UL) Facilities | Private car : 63 (incl. 5 for visitors)<br>Motorcycle : 8<br>Welfare use : 1 |

<sup>3</sup> CEDD will carry out site formation and other infrastructure works for the Site before commencement of the public housing construction works by the applicant. CEDD has also conducted relevant assessments to ascertain the feasibility of the proposed development.

|                   |  |
|-------------------|--|
|                   | L/UL : 2 L/UL bays<br>(provision in accordance with the high-end requirements under Hong Kong Planning Standards and Guidelines (HKPSG)) |
| Target Completion | 2026/2027  |

Note:

- [\*] Domestic and non-domestic PRs are those permitted in the “R(A)” zone concerned and calculated based on net site area.
- [^] Typical floor-to-floor height of 2.75m is adopted
- [#] The proposed RCHE cum DCH would be accountable for non-domestic PR.
- [@] Subject to further review by Social Welfare Department (SWD) at detailed design stage.

1.4 An open courtyard facing the northwestern side of the Site would be provided to serve the social welfare facilities that would also improve the lighting and ventilation of the RCHE. The proposed domestic tower would adopt a “L” shape for accommodating about 864 domestic units for which, LOS to serve the future residents as required under HKPSG at 1m<sup>2</sup> per person would be provided at the flat roof of the podium (**Drawings A-1 and A-8**).

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

- (a) Application form received on 22.8.2019 **(Appendix I)**
- (b) Planning Statement (including reports on Air Ventilation Assessment (AVA) and Visual Impact Assessment (VIA)) **(Appendix Ia)**
- (c) Further information (FI) received on 30.9.2019 providing responses to departmental comments and replacement pages of VIA **(Appendix Ib)**
- (d) FI(2) received on 2.10.2019 providing responses to departmental comments and replacement pages of AVA **(Appendix Ic)**
- (e) FI(3) received on 8.10.2019 providing responses to departmental comments **(Appendix Id)**
- (f) FI(4) received on 11.10.2019 providing responses to departmental comments and replacement pages of AVA and VIA **(Appendix Ie)**
- (g) FI(5) received on 14.10.2019 providing responses to departmental comments **(Appendix If)**

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are set out in the Planning Statement and the FIs at **Appendices Ia to If**, and summarized as follows:

### Optimisation of Development Potential of the Site

- (a) Public housing development at total (domestic) PR of 9 (7.5) is permissible under the OZP for the subject “R(A)” zone. The BHR of 150mPD as imposed on the OZP was based on the Housing Department (HD)’s previous notional scheme solely for public housing department therein (i.e. without any GIC facilities) (see paragraph 4 for details). According to HD’s preliminary scheme, with the additional RCHE cum DCU, only about 552 public housing units could be provided under the OZP-compliance scheme (i.e. maximum BH of 150mPD). The resultant domestic PR would be about 5.5 which is lower than that permitted under OZP. Having regard to various site constraints as detailed in paragraph 2(b) below, the Proposed Scheme with “L-shaped” residential tower with BH of 185mPD is sensibly designed that would optimize land utilisation of the Site by providing additional social welfare facilities (counted towards non-domestic PR) without affecting the supply of public housing units. The proposal is in line with the prevailing Government’s policies.

### Optimised BH with Site Constraints

- (b) The proposed “L-shaped” building layout and design have already been optimized taking into account the following site constraints (**Drawings A-1 and A-9**) and design requirements:
- (i) 5m and 10m setbacks from Ko Chiu Road and Pik Wan Road respectively and other measures (e.g. podium design) for minimising impacts of potential vehicular emission/traffic noise;
  - (ii) 15m setback <sup>[4]</sup> at the northeastern periphery of the Site at foothill of the Yau Tong Salt Water Service Reservoir (YTSWSR) (level at 82-84mPD) for fulfilling the requirement on vibration/settlement control limits required by Water Supplies Department (WSD) under the “Conditions of working in the vicinity of waterworks installation”;
  - (iii) tower separation of about 78m between the residential tower and the proposed public housing development to its north at Pik Wan Road Site A (Figure 32 of AVA at **Appendix Ia**)<sup>[5]</sup> to allow valley wind penetration in a northeast-to-southwest direction, that can serve as a district air path;
  - (iv) to facilitate accessibility of the social welfare facilities to the future users and the visitors, the welfare portion of the podium would be erected at the lower platform with pedestrian access near the existing crossing at Ko Chiu Road/Pik Wan Road junction and the planned footbridge system at Ko Chiu Road for connecting Lei Yue Mun Road and further to Yau Tong MTR Station (**Plan A-4**).

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<sup>4</sup> The setback area (comprises proposed man-made slope with retaining wall) is excluded from the net site area.

<sup>5</sup> The planned public housing development at Pik Wan Road Site A is zoned “R(A)” on the OZP with maximum total (domestic) PR of 9 (7.5) and there is no BHR for Site A. The proposed development therein, with four residential blocks with stepped BHs from about 160mPD to 210mPD, is planned to provide about 2,300 flats with design population of about 6,570.

- (v) provision of sufficient LOS under HKPSG (i.e. 1m<sup>2</sup> LOS per resident) and relevant greening requirements (i.e. minimum 20% of greening coverage of the site area with at least 50% provided at grade or at levels easily accessible by pedestrian, and a minimum of 3 trees per 100m<sup>2</sup> of the total green coverage); and
  - (vi) various requirements under Buildings Ordinance (BO) (e.g. building permeability under Sustainability Building Design Guidelines, the requirements on lighting, ventilation and prescribed window etc.).
- (c) Accommodating car parking spaces in basement to lower the proposed BH has been explored. The foundation levels of the proposed development largely follow the rockhead level to minimise the need for rock blasting and excavation. Based on the applicant's preliminary estimation, the excavation works will have to be extended by about 12 months for one storey basement; thus the construction of basement levels would have significant implication on the construction programme. Extensive rock excavation for basement is also considered not cost-efficient and not environmentally friendly as it would increase the burden of landfills.
- (d) Majority of the LOS would mainly be provided at the flat roof of the podium and its size would be confined by layout of residential tower above as well as the need to provide an open courtyard for the RCHE cum DCU for fulfilling relevant ventilation/lighting requirements. Alternative layout design with site coverage higher than 20% of the residential block has been reviewed but is considered not feasible as it would inevitably reduce the LOS.

#### In line with Planning Intention

- (e) The proposed public housing development with social welfare uses conforms with the planning intention of the subject "R(A)" zone. The development proposal would meet the acute demand for public housing and social welfare facilities.

#### Compatibility of BH with the Surrounding Areas

- (f) The Site will stand amongst the cluster of existing/planned high-rise residential developments that generally follow the topography of the Yau Tong area. The BH under application is considered compatible with the distinct stepped BH profile in the area as the BHs of the existing/planned developments in the vicinity are ranging from about 132mPD-150mPD (Yau Tong Estate) to 190mPD (Hong Pak Court) and about 210mPD (Pik Wan Road Site A) (**Plan A-3**). As demonstrated in the photomontages in the VIA (**Drawings A-10 to A-11**), it is considered that the resultant overall visual impact associated with the proposed minor relaxation of BHR is acceptable and the proposed BH of 185mPD, as compared with the permitted BH of 150mPD, would not induce adverse visual impact.

#### No Adverse Technical Impacts

- (g) According to the findings of the AVA (**Appendix Ia**), the Proposed Scheme would achieve slightly better air ventilation under both annual and summer conditions. A

Traffic Impact Assessment (TIA) was prepared by CEDD which concluded that there would be no significant traffic impact after the implementation of the traffic improvement works by CEDD. Additional public light bus stops will be proposed along Ko Chiu Road and Pik Wan Road to cope with the needs of the residents. As indicated in other technical assessments (including the assessments on sewerage, drainage and geotechnical aspects by CEDD and the Environmental Assessment Study (EAS) by HD) under separate cover for the proposed housing development, the Proposed Scheme would not result in insurmountable adverse impacts to the surrounding environment. As part of the site formation works, CEDD would prepare the Tree Preservation and Removal Proposal and the Construction and Demolition Material Management Plan for approval by the relevant government departments under established mechanism.

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

As the Site involves Government land only, 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 to the application.

### **4. Background**

4.1 The Site was previously zoned “Government, Institution or Community” (“G/IC”). The Site falls within a residential neighborhood with mainly high-rise, high-density public/subsidized housing. In order to meet the pressing housing demand, it was rezoned from “G/IC” to “R(A)” with a maximum total (domestic) PR of 9(7.5) and the stipulation of BHR of 150mPD which catered for HD’s notional scheme solely for public housing development in 2013.

4.2 During the statutory exhibition periods, 267 representations were received in relation to the aforementioned OZP amendment, out of which 241 nos. opposed the amendment on grounds that there were insufficient clinics/health centre in Yau Tong<sup>[6]</sup>, there were potential adverse impacts on traffic, visual and air ventilation aspects arising from the proposed public housing development, adequacy of GIC facilities and tree felling considerations. Having considered that a replacement clinic site was identified in the vicinity<sup>[7]</sup>, there was generally sufficient provision of GIC and open space in the planning scheme area, concerned government departments confirmed that the proposed public housing development would not have insurmountable problem in terms of traffic, environmental, visual and air ventilation aspects, and that the Director of Agriculture, Fisheries and Conservation advised that the Site was generally covered with common exotic and native plantation trees, and no ecological issues should be resulted from the

<sup>6</sup> Part of the “G/IC” zone (about 31%) was originally reserved for clinic use with no firm development programme by then while major part of it (about 69%) had no designated GIC use.

<sup>7</sup> A General Out-patient Clinic (GOPC) would be provided in Pik Wan Road Site A (about 1.87 ha.). Apart from the GOPC, other GIC facilities (namely a Child Assessment Centre, a 100-place Child Care Centre, an Integrated Home Care Services Team, a Neighbourhood Elderly Centre sub-base), a 7-classroom kindergarten and some retail facilities will also be provided at Site A (**Plan A-2**).

proposed public housing development, the Board decided not to propose any amendment to the OZP to meet the representations.

- 4.3 Subsequently, with the persistent demand for RCHEs in view of aging population and upon request by SWD for accommodating the anticipated acute demand in Yau Tong area, a RCHE cum DCU is proposed at the Site in addition to the planned public housing development.

## **5. Previous Applications**

There is no previous application in respect of the Site.

## **6. Similar Applications**

There is no similar application for minor relaxation of BHR in “R(A)” zone within the OZP and the Kwun Tong District.

## **7. The Sites and their Surrounding Areas (Plans A-2 to A-4)**

7.1 The Site is:

- (a) a piece of vacant government land comprising natural and man-made vegetated slopes, with site levels ranging from about 56mPD in the south to 82mPD in the north;
- (b) bounded by Pik Wan Road to its east, Ko Chiu Road to its south, the YTSWSR to its north and an access road to YTSWSR to its west; and
- (c) with proposed accesses from Ko Chiu Road (for welfare portion) and Pik Wan Road (for residential portion).

7.2 The surrounding areas have the following characteristics:

- (a) to its further north on part of the rooftop of the service reservoir is Yau Tong Services Reservoir Playground (about 82-84mPD);
- (b) to its east across Pik Wan Road are a rest garden and a care and attention home for the aged (about 79mPD) while Ko Chun Court (with existing BHs of about 120mPD) is to the further east;
- (c) to its south and southeast across Ko Chiu Road are Ko Yee Estate (from 65mPD to 120mPD) and Ko Cheung Court (from 140-168mPD), with Yau Mei Court (of about 150mPD) and Yau Tong Estate (of about 130-140mPD) to the further southwest;
- (d) to its immediate west across the access road to YTSWSR and man-made slopes is Ko Chiu Road Substation (about 60mPD); and

- (e) to its further north is the planned public housing development at Pik Wan Road Site A, comprising four residential blocks with stepped BHs from about 170mPD (in the south near Ko Chiu Road at site formation level of about 45mPD) to 210mPD (in the north near Pik Wan Road at site formation level of about 80mPD), will provide about 2,300 flats with design population of about 6,570.

## **8. Planning Intention**

- 8.1 The planning intention of “R(A)” zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- 8.2 A minor relaxation clause in respect of BH restrictions is incorporated into the Notes in order to provide incentive for developments/redevelopments with planning and design merits. Each application for minor relaxation of BH restriction will be considered on its own merits.

## **9. Comments from Relevant Government Departments**

- 9.1 The following Government departments have been consulted and their views on the application and/or public comments are summarized as follows:

### **Land Administration**

- 9.1.1 Comments of the District Lands Officer/Kowloon East, Lands Department (DLO/KE, LandsD):
- (a) He has no objection to the application.
- (b) According to land status record, the Site would encroach onto a permanent land allocation GLA-NK210 to WSD for Yau Tong Fresh and Salt Water Service Reservoir. The applicant should liaise with the allocatee of the above-mentioned land allocation for their consent to carry out the works within the allocation boundary and if necessary, to excise the affected portion(s) from the allocation boundary.

### **Urban Design, Visual and Landscape Aspect**

- 9.1.2 Comments of the Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD):
- (a) According to the applicant, it is primarily due to the topographic and technical constraints that rendered the proposed development from achieving the maximum permissible domestic PR of 7.5 with additional RCHE and DCU facilities under the current BHR



impossible.

- (b) As illustrated in the photomontages of the VIA, there will be a relatively pronounced increase in the building mass under the Proposed Scheme with minor relaxation of BHR from 150mPD to 185mPD. Admittedly the proposed development with a higher BH will have visual impacts on the surroundings, such as reducing the sky view and affecting the quality of visual openness from a certain selected viewpoints. Nevertheless, it is recognised that the proposed relaxation in BHR would enable optimisation of the development potential at the Site for public housing units and social welfare uses, which by itself may be considered a public benefit. It is noted that the Proposed Scheme with smaller podium and tower footprints will be beneficial to the pedestrian wind environment.
- (c) According to the applicant, the proposed LOS around the development edges will be planted with trees and shrubs. Should the application be approved, the applicant should be advised to achieve a high quality landscaped development edges to improve the visual amenity and provide a softer transition between the proposed development and the neighbouring developments.

### **Air Ventilation Aspect**

#### 9.1.3 Comments of CTP/UD&L, PlanD:

An AVA Initial Study has been submitted to demonstrate the ventilation performance under the Baseline Scheme (an OZP compliant scheme) and the Proposed Scheme which demonstrates that the Proposed Scheme attains a better ventilation performance in both site and local velocity ratios under annual condition while maintain similar performance under summer conditions. Based on the AVA results, he has no adverse comment on the application.

### **Environmental Aspect**

#### 9.1.1 Director of Environmental Protection (DEP):

- (a) He has no objection to the application from environmental perspective based on the following assessments which conclude that insurmountable environmental impacts associated with the proposed development are not anticipated.
- (b) According to the SIA conducted by CEDD, with implementation of the proposed improvement works at Lei Yue Mun Road, Ko Chiu Road, Ko Chiu Path and Pik Wan Road, and near Yau Chiu Court, the local sewerage system would have sufficient capacity to convey the sewerage from the Site.
- (c) The EAS conducted by HD has been submitted under separate cover.

On air quality, the separation distance between the proposed residential blocks and fresh air intake(s) of the ancillary facility block with the adjoining road networks have satisfied relevant vehicular emission buffer distances as stipulated in HKPSG. Hence, adverse vehicular emission impact is not anticipated for the proposed development. Also, there is no active industrial chimney located within the HKPSG recommended buffer distance for chimney emission. On noise, with mitigation measures in terms of the acoustic window adopted at several noise sensitive receivers, the predicted traffic noise levels at all noise criterion in the HKPSG. In addition, there is no potential fixed noise source in the vicinity of the Site.

### **Drainage Matters**

9.1.2 Comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD):

- (a) He has no comment on the application from the drainage maintenance point of view.
- (b) In response to public comment on the flooding issue (see paragraph 10.2 below), he advises that no flooding complaints were received near the Site in the past three years.

### **Building Matters**

9.1.3 Comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD):

- (a) He has no comment on the application.
- (b) Under section 41(1)(aa) of the BO, subject to section 18(2) and (3) of Housing Ordinance, buildings upon any land vested in the HKHA or over which the HKHA has control and management shall be exempted from the provisions of the BO.

### **Fire Safety**

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

- (a) He has no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of his department.
- (b) Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. The arrangement of emergency vehicular access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the BD.

### **Traffic Aspect**

#### 9.1.5 Comments of the Commissioner for Transport (C for T):

- (a) As the Proposed Scheme has been assessed in the TIA report conducted by CEDD for the proposed development, he has no comment on the application from traffic engineering point of view.
- (b) Should the Board approve the application, he suggests to impose an approval condition in relation to the design and provision of vehicular access and vehicle parking/L/UL facilities for the proposed development.

### **Provision of Social Welfare Facilities**

#### 9.1.6 Comments of the Director of Social Welfare (DSW):

- (a) He supports the current planning application.
- (b) He has no comment on the indicative design of the proposed welfare facilities in general. SWD will provide further comments on the requirements of the welfare facilities during the detailed design stage. Should the Board approve the application, he recommends that an approval condition on the design and provision of the social welfare facilities in the proposed development should be imposed.

#### 9.2 The following Government departments have no comment on the application:

- (a) Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD);
- (b) Chief Highway Engineer/Kowloon, Highways Department;
- (c) Commissioner of Police;
- (d) Director of Electrical and Mechanical Services;
- (e) Chief Engineer/Construction, WSD;
- (f) Project Manager/East, CEDD;
- (g) Head of Geotechnical Engineering Office, CEDD; and
- (h) District Officer (Kwun Tong), Home Affairs Department.

## **10. Public Comments Received During Statutory Publication Period**

- 10.1 On 30.8.2019, the application was published for public inspection. During the first 3 weeks of the statutory public inspection period, which ended on 20.9.2019, five public comments are received from a Kwun Tong District Council (KTDC) Member (**Appendix IIa**) and four individuals (**Appendices IIb to IIe**).
- 10.2 These public comments object the application mainly on grounds that that there is in general shortage of medical, social welfare, education and recreation facilities in Kwun Tong District that could not support the additional increase of residents from the proposed public housing development. There are concerns about the

traffic capacity and pedestrian accessibility, adverse impacts on the natural environment and the existing flooding problems in the area. Two of them consider that the Site is not suitable for housing development. An individual raises concern about the provision of open space to serve the future residents and users of RCHE, the design of the RCHE with respect to natural lighting and ventilation, accessibility of the nearby recreational facilities and enquires on the number of tree felling involved for proposed development.

## **11. Planning Considerations and Assessments**

- 11.1 The current application is for proposed minor relaxation of BH restriction from 150mPD to 185mPD (i.e. increase by 40% in terms of absolute BH) for the proposed public housing development comprising a 36-storey residential block atop a podium accommodating a RCHE cum a DCU and ancillary parking facilities at the Site. The total (domestic) PR of the proposed development is not exceeding 9 (7.5), which is within the permitted PR under the OZP. The Proposed Scheme with BH of 185mPD would provide 864 public housing units and social welfare uses, the applicant indicates that under the BHR of 150mPD with the RCHE cum DCU, only 552 would be provided (i.e. 312 flats less).

### Planning Merits

- 11.2 It is stated in the 2017 Policy Address that the Government is committed to allocate more resources to enhance the provision and planning of elderly services. The Proposed Scheme is an initiative to better utilise the existing housing resources to meet the demand for residential care services for the elderly in the area<sup>[8]</sup> without compromising the supply of public housing units. DSW supports the application to facilitate the provision of social welfare facilities within the public housing development. The proposed public housing development would be completed tentatively by 2026/2027. According to the applicant, feasibility to lower the proposed BH with underground carpark has been explored; however, excavation of rockhead beneath the Site formation level for basement would inevitably cause delay to the housing programme. Thus, the application is in line with the Government's overall policies of better utilization of scarce land resources, expediting the production of public housing and increasing the provision of social welfare facilities, which are in the public interests.

### Relaxation of BH Restriction

- 11.3 The Site falls within a residential neighborhood with mainly high-rise, high-density public/subsidized housing developments, which are in general not subject to any BHR. It is at the mid-hill of Yau Tong area (with mean site formation level at about 62mPD) with topography gradually increases in a southwest to northeast direction from the waterfront to the uphill area. The BHs of existing/planned residential developments largely follow this topographical

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<sup>8</sup> According to the population-based planning standards for elderly services and facilities incorporated into the HKPSG in December 2018, even with the provision of the proposed 250-places RCHE, there will be shortfall in RCHE of about 2,000 places in the Kwun Tong District.

character with about 120mPD at the Yau Tong Bay waterfront, about 140 to 150mPD along Lei Yue Mun Road (at level of about 30mPD) and 120-210mPD along Pik Wan Road (with levels gradually ascending from 69mPD to 90mPD) (**Plan A-3**).

- 11.4 The BH of developments in the immediate vicinity of the Site is at 65-120mPD or below to its east (namely Ko Chun Court and Ko Yee Estate)<sup>[9]</sup>, 120-150mPD to its southeast (namely Ko Cheung Court)<sup>[10]</sup> and 150mPD (Yau Mei Court to its southwest) (**Plan A-3**). The “G/IC” zone abutting the north is occupied by service reservoirs and an electric sub-station (60mPD). The Pik Wan Road Site A development is located further north of the “G/IC” zone, four blocks are proposed with the BHs between 170mPD (abutting Ko Chiu Road in the south) to 210mPD (near Pik Wan Road/O King Road in the north). As such, the proposed development at 185mPD may largely be taller than the surrounding existing and planned developments and may not be strictly in line with the BH profile.
- 11.5 CTP/UD&L, PlanD advises that the proposed increase in BH from 150mPD to 185mPD will be a relatively pronounced increase in building mass as illustrated in the photomontages of the VIA (**Drawings A-10 and A-11**) that will have visual impacts on the surroundings, such as reducing the sky view and affecting the quality of visual openness from a certain selected viewpoints. Notwithstanding this, he notes the public benefits of the Proposed Scheme and site constraints as raised by the applicant. CA/CMD2, ArchSD has no adverse comment on the application from visual perspective. According to the AVA (**Appendix Ia**), there would be no major ventilation impacts induced by the proposed minor relaxation of BHR and CTP/UD&L, PlanD has no adverse comment on the application from air ventilation aspect. CTP/UD&L, PlanD also has no objection to the application from the landscape planning point of view.
- 11.6 Regarding the design of the Proposed Scheme, the applicant indicates that the Proposed Scheme is an optimized layout that has been designed to address the various site constraints and design requirements while maintaining the same level of public housing supply. The applicant is of the view that alternative options at a lower BH are infeasible/not desirable, namely a site coverage for the residential block higher than 20% is constrained by the requirement for provision of open courtyard for the RCHE cum DCU for meeting ventilation/lighting requirements and sufficient LOS at flat roof of the podium to serve the future residents according to HKPSG; further excavation for basement level for basement carpark would have significant implication on the housing programme and is considered not environmentally friendly; and that the welfare portion is put at the lower platform to improve its accessibility. The Site is subject to various site constraints and that the Proposed Scheme has to cater for the design requirements for both RCHE cum DCU and residential units that may limit the scope of reducing the proposed BH; as such, the proposed minor relaxation of BHR from 150mPD to 185mPD may not be unreasonable.

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<sup>9</sup> These two public housing developments were completed in 1994-1995 and the BHs are restricted by the then Airport Height Restriction (i.e. 70mPD to 130mPD).

<sup>10</sup> One of the residential block to the immediate south of the Site across Ko Chiu Road (i.e. Ko Ching House) is with existing BH of about 168mPD.

- 11.7 Notwithstanding that the proposed relaxation of BHR to 185mPD may be relatively pronounced and not strictly in line with the stepped BH profile, having considered the planning merits of the proposed public housing development with inclusion of social welfare facilities as discussed in paragraph 11.2, and the design constraints and project requirement claimed by the applicant in paragraph 11.6 above, the proposed relaxation of BHR may be considered not unacceptable.

#### Public Comments

- 11.8 As the proposed housing development and the proposed total (domestic) PR of not more than 9 (7.5) is always permitted under the OZP, the main concerns raised in the public comments were already deliberated and decided on when the Board agreed to the OZP amendment in 2013. On the pedestrian accessibility, several pedestrian walkway systems are under planning for overcoming the level difference in the area (**Plans A-3** and **A-4**). Proposed Scheme incorporates RCHE cum DCU and other GIC facilities (e.g. GOPC, social welfare facilities) would be provided in the Pik Wan Road Site A. Regarding the concerns on the flooding issue, CE/Mainland South, DSD advises that there were no flooding complaints received near the Site in the past three years and he has no adverse comments on the application from drainage maintenance point of view. On the design of the social welfare facilities, the applicant will further liaise with SWD and relevant design requirement/guidelines would be followed during detailed design stage. The public comments did not involve visual aspects arising from the subject application for relaxation of the BHR.

## **12. Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 18.10.2023, 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 condition of approval is and advisory clauses are suggested for Members' reference:

#### Approval Conditions

- (a) the building height of the proposed public housing development within the application site should not exceed 185mPD;
- (b) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (c) the design and provision of the social welfare facilities to the satisfaction of the Director of Social Welfare or of the Town Planning Board; and

- (d) the design and provision of vehicular access and vehicle parking/loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

*Advisory clauses*

- 12.3 The recommended advisory clauses are attached at **Appendix III**.
- 12.4 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:
- (a) The applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of building height restriction.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

### **14. Attachments**

|                              |  |
|------------------------------|--|
| <b>Appendix I</b>            | Application form received on 22.8.2019                                   |
| <b>Appendix Ia</b>           | Planning Statement (including AVA and VIA reports) received on 22.8.2019 |
| <b>Appendix Ib</b>           | Further Information submitted by the applicant received on 30.9.2019     |
| <b>Appendix Ic</b>           | Further Information submitted by the applicant received on 2.10.2019     |
| <b>Appendix Id</b>           | Further Information submitted by the applicant received on 8.10.2019     |
| <b>Appendix Ie</b>           | Further Information submitted by the applicant received on 11.10.2019    |
| <b>Appendix If</b>           | Further Information submitted by the applicant received on 14.10.2019    |
| <b>Appendices IIa to IIe</b> | Public comments received   |
| <b>Appendix III</b>          | Recommended advisory clauses   |
| <b>Drawing A-1</b>           | Master Layout Plan of Proposed Development                               |
| <b>Drawings A-2 to A-7</b>   | Floor Plans of Proposed Development                                      |
| <b>Drawing A-8</b>           | Section Plan of Proposed Development                                     |

|                              |                                      |
|------------------------------|--------------------------------------|
| <b>Drawing A-9</b>           | Site Constraints                     |
| <b>Drawings A-10 to A-11</b> | Photomontages                        |
| <b>Plan A-1</b>              | Location plan on Outline Zoning Plan |
| <b>Plan A-2</b>              | Site plan                            |
| <b>Plan A-3</b>              | Building Height Profile              |
| <b>Plan A-4</b>              | Site photos                          |

**PLANNING DEPARTMENT  
OCTOBER 2019**