

**Previous Applications for Proposed Comprehensive Residential Development
with Retail Shops, or Eating Place and/or Shop and Services Covering the Application Site**

Approved Applications

No.	Application No.	Location	Proposed Use	Date of Approval	Decision	Approval Condition(s)
1.	A/K10/187	Nos. 5 & 7, Mok Cheong Street, Nos. 70-78 Sung Wong Toi Road, Ma Tau Kok, Kowloon, KIL 7626, KIL 7628 & KIL 10578	Proposed Comprehensive Residential Development with Retail Shops	14.7.2000 (MPC)	Approved with condition(s)	(a), (b), (c), (d), (e) and (f)
2.	A/K10/195	No. 7, Mok Cheong Street and Nos. 70-78 Sung Wong Toi Road, Ma Tau Kok, Kowloon, KIL 7628 & KIL 10578	Proposed Comprehensive Residential Development with Retail Shops	9.8.2002 (MPC)	Approved with condition(s)	(a), (b), (d), (e) and (g)
3.	A/K10/198	Nos. 5 & 7, Mok Cheong Street and Nos. 70-78 Sung Wong Toi Road, Ma Tau Kok, Kowloon, KIL 7626, KIL 7628, KIL 10578	Proposed Comprehensive Residential Development with Retail Shops	11.7.2003 (MPC)	Approved with condition(s)	(a), (b), (d) and (g)
4.	A/K10/199	Nos. 5 & 7, Mok Cheong Street and Nos. 70-78 Sung Wong Toi Road, Ma Tau Kok, Kowloon, KIL 7626, KIL 7628, KIL 10578	Proposed Comprehensive Residential Development with Retail Shops	5.12.2003 (MPC)	Approved with condition(s)	(a), (d), (f), (g) and (h)
5.	A/K10/256	Kowloon Inland Lots Nos. 7626, 7628 and 10578, Mok Cheong Street and Sung Wong Toi Road, Ma Tau Kok, Kowloon	Proposed Comprehensive Residential Development with Shop and Services and Eating Place	27.5.2016 (MPC)	Approved with condition(s)	(a), (d), (f), (h), (i), (j), (k) and (l)

Approval Conditions:

- (a) Submission and implementation of a revised Master Layout Plan (MLP).
- (b) Provision of environmental mitigation measures.
- (c) Layout and sitting of the buildings.

- (d) Design and provision of ingress/egress point, vehicular access, car parking spaces, and loading/unloading bays.
- (e) Design and provision of a 150-place Residential Care Home for the Elderly, with a net operational floor area of 1,575m².
- (f) Submission and implementation of a revised Master Landscape Plan.
- (g) Design and provision of footbridge connections, which should remain open for public passage at all times, to the future development to the northeast/east of the application site across Sung Wong Toi Road, and to the future adjacent developments.
- (h) Submission of a revised Noise Impact Assessment / Provision of traffic noise mitigation measures.
- (i) Submission and implementation of a revised development programme indicating the timing and phasing of the comprehensive development.
- (j) Implementation of the drainage facilities identified in the Drainage Impact Assessment.
- (k) Implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment.
- (l) Provision of emergency vehicular access, water supplies for firefighting and fire service installations.

Rejected Applications

No.	Application No.	Location	Proposed Use	Date of Consideration	Decision	Reasons for Rejection
1.	A/K10/199-1	Nos. 5 & 7, Mok Cheong Street and Nos. 70-78 Sung Wong Toi Road, Ma Tau Kok, Kowloon, KIL 7626, KIL 7628, KIL 10578	Proposed Comprehensive Residential Development with Retail Shops (Extension of time)	3.4.2009 (TPB)	Rejected/Not agreed on Review	(1)
2.	A/K10/210	G/F, KK Industrial Building, 5 Mok Cheong Street, Ma Tau Kok, KIL 7626	Shop and Services	23.12.2005 (MPC)	Rejected/Not agreed	(2), (3)

No.	Application No.	Location	Proposed Use	Date of Consideration	Decision	Reasons for Rejection
3.	A/K10/224	7 Mok Cheong Street and 70-78 Sung Wong Toi Road, Ma Tau Kok, KIL 7628 and 10578	Proposed Residential and Retail Development and Minor Relaxation of Building Height Restriction	3.4.2009 (TPB)	Rejected/Not agreed on Review	(4), (5), (6), (7), (8) and (9)

Rejection Reasons:

- (1) The Board did not have power to extend time in respect of the planning permission that had ceased to have effect and that to go on to consider the underlying merits of the application would have been pointless.
- (2) The application was not acceptable from the fire safety point of view.
- (3) There was insufficient information in the submission to demonstrate that the provision of car parking and loading/unloading spaces would be adequate.
- (4) Planning intention of the "Comprehensive Development Area" ("CDA") zone was for comprehensive redevelopment of the whole area for residential and/or commercial uses with the provision of open space and other supporting facilities. Piecemeal development within the "CDA" zone would defeat the intention of the "CDA" zone to facilitate appropriate planning control over the development area mix, scale, design and layout of development, to require provision of mitigation measures to address various environmental, traffic, infrastructure and other constraints
- (5) Proposed podium structure was excessive in bulk and site coverage which was not compatible with the existing character of the area.
- (6) There was no information in the submission to demonstrate that potential noise problems arising from nearby industrial and road traffic could be mitigated.
- (7) There was no information in the submission to demonstrate that the proposed development would not result in adverse air ventilation impacts on the surrounding areas.
- (8) There was no information in the submission to demonstrate that the proposed development would be acceptable from an urban design perspective and that the proposed building height of 154.6mPD would not have any adverse visual impact on its adjoining zones to the inland which was subject to a lower building height restriction of 100mPD.
- (9) Approval of the application would set an undesirable precedent for other similar applications.

Appendix IV of
MPC Paper No. A/K10/259B

Detailed Comments of the Antiquities and Monuments Office, Leisure and Cultural Services Department (AMO, LCSD):

- (a) Since there are no graded building, proposed graded building or new item situated within Portion 1 of the Site, he has no specific comment in related to the revised building layout, as well as its adjusted development parameters, at Portion 1 from heritage conservation perspective.
- (b) He has no further comments as regards the retained façade of the Eastern Cotton Mills Limited, a Grade 3 historic building would be preserved in-situ and incorporated in Portion 2 as proposed in the approved planning application No. A/K10/259. The applicant should ensure that the preserved façade of the Graded Building would not be adversely affected by the proposed development; appropriate protective, monitoring and mitigation measures should be devised to safeguard it through the development.
- (c) Some granite blocks of the Graded Building have been salvaged during the demolition of the major part of the Graded Building. The applicant is advised to reuse the salvaged granite blocks in the future development of the Site.

Recommended Advisory Clauses

Advisory clauses

- (a) to note that the approved Master Layout Plan (MLP), together with the set of approval conditions, will be certified by the Chairman of the Town Planning Board (the Board) and deposited in the Land Registry in accordance with section 4A(3) of the Town Planning Ordinance. Efforts should be made to incorporate the relevant approval conditions into the revised MLP for deposition in the Land Registry as soon as practicable;

- (b) the approval of the application does not imply that the proposed building design elements could fulfil the requirements under the Sustainable Building Design Guidelines and the relevant requirements under the lease, and that the site classification, site area/gross floor area (GFA) calculation and the proposed GFA concession for the proposed development will be approved/granted by the Building Authority (BA). The applicant should approach the Buildings Department (BD) and the Lands Department (LandsD) direct to obtain the necessary approval. If the building design elements, site classification, site area/GFA calculation, and the GFA concession are not approved/granted by the BA and the Lands Authority and major changes to the current scheme are required, a fresh planning application to the Board may be required;

- (c) to note the comments of the District Lands Officer/Kowloon West, LandsD that the proposed comprehensive development comprising residential, shop and services etc. will constitute a breach of lease conditions governing the lots; the applicant should be prepared to extinguish his interest in the mutual right-of-way (ROW) falling within Portion 2 to facilitate the concerned ROWs to be decked over for implementation of the approved scheme for Portion 2 development at a later stage; and the applicant has to apply to LandsD for a lease modification to implement the development at Portion 1. However, there is no guarantee that the lease modification application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as may be imposed by LandsD;

- (d) to note the comments of the Chief Building Surveyor/Kowloon, BD that:
- (i) All building works are subject to compliance with Buildings Ordinance (BO). Detailed comments under the BO will be provided in the building plan submission; and
 - (ii) Emergency Vehicular Access (EVA) complying with the Building (Planning) Regulations (B(P)R) and the Code of Practice for Fire Safety in Buildings 2011 shall be provided for all buildings at the site;
- (e) to note the comments of the Director of Electrical and Mechanical Services that the applicant is reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply line;
- (f) to note the comments of the Director of Fire Services that the applicant is advised to observe the requirement of EVA as stipulated in Section 6, Part D of the “Code of Practice for Fire Safety in Building 2011” which is administered by BD;
- (g) to note the comments of the Antiquities and Monuments Office, Leisure and Cultural Services Department that the applicant should ensure that the preserved façade of the Graded Building would not be adversely affected by the proposed development; appropriate protective, monitoring and mitigation measures should be devised to safeguard it through the development; some granite blocks of Eastern Cotton Mills Limited have been salvaged during the demolition of the major part of the Grade 3 historic building. The applicant is advised to reuse the salvaged granite blocks in the future development of the Site; and
- (h) to note the comments of the Chief Engineer/Construction, Water Supplies Department that some existing water mains are being affected by the proposed redevelopment.