

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K14/787

- Applicant** : Modern Promise Limited represented by PlanPlus Consultancy
- Site** : 33 Hung To Road, Kwun Tong, Kowloon
- Site Area** : About 929m²
- Lease** : Kwun Tong Inland Lot (KTIL) No. 237 (the Lot)
(a) Restricted for industrial purposes excluding offensive trades
(b) Subject to a non-building area (NBA) zone up to vertical clearance of 15ft from ground level
- Plan** : Approved Kwun Tong (South) Outline Zoning Plan (OZP) No. S/K14S/22
- Zoning** : “Other Specified Uses” annotated “Business” (“OU(B)”)
(a) Maximum plot ratio (PR) of 12.0 and maximum building height (BH) of 160 meters above Principal Datum (mPD), or the PR and height of the existing building, whichever is the greater
(b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR/BH restrictions stated in the Notes of the OZP may be considered by the Town Planning Board (the Board) on application under s.16 of the Town Planning Ordinance (the Ordinance)
- Application** : Proposed Minor Relaxation of PR Restriction for Permitted Non-Polluting Industrial Use (Excluding Industrial Undertakings Involving the Use/Storage of Dangerous Goods)

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 12 to 14.4 (i.e. +2.4 or +20%) at 33 Hung To Road (the Site), which is zoned “OU(B)” on the approved Kwun Tong (South) OZP No. S/K14S/22 (**Plan A-1**). The proposed minor relaxation of PR restriction is to facilitate the redevelopment of the existing 9-storey industrial building (IB) constructed before 1987 (pre-1987 IB)^[1] into a 33-storey (including two levels of basement carparks) IB for ‘Non-Polluting Industrial’ use (excluding industrial undertakings involving the use/storage of Dangerous Goods) (the Proposed Scheme) which is a use always permitted under Schedule II for IB or Industrial-Office (I-O) buildings for “OU(B)” zone.
- 1.2 According to the applicant, the proposed minor relaxation of PR restriction by 20% is in-line with the Chief Executive’s 2018 Policy Address (PA 2018) to incentivise

^[1] The Occupation Permit (OP) for the subject IB was issued in 1964.

redevelopment of pre-1987 IBs by allowing the relaxation of maximum permissible non-domestic PR by up to 20% for sites located outside “Residential” (“R”) zones (see paragraph 3.1 below for details). The proposed BH of not more than 160mPD complies with the BH restriction for the Site.

- 1.3 The Proposed Scheme has incorporated 3.4m and 3m full-height setbacks from the lot boundaries abutting Hung To Road and the back alley respectively (**Drawings A-1, A-6 and A-7**), which are generally in accordance with the setback requirements under the adopted Kwun Tong (Western Part) Outline Development Plan (ODP) No. D/K14A/2 (**Plan A-2**) for the purpose of footpath/carriageway widening and amenity/streetscape enhancement. The applicant will voluntarily extend the 1.5m NBA with 5.1m headroom along the back alley required under the ODP to a full-height setback (i.e. total full-height setback of 3m at back alley). In addition, the applicant proposes a voluntary aboveground setback at the southern corner of the Site to form a 4.2m (wide) x 4.1m (deep) re-entrant landscaped space facing Hung To Road (**Drawing A-1 and A-7**). Greenery provision of about 422.8m² (equivalent to about 45.5% of the site area) would be provided, including plantings on G/F, 1/F, 3/F, 16/F (the refuge floor cum sky garden) and the main roof; and vertical greenings (VGs) at G/F and 1/F facing Hung To Road and at G/F to 3/F facing the back alley (**Drawings A-7 to A-13**). About 135m² (or 14.5%) of the site area abutting Hung To Road and the back alley will be opened for public passage, in which about 90m² (or 9.7% of the site area) will be surrendered to the Government. The vehicular ingress/egress is proposed via Hung To Road.
- 1.4 Typical floor plans, sections, landscape proposal and illustrations submitted by the applicant are shown at **Drawings A-1 to A-13**. Major development parameters of the Proposed Scheme are as follows:

Major Development Parameters	Proposed Scheme
Site Area	About 929m ²
Proposed Use	Non-polluting Industrial Use (Excluding Industrial Undertakings Involving the Use/Storage of Dangerous Goods)
PR	Not exceeding 14.4
GFA [#]	About 13,377.6m ²
BH (at main roof level)	Not exceeding 160mPD
Maximum Site Coverage (SC) <ul style="list-style-type: none"> • Below 15m • Above 15m 	Not exceeding 100% Not exceeding 60%
No. of Storeys	33 (including 2 levels of basement)
Greenery	About 422.8m ² (about 45.5% of site area)
Parking Spaces <ul style="list-style-type: none"> • Private Car • Motorcycle 	24 (incl. 1 accessible parking) 3
Loading/Unloading (L/UL) Bay <ul style="list-style-type: none"> • Light Goods Vehicles • Heavy Goods Vehicles 	9 2

Major Development Parameters	Proposed Scheme
Setbacks <ul style="list-style-type: none"> • Hung To Road • Back alley 	3.4m full-height ^[*] voluntary setback of 4.2m(W) x 4.1m(D) at southern corner 3m full-height ^[^]

Note:

- [#] The applicant has indicated that bonus PR of about 0.487 (equivalent to GFA of about 452.4m²) will be claimed for the setback area to be surrendered to the Government subject to approval by the Building Authority (BA) under Building (Planning) Regulations (B(P)R). Any bonus PR/GFA that may be approved by the BA have not been reflected in the above.
- [*] The full height setback is required to be surrendered to the Government upon demand as per the ODP.
- [^] 1.5m full height setback (to be surrendered to the Government) plus a 1.5m ground level (with 5.1m clear headroom) NBA at the back alley are required under the ODP.

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

- (a) Application form received on 4.5.2020 **(Appendix I)**
- (b) Supporting Planning Statement enclosing architectural drawings, landscape proposal, Visual Impact Assessment (VIA), Traffic Impact Assessment (TIA), and Sewerage Impact Assessment (SIA) received on 4.5.2020. **(Appendix Ia)**
- (c) 1st Further Information (FI) vide letter received on 4.8.2020 enclosing responses to comments (RtoC), revised architectural drawings, landscape plans, figures for VIA, TIA, and supplementary traffic figures **(Appendix Ib)**
[Accepted but not exempted from publication and recounting requirements]
- (d) 2nd FI vide letter received 3.11.2020 enclosing RtoC, revised SIA, revised photomontages, revised floor plans and replacement pages for VIA **(Appendix Ic)**
- (e) 3rd FI vide letter and email received on 9.12.2020 and 11.12.2020 respectively **(Appendix Id)**

1.6 On 26.6.2020 and 18.9.2020, the Metro Planning Committee (the Committee) agreed to defer making a decision on the application for two months as requested by the applicant respectively in order to allow sufficient time for preparation of FI to address comments from various government departments. With the FI received on 3.11.2020 **(Appendix Ic)**, the application is scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

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

In line with the PA 2018 on Revitalisation Scheme for IBs

- 2.1 The application for minor relaxation of PR restriction of the Site by 20% is in line with the PA 2018 to redevelop pre-1987 IBs in view of the changing social and economic needs, and making better utilisation of scarce land resources whilst increasing the existing industrial stocks with improved fire services installations.

In line with the Planning Intention of “OU(B)” and Facilitate Transformation of Kwun Tong Business Area (KTBA)

- 2.2 The Proposed Scheme is in line with the planning intention for the “OU(B)” zone for general business uses and a mix of information technology and telecommunications industries, non-polluting industrial uses, and would contribute to the transformation of KTBA by replacing the aged IB with modern type IB development. The proposed redevelopment for non-polluting industrial uses is considered compatible with the surrounding land uses and making the changing needs of KTBA.

Improvements to Pedestrian and Traffic Environment with Setbacks and Landscaping

- 2.3 The Proposed Scheme incorporates full-height setbacks of 3.4m and 3m along Hung To Road and the back alley, which are in compliance with and above the ODP requirements respectively. In addition, a voluntary aboveground setback of 4.2m (wide) and 4.1m (deep) at southern corner of the Site to form a landscaped space facing Hung To Road is proposed. The setback areas with feature paving (**Drawings A-7 and A-12**), will enhance air and visual permeability and pedestrian environment. A total area of about 90m² (about 9.7% of the Site area) will be surrendered for public passageway.
- 2.4 A high greenery provision of about 45.5% of the Site area is proposed comprising plantings (with combination of trees, shrub and grass cover) at corner setback on G/F, the flat roofs of 1/F and 3/F, the refuge floor cum sky garden on 16/F and the main roof; and VGs at G/F and 1/F facing Hung To Road and at G/F to 3/F facing the back alley (**Drawings A-3, A-7 to A-9 and A-13**) which provides shade and visual amenity to the pedestrians and helps break the building bulk and allow cross-ventilation and enhance visual permeability. The landscape provision including VGs at building façade and feature paving on full-height setback area at back alley is a response to the “Back Alley Project @ Kowloon East” initiative to enhance the back alley environment.

Compliance with Sustainability Building Design Guidelines (SBDG)

- 2.5 The key building design elements of SBDG are incorporated in the Proposed Scheme where applicable:
- (a) Building separation – not applicable as the Site has continuous projected façade length of less than 60m in length.
 - (b) Building setback – no part of the building is within 7.5m from the centreline of Hung To Road.
 - (c) Site coverage of greenery – not applicable as the site area is less than 1,000m². Notwithstanding, greenery area of about 422.8m² (about 45.5% of the site area) will be provided, which exceeds the SBDG requirement.

Consideration of Green Building Design Features

- 2.6 The Proposed Scheme incorporates green building design features including the provision of a communal sky garden on 16/F and the use of glass with external reflectance of less than 20% to minimize glare. It will also comply with the Building Environmental Assessment Method (BEAM) Plus requirements and Building Energy Code under the Building Energy Efficiency Ordinance (BEEO).

Technical Aspects

- 2.7 There will be no adverse environmental impacts arising from the proposed non-polluting industrial use. Car parking and L/UL spaces would be provided to meet the ‘high-end’ requirement under the prevailing Hong Kong Planning Standards and Guidelines (HKPSG). The technical assessments submitted including TIA, SIA and VIA confirm that the proposed development will generate no adverse impact on the surrounding environment.

3 Background

Policy Initiatives of Revitalisation of IBs

- 3.1 As set out in PA 2018, to provide more floor area to meeting Hong Kong’s changing social and economic needs, and make better use of the valuable land resources, a new scheme to incentivise redevelopment of IBs is announced. To encourage owners to redevelop IBs constructed before 1987^[2], there is a policy direction to allow relaxation of the maximum permissible non-domestic PR as specified in an OZP by up to 20% for redevelopment of pre-1987 IBs located outside “R” zones in Main Urban Areas and New Towns into industrial/commercial uses (the Policy). The relaxation of PR is subject to approval by the Board on a case-by-case basis and the maximum non-domestic PR permissible under the B(P)R^[3]. The Board may approve such application subject to technical assessments confirming the feasibility of allowing such in terms of infrastructure capacity, technical constraints, as well as relevant planning principles and considerations.
- 3.2 The time limit for owners to submit applications is three years, with effect from 10.10.2018. Should the application be approved, the modified lease should be executed (with full land premium charged) within three years after the planning permission is granted.

^[2] Pre-1987 IBs refer to those eligible IBs which were wholly or partly constructed on or before 1.3.1987, or those constructed with their BPs first submitted to the BA for approval on or before the same date.

^[3] Under the Policy, any bonus floor area claimed under B(P)R 22(1) or (2) is not to be counted towards the proposed relaxation of PR restriction by 20% for redevelopment projects. The bonus PR permitted under B(P)R 22(2) is permitted as of right under the Notes of the “OU(B)” zone, but can only be considered by the BA upon formal submission of building plans (BPs).

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

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

5 Previous Application

There is no previous application in respect of the Site.

6 Similar Applications

6.1 Since March 2019, the Committee has considered a total of 13 applications for minor relaxation of PR and/or BH in the KTBA relating to the Policy (**Plan A-1**), out of which 12 applications were approved with conditions and one (No. A/K14/764) was rejected mainly on the consideration that there was insufficient planning and design merits to support the proposed relaxation of BH restriction (BHR) associated with the application ^[4].

6.2 There were three similar applications for minor relaxation of PR only (namely No. A/K14/777, 778 and 793). In consideration of these applications, the Committee generally indicated support for the Policy as it provides incentives to encourage redevelopment of pre-1987 IBs and noted that relevant technical assessments were submitted to support the technical feasibility of their proposals and there was no adverse comment from relevant government departments.

7 The Site and Its Surrounding Areas (Plans A-1 to A-4 and photo on Plan A-5)

7.1 The Site is:

- (a) occupied by a 9-storey IB (about 36mPD), namely Wong’s Building, built in 1964;
- (b) bounded by Hung To Road to its southwest, two IBs (namely, Billion Trade Centre and Fun Tower) to its northwest and southeast respectively, and a back alley to its northeast. A commercial/office (c/o) development is under construction to its northeast across the back alley; and
- (c) at about 300m southeast of the MTR Ngau Tau Kok Station.

7.2 The surrounding areas have the following characteristics (**Plans A-3 and A-4**):

- (a) the neighbouring buildings along Hung To Road are mainly IBs or I-O buildings;
- (b) existing c/o developments can be found to the northwest of the Site at the Hung To Road/How Ming Street junction, namely 70-72 How Ming Street and Hung To Centre (wholesale-converted); and to the south of the Site across Hung To Road, namely Kai Centre (wholesale-converted); and

^[4] Application No. A/K14/764 applied for relaxation of BH by 30.2% from 100mPD to 130.2mPD was rejected by the Board. Another similar application No. A/K14/771 involving the same application site as A/K14/764, with less extent of increase in BH to 119.7mPD (+19.7%), was subsequently approved with conditions by the Board.

- (c) a c/o development at 32 Hung To Road to the southwest across Hung To Road with proposed PR of 14.4 and BH of 119.7mPD approved under Application No. A/K14/771 is under construction.

8 Planning Intention

- 8.1 The planning intention of the “OU(B)” zone is 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.
- 8.2 The Explanatory Statement of the OZP also stipulates that the setting back of buildings to cater for the future increase in traffic demand may also be required. The setback requirements are stipulated in the ODP (**Plan A-2**) and enforced through lease modification process when appropriate.

9 Comments from Relevant Government Departments

- 9.1 The following government bureaux/departments have been consulted and their views on the application are summarized as follows:

Policy Perspective

- 9.1.1 Comments of the Secretary for Development (SDEV), Development Bureau (DEVB):

It is Government’s policy to incentivise owners to redevelop old IBs to optimise utilisation of the existing industrial stock and make better use of valuable land resources, while addressing more effectively the issues of fire safety and non-compliant uses. To this end, he is willing to provide policy support to the current application, on the clear understanding that the development proposal (if materialised) would help address the increasing long-run shortfall of industrial floor space in Hong Kong under the current projection, subject to applicant’s compliance with all the technical requirements as examined by relevant departments.

- 9.1.2 Comments of the Director-General of Trade and Industry (DG of TI):

According to the 2014 Area Assessments of Industrial Land in the Territory (2014 Area Assessment), the total industrial stock in Hong Kong would not be able to meet the future demand for industrial uses. As such, he has no objection to the application given that it would put the Site into optimal use to provide more industrial space.

Land Administration

- 9.1.3 Comments of the District Lands Officer/Kowloon East (DLO/KE) and the Chief Estate Surveyor/Development Control (CES/DC), Lands Department (LandsD):

- (a) The Site falls within KTIL 237 which is held under a Government Lease dated 9.8.1966. The Lot is restricted for industrial purposes excluding offensive trades subject to a NBA zone up to vertical clearance of 15ft from ground level. There is no restriction on BH.

- (b) The application intends to redevelop the Lot to “Non-polluting Industrial” use which in planning terms may include uses not permitted under the user restriction of the Lot. If any uses or any development parameters in the proposed development contravene the lease conditions of the Lot, the applicant needs to apply to LandsD for a lease modification/waiver. There is however no guarantee that the application, if received by LandsD, will be approved. Upon receipt of the lease modification application, LandsD will impose such appropriate terms and conditions including user restriction, the 5-year time limit for completion of the development, payment of full premium and administrative fee, other conditions applicable to 2018 Industrial Building revitalisation measure etc. The application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that the application is approved, it would be subject to such terms and conditions as the Government considers appropriate, including but not limited to payment of premium/waiver fee and administrative fee as may be imposed by LandsD.
- (c) Under the Policy, the lease modification letter shall be executed within 3 years from the date of the Board’s approval letter. CES/DC’s other comments are at **Appendix III**.

Traffic Aspect

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

Having reviewed the TIA at **Appendices Ia to Ic**, he has no adverse comment on the application from traffic engineering point of view. Should the application be approved by the Board, approval conditions on the submission of a revised TIA including a traffic management plan for vehicular access arrangement and implementation of the traffic management plan and the mitigation measures, if any, identified in the revised TIA, and the design of parking facilities, L/UL spaces and vehicular access for the proposed development is suggested.

Environmental Aspect

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

- (a) He has no objection to the application from environmental perspective. Insurmountable environmental impacts associated with the proposed development are not anticipated.
- (b) In the 2nd FI (**Appendix Ic**), the applicant has confirmed that central air-conditioning system would be provided for the proposed development and will not rely on opened window for ventilation. The fresh air intake point of the air-conditioning system will be properly located to meet the buffer distance requirement for vehicular/chimney emissions as stipulated in the HKPSG. The applicant has also confirmed that there is no chimney in the vicinity of the proposed development.
- (c) Insurmountable sewerage impacts are not anticipated for the proposed development. Notwithstanding this, should the application be approved by the Board, approval condition on the submission of a SIA

to assess the potential sewerage impact and to demonstrate the effectiveness of mitigation measures, and implementation of the local sewerage upgrading/sewerage connection works identified in the SIA are suggested.

- (d) The applicant mentioned that the potential land contamination will be reviewed and land contamination assessment will be completed prior to redevelopment of the Site. Should the application be approved by the Board, approval condition on the submission of land contamination assessment is suggested.
- (e) On waste management, the proposed redevelopment would involve total demolition of the existing building built in the 1960s and generation of large amount of construction and demolition (C&D) materials, the applicant is advised to properly implement measures for waste management of C&D materials and asbestos control.
- (f) His technical comments on the SIA are at **Appendix III**

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

He has no objection to the application. His technical comments on the SIA are at **Appendix III**.

Urban Design, Visual and Landscape Aspects

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

Urban Design and Visual Aspects

- (a) The Site is located within the KTBA with an intended BH profile in the range between 100mPD and 160mPD. The BH of the proposed development at about 160mPD is in compliance with the BHR stipulated for the Site. Given the context and as illustrated in the VIA, it is unlikely that the proposed development will induce any significant adverse effects on the visual character of the surrounding townscape.
- (b) The Proposed Scheme has incorporated 3.4m and 1.5m full-height setbacks along Hung To Road and the back alley respectively as per the ODP requirements. The 1.5m NBA with 5.1m headroom along the back lane required under the ODP have been extended to a full-height setback, and part of the building front along Hung To Road has been further setback by 4.1m creating a small pocket space. A sky garden cum refuge floor has been incorporated at 16/F. Landscape treatments in form of planters and vertical greening have been incorporated at G/F to 3/F, 16/F and R/F of the Proposed Scheme. These design measures may help improve the pedestrian environment and promote visual interest.
- (c) He has no adverse comment on the VIA at **Appendices Ia to Ic** from urban design and visual perspectives. His technical comments on the VIA are at **Appendix III**.

Landscape Aspect

- (d) The Site is located in an area of urban landscape character dominated by medium to high-rise industrial and commercial buildings. No existing tree is observed within the Site. Adverse landscape impact caused by the Proposed Scheme is not anticipated. As such, he has no adverse comment on the application from landscape perspective.

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

He has no adverse comment from architectural and visual impact points of view as it is noted that the proposed development consists of one tower block with a height of 160mPD which complies with the BHR permitted under the OZP and may not be incompatible with the adjacent developments with BHR of 160mPD.

Pedestrian Accessibility and Walkability

9.1.9 Comments of the Head of Energizing Kowloon East Office (EKEO), DEVB:

On improvements to the pedestrian environment, the applicant states that the proposed development would provide a 3.4m full-height building setback along Hung To Road and a 3m full-height building setback along the back alley, which complies with or are above requirement stipulated under the ODP (**Plan A-2**). It is also noted that the landscape treatments including VGs and street-level landscaping are incorporated as design merits benefiting the public.

Building Matters

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

- (a) No objection in-principle to the application under the Buildings Ordinance (BO).
- (b) Regarding the proposed setback areas to be surrendered, whether bonus PR and SC could be granted for the surrender under B(P)R 22(2) could only be considered in the BP submission stage. Bonus PR and SC for the development will only be allowed if such surrender is considered essential and acceptable to relevant departments. Practice Note for Authorized Persons, Registered Structural Engineer and Registered Geotechnical Engineer (PNAP) No. APP-20 is relevant.
- (c) Detailed comments under the BO will be given at the BP submission stage.

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

- (a) Chief Engineer/Construction, Water Supplies Department;
 (b) Chief Highway Engineer/Kowloon, Highways Department;
 (c) Commissioner of Police;
 (d) Director of Fire Services; and
 (e) District Officer (Kwun Tong), Home Affairs Department.

10 Public Comments Received During Statutory Publication Period

The application and the 1st FI (**Appendices Ib**) were published for public inspection on 12.5.2020 and 21.8.2020 respectively. Within the two statutory public inspection periods, a total of 12 comments were received, with one supporting and 11 objecting the application. For the 11 objecting comments, two are from occupiers of the adjoining Fun Tower (**Appendices IV(a)** and **IV(b)**) and nine from other individuals (including two objecting comments from the same individual) (**Appendices IV(c)** to **(k)**). The objecting comments are mainly on the grounds that the proposed minor relaxation of PR restriction would induce adverse impacts on traffic, noise and environmental aspect. One individual (**Appendices IV(j)** and **IV(k)**) has concerns on the effectiveness and sustainability of the proposed greenery, that the greening features in the Proposed Scheme are inadequate to mitigate the impact of the curtain wall's reflectance, and that the minor relaxation of PR up to 20% would affect the integrity of such restriction as imposed on the OZP and suggests that assessments on the cumulative impacts on air ventilation, noise pollution, penetration of natural light and traffic aspects for similar applications under the Policy should be conducted. One comment (**Appendix IV(l)**) supports the application without providing reason.

11 Planning Considerations and Assessments

11.1 The application is for minor relaxation of PR restriction from 12 to 14.4 (by 20%) for a proposed 33-storey (including two levels of basement) IB development for permitted 'Non-polluting Industrial' use (excluding industrial undertakings involving the use/ storage of Dangerous Goods) at the Site zoned "OU(B)". The proposed development is generally in line with the planning intention of the "OU(B)" zone, which is primarily for general business use, including non-polluting industrial use. The proposed BH of 160mPD complies with the BHR under the OZP

Policy Aspect

11.2 The Site is occupied by an IB with OP issued in 1964 which can be regarded as an eligible pre-1987 IB under government's policy on revitalising IBs. Noting that the applicant intends to develop a new IB on the Site for non-polluting industrial uses, DEVB is willing to provide policy support to the application, on clear understanding that the development proposal (if materialised) would help address the increasing long-run shortfall of industrial floor space in Hong Kong under the current projection, and subject to the applicant's compliance with all the technical requirements as examined by relevant departments.

11.3 According to the 2014 Area Assessment, the total industrial stock in Hong Kong would not be able to meet the future demand for industrial uses. In this regard, DG of TI has no objection to the application given that it would put the Site into optimal use to provide more industrial space.

Technical Aspect

11.4 The proposed minor relaxation of PR restriction generally follows the Policy on revitalisation of pre-1987 IBs, and consideration of such application is subject to technical assessments confirming the feasibility of the Proposed Scheme. The submitted TIA reveals that the increase in traffic arising from the minor relaxation of PR would be minimal and has no adverse impacts on the surrounding road

network and pedestrian walking conditions. The applicant has also proposed to provide car parking spaces and L/UL bays according to the high-end requirements under the prevailing HKPSG. C for T has no in-principle objection to the application and recommends approval conditions in paragraphs 12.2(a) and (b) below. Other relevant government departments including FSD, EPD and DSD have no adverse comments on the application, subject to incorporation of appropriate approval conditions on sewerage and land contamination aspects as recommended in paragraphs 12.2 (c) to (e) below.

Planning and Design Merits

- 11.5 In accordance with the ODP's requirement, the Proposed Scheme has incorporated full-height building setbacks of 3.4m and 3m along Hung To Road and the back alley respectively (in which the required 1.5m ground level NBA with 5.1m clear headroom at the back alley under the ODP has been extended to become a 1.5m full-height setback i.e. total 3m full-height setback). Other additional measures are proposed to enhance the pedestrian environment along Hung To Road, including voluntary aboveground setback at the southern corner of the Site to form a 4.2m(W) x 4.1m(D) landscaped space, feature paving on setback area, and provision of planting areas and VGs on G/F to 3/F, the sky garden on 16/F and the main roof. The back alley concerned is identified as part of EKEO's 'Back Alley Project @ Kowloon East', where VGs are incorporated at the building façade facing back alley to enhance its attractiveness. About 135m² (or 14.5%) of the site area abutting Hung To Road and the back alley will be opened for public passage, in which about 90m² (or 9.7% of the site area) will be surrendered to the Government. CTP/UD&L of PlanD advises that these design measures may help improve the pedestrian environment and promote visual interest.
- 11.6 On the sustainability building design aspect, the key building design elements of SBDG on building separation, building setback and greenery are all not applicable to the Site. Notwithstanding, the applicant has demonstrated effort in building design improvement by introducing a high greenery provision of 45.5% as outlined in paragraph 1.3 above.

Public Comments

- 11.7 Regarding the public comments on the traffic, noise, environmental and landscape aspects, the assessments above are relevant. As for the concern on the impact of the curtain wall's reflectance, the Proposed Scheme will incorporate green building design features including glass with external reflectance less than 20% to minimize glare. Regarding the view on conducting comprehensive assessments on cumulative impacts of similar applications under the Policy, application for minor relaxation of PR in relation to the Policy is subject to the applicants' demonstration of technical feasibility, taking into account the approved similar applications, and would be considered by the Board based on its individual merits.

12 Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above 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 18.12.2024, 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 submission of a revised Traffic Impact Assessment and implementation of the traffic management plan and mitigation measures, if any, identified in the revised traffic impact assessment, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the design of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the submission of a revised Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the revised Sewerage Impact Assessment in condition (c) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (e) the submission of land contamination assessments and implementation of the remediation measures identified therein prior to development of the Site to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.

Advisory clauses

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

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

The applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of plot ratio 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

Appendix I	Application form received on 4.5.2020
Appendix Ia	Supporting planning statement received on 4.5.2020
Appendix Ib	1 st FI vide letter received on 4.8.2020
Appendix Ic	2 nd FI vide letter received on 3.11.2020
Appendix Id	3 rd FI vide letter and email received on 9.12.2020 and 11.12.2020 respectively
Appendix II	Similar applications
Appendix III	Other technical comments from Government departments
Appendices IV(a) to IV(I)	Public comments received during the statutory publication periods
Appendix V	Recommended advisory clauses
Drawings A-1 to A-6	Proposed floor plans and diagrammatic section submitted by the applicant
Drawings A-7 and A-11	Landscape proposal submitted by the applicant
Drawings A-12 and A-13	Illustrations submitted by the applicant
Plans A-1 and A-2	Location plans on Outline Zoning Plan and Outline Development Plan
Plan A-3	Site plan
Plan A-4	Height of existing/planning buildings in KTBA
Plan A-5	Site photos

**PLANNING DEPARTMENT
DECEMBER 2020**