

**Similar S.16 Applications for minor relaxation of building height restriction within  
“Residential (Group C) 1” Zone on the  
Kowloon Tong Outline Zoning Plan**

**Approved Applications**

| <b>No.</b> | <b>Application No.</b> | <b>Location</b>     | <b>Proposed Uses/Developments</b>  | <b>Date of Consideration</b> | <b>Main Reasons for Approval/ Approval Conditions</b> |
|------------|------------------------|---------------------|--|------------------------------|---|
| 1.         | A/K18/233              | 4 Somerset Road     | Proposed minor relaxation of building height restriction to allow for one storey of basement for ancillary plant room use in a proposed residential development                            | 13.1.2006 (MPC)              | (i), (ii)/<br>(a), (b), (c)                           |
| 2.         | A/K18/237              | 121 Boundary Street | Ditto  | 19.5.2006 (MPC)              | (i), (ii)/<br>(a), (b), (c)                           |
| 3.         | A/K18/263              | 7 Devon Road        | Proposed minor relaxation of building height restriction to allow for one storey of basement for two car parking spaces and ancillary plant room use in a proposed residential development | 7.8.2009 (MPC)               | (i), (ii)/<br>(a), (b), (c), (d)                      |
| 4.         | A/K18/275              | 4 Stafford Road     | Ditto  | 12.11.2010 (MPC)             | (i), (ii)/<br>(a), (b), (c)                           |
| 5.         | A/K18/276              | 6 Lincoln Road      | Ditto  | 28.1.2011 (MPC)              | (i), (ii)/<br>(a), (b), (c)                           |
| 6.         | A/K18/282              | 5 Kent Road         | Proposed minor relaxation of building height restriction to allow for one storey of basement for six car parking spaces and ancillary plant room use in a proposed residential development | 1.4.2011 (MPC)               | (i), (ii)/<br>(a), (b), (c), (e)                      |
| 7.         | A/K18/283              | 8 York Road         | Proposed minor relaxation of building height restriction to allow for one storey of basement for two car parking spaces and ancillary plant room use in a proposed residential development | 15.4.2011 (MPC)              | (i), (ii)/<br>(a), (b), (c), (d)                      |
| 8.         | A/K18/285              | 7 Kent Road         | Proposed minor relaxation of building height restriction to allow for one storey of basement for six car parking spaces and ancillary plant room use in a proposed residential development | 5.8.2011 (MPC)               | (i), (ii)/<br>(a), (b), (c)                           |

| No. | Application No. | Location          | Proposed Uses/Developments   | Date of Consideration | Main Reasons for Approval/ Approval Conditions |
|-----|-----------------|-------------------|--|-----------------------|--|
| 9.  | A/K18/286       | 3 Kent Road       | Proposed minor relaxation of building height restriction to allow for one storey of basement for six car parking spaces and ancillary plant room use in a proposed residential development   | 5.8.2011 (MPC)        | (i), (ii)/<br>(a), (b), (c), (e)               |
| 10. | A/K18/296       | 1 Somerset Road   | Proposed minor relaxation of building height restriction to allow for one storey of basement for two car parking spaces and ancillary plant room use in a proposed residential development   | 8.2.2013 (MPC)        | (i), (ii)/<br>(a), (c), (d)                    |
| 11. | A/K18/306       | 1 Somerset Road   | Ditto  | 8.11.2013 (MPC)       | (i), (ii)/<br>(a), (b), (c), (d)               |
| 12. | A/K18/307       | 6 Devon Road      | Ditto  | 7.3.2014 (MPC)        | (i), (ii)/<br>(a), (b), (c), (d)               |
| 13. | A/K18/326       | 147 Waterloo Road | Proposed minor relaxation of plot ratio restriction from 0.6 to 0.6862 and minor relaxation of building height restriction from 3 to 4 storeys to allow for one storey of basement for three car parking spaces and ancillary plant room use for the permitted house development | 3.8.2018 (MPC)        | (i), (ii)/<br>(a), (b), (c),<br>(d), (f)       |

**Main Reasons for Approval:**

- (i) More tree planting and enhancement in local amenity
- (ii) Insignificant impacts on environment, drainage, traffic, visual and infrastructural aspects

**Approval Conditions:**

- (a) Submission and implementation of landscape proposal
- (b) Provision of water supplies for firefighting and fire services installations
- (c) Usual time clause
- (d) Design and provision of vehicular access
- (e) Submission of quarterly tree monitoring reports
- (f) Submission of a Noise Impact Assessment and implementation of the noise mitigation measures identified therein

**Rejected Applications**

| <b>No.</b> | <b>Application No.</b> | <b>Location</b> | <b>Proposed Uses/Developments</b>  | <b>Date of Consideration</b> | <b>Main Reasons for Rejection</b> |
|------------|------------------------|-----------------|--|------------------------------|-----------------------------------|
| 1.         | A/K18/196              | 3 Devon Road    | Proposed minor relaxation of building height restriction to allow for one storey of basement for six car parking spaces and ancillary plant room use in a proposed residential development | 20.12.2002 (TPB)             | (A), (B)                          |
| 2.         | A/K18/208              | Ditto           | Ditto  | 25.7.2003 (MPC)              | (A), (B)                          |
| 3.         | A/K18/214              | Ditto           | Ditto  | 4.6.2004 (TPB)               | (A), (B)                          |
| 4.         | A/K18/229              | Ditto           | Ditto  | 18.11.2005 (TPB)             | (A), (B)                          |

**Main Reasons for Rejection :**

- (A) Excessive basement size and insufficient information to demonstrate planning and design merits
- (B) Undesirable precedent



**Suggested Advisory Clauses**

- (a) The approval of the application does not imply that the proposed building design elements could fulfill the requirements under the Sustainable Building Design Guidelines and the relevant requirements under the lease, and that the proposed gross floor area (GFA) concession (including the basement car park, staircases, void area and/or plant rooms) 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, 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 Town Planning Board may be required;
- (b) to note the comments of the Chief Building Surveyor/Kowloon, BD on the requirements for modification/exemption under Building (Planning) Regulations;
- (c) to note the comments of the District Lands Officer/Kowloon East, LandsD to apply for consent for the proposed development in accordance with the lease conditions. If the approval under lease is granted by LandsD in the capacity as landlord at its sole discretion, it will be subject to those terms and conditions, including the payment of premium and administrative fee as appropriate, as imposed by LandsD;
- (d) to note the comments of the Director of Environmental Protection that the planning and design of the subject development should follow the relevant requirements stipulated in the Hong Kong Planning Standard and Guidelines to avoid causing any noise problem to the future residents; and
- (e) to note the comments of the Director of Electrical and Mechanical Services to liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes/gas installations within/in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of the development, and to approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line with and/or in the vicinity of the Site. The applicant should also note the requirements of the Electrical and Mechanical Services Department's "Code of Practice on Avoiding Danger from Gas Pipes", Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" .