

Major development Parameters of the Approved Scheme and Current Scheme

Development Parameters	Approved Scheme under No. A/K18/326	Current Scheme
Site Area	822.966m ² <i>(excluding resumed land of 120m²)</i>	822.966m ² <i>(excluding resumed land of 120m²)</i>
Total Gross Floor Area (GFA)*	564.726m ² <i>(excluding GFA concession of 626.855m² for basement (585.91m²) and independent staircases, void area and flush water tank room on other floors (40.945m²))*</i>	843.043 834.043 m ² <i>(excluding GFA concession of 522.401m² for basement (461.958m²) and independent staircases, void area and flush water tank room on other floors (60.443m²))*</i>
Domestic PR	0.6862	1.013
SC	About 36.67%	About 38.05%
No. of Storeys	4 (3 domestic storeys over 1 basement for car park and ancillary plant rooms)	4 (3 domestic storeys over 1 basement for car park and ancillary plant rooms)
BH (at roof level) (in mPD/m)	36.5mPD/ 11.9m above ground	35.6mPD/ 11m above ground
BH (at upper roof level) (in mPD/m)	No upper roof level	40.1mPD/ 15.5m above ground
Floor-to-floor Height (m)	3.6m for B/F and 3.4m to 4m for G/F to 2/F	4.05m for B/F and 2.8m to 4.2m for G/F to 2/F
No. of Car Parking Spaces	- 2 ancillary car parking spaces - 1 accessible/visitor car parking space	- 2 ancillary car parking spaces - 1 accessible/visitor car parking space
No. of Loading/Unloading (L/UL) Space	- 1 temporary L/UL space for light goods vehicles (on ramp to car park on G/F)	- 1 temporary L/UL space for light goods vehicles (on ramp to car park on G/F)

* The GFA calculation and GFA concessions are subject to Building Authority (BA)'s agreement at building plan stage.

Previous S.16 applications within the Site

Approved Application

No.	Application No.	Proposed Uses/Developments	Date of Consideration	Main Reasons for Approval / Approval Conditions
1.	A/K18/326	Proposed minor relaxation of plot ratio restriction (from 0.6 to 0.6862) and building height restriction to allow for one storey of basement for three car parking spaces and ancillary plant room use in a permitted house development	3.8.2018 (MPC)	(i), (ii)/ (a), (b), (c), (d)

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

Rejected Applications

No.	Application No.	Proposed Uses/Developments	Date of Consideration	Main Reasons for Rejection
1.	A/K18/78	Proposed Petrol Filling Station	20.3.1992 (MPC)	(v), (vi), (vii)
2.	A/K18/83	Proposed Petrol Filling Station	24.7.1992 (MPC)	(v), (vi), (vii)
3.	A/K18/89	Proposed Petrol Filling Station	16.7.1993 (TPB)	(v), (vi), (vii)
4.	A/K18/120	Proposed Gymnasium and Retail Shops	1.5.1998 (TPB)	(i), (ii), (iii), (iv)
5.	A/K18/139	Proposed Petrol Filling Station	20.10.2000 (TPB)	(i), (v), (ix)
6.	A/K18/180	Proposed Petrol and Liquefied Petrol Filling Station	16.8.2002 (TPB)	(i), (v), (viii)
7.	A/K18/297	Proposed Hotel Development with minor relaxation of plot ratio restriction (from 0.6 to	9.8.2013 (TPB)	(i), (iv), (x)

		0.68) and building height restriction for one storey of basement for two car parking spaces, one loading/unloading bay and two ancillary plant rooms use		
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Main Reasons for Rejection:

- (i) The proposed development is not in line with the planning intention of the site which is for residential use and the development is not compatible with the general residential character of the area.
- (ii) Unsatisfactory provision and arrangement of vehicular access and loading/unloading facilities.
- (iii) No strong justification has been provided to prove that the proposed use has to be located in this part of the Kowloon Tong area.
- (iv) The approval of this application would set an undesirable precedent for other similar applications for non-residential uses in the area.
- (v) The application site is not suitable for petrol filling station having regard to its location abutting a busy thoroughfare (i.e. Waterloo Road).
- (vi) There will be adverse impacts on local traffic.
- (vii) The layout of the proposed development is unsatisfactory. There is no information to demonstrate that the traffic flow of Waterloo Road will not be affected, and/or the manoeuvring space is adequate.
- (viii) The proposed development would involve felling of mature trees which would otherwise provide shade and greenery to improve the pedestrian environment of the area.
- (ix) The proposed development would pose potential nuisance to the sensitive uses in the surrounding area.
- (x) There was no planning or design merit to justify the proposed minor relaxation of building height restriction.

Similar S.16 applications for minor relaxation of plot ratio and/or building height restriction within “Residential (Group C) 1” zone on the
Kowloon Tong Outline Zoning Plan

Approved Applications

No.	Application No.	Location	Proposed Uses/Developments	Basement Area (m ²)	Date of Consideration	Main Reasons for Approval/ Approval Conditions
				% of Basement Area to Total GFA		
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	144	13.1.2006 (MPC)	(i), (ii)/ (a), (b), (c)
				26%		
2.	A/K18/237	121 Boundary Street	Ditto	146	19.5.2006 (MPC)	(i), (ii)/ (a), (b), (c)
				25%		
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	290	7.8.2009 (MPC)	(i), (ii)/ (a), (b), (c), (d)
				47%		
4.	A/K18/275	4 Stafford Road	Ditto	410	12.11.2010 (MPC)	(i), (ii)/ (a), (b), (c)
				74%		
5.	A/K18/276	6 Lincoln Road	Ditto	308	28.1.2011 (MPC)	(i), (ii)/ (a), (b), (c)
				53%		
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	653	1.4.2011 (MPC)	(i), (ii)/ (a), (b), (c), (e)
				79%		

No.	Application No.	Location	Proposed Uses/Developments	Basement Area (m ²)	Date of Consideration	Main Reasons for Approval/ Approval Conditions
				% of Basement Area to Total GFA		
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	536	15.4.2011 (MPC)	(i), (ii)/ (a), (b), (c), (d)
				91%		
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	542	5.8.2011 (MPC)	(i), (ii)/ (a), (b), (c)
				65%		
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	500	5.8.2011 (MPC)	(i), (ii)/ (a), (b), (c), (e)
				60%		
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	275	8.2.2013 (MPC)	(i), (ii)/ (a), (c), (d)
				49%		
11.	A/K18/306	1 Somerset Road	Ditto	227	8.11.2013 (MPC)	(i), (ii)/ (a), (b), (c), (d)
				40%		
12.	A/K18/307	6 Devon Road	Ditto	357	7.3.2014 (MPC)	(i), (ii)/ (a), (b), (c), (d)
				59%		

No.	Application No.	Location	Proposed Uses/Developments	Basement Area (m ²)	Date of Consideration	Main Reasons for Approval/ Approval Conditions
				% of Basement Area to Total GFA		
13.	A/K18/331	7 Lincoln Road	Proposed minor relaxation of BH restriction from 3 to 4 storeys to allow for one storey of basement for two car parking spaces and ancillary plant room for the permitted house development	294	13.9.2019 (TPB)	(Minutes of TPB Meeting to be confirmed at the time of issuance of the subject MPC Paper)
				68%		

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

No.	Application No.	Location	Proposed Uses/Developments	Basement Area (m ²)	Date of Consideration	Main Reasons for Rejection
				% of Basement Area to Total GFA		
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	857	20.12.2002 (TPB)	(A), (B)
				141%		
2.	A/K18/208	Ditto	Ditto	845	25.7.2003 (MPC)	(A), (B)
				139%		

No.	Application No.	Location	Proposed Uses/Developments	Basement Area (m ²)	Date of Consideration	Main Reasons for Rejection
				% of Basement Area to Total GFA		
3.	A/K18/214	Ditto	Ditto	798	4.6.2004 (TPB)	(A), (B)
				130%		
4.	A/K18/229	Ditto	Ditto	678	18.11.2005 (TPB)	(A), (B)
				112%		
5.*	A/K18/328	63 Cumberland Road	Social Welfare Facility (Residential Care Home for the Elderly) with minor relaxation of plot ratio restriction from 0.6 to 0.8	No Basement Floor Proposed	22.2.2019 (MPC)	(B), (C), (D)

* The application only involved minor relaxation in PR restriction.

Main Reasons for Rejection:

- (A) Excessive basement size and insufficient information to demonstrate planning and design merits
- (B) Undesirable precedent
- (C) No strong planning justifications for the proposed minor relaxation in PR restriction
- (D) Cumulative effect

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 Chief Building Surveyor/Kowloon, BD's comments on 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 as appropriate, as imposed by LandsD;
- (d) to note the comments of the Director of Fire Services to observe the requirements of emergency vehicular access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 administered by the BD; and
- (e) to note the comments of the Chief Town Planner/Urban Design & Landscape, Planning Department that the approval of s.16 planning application does not imply the approval of tree works (such as felling/transplanting or pruning) and/or requirements under the lease. Tree works applications should be submitted direct to LandsD for approval.