

**Appendix II of  
MPC Paper No. A/K18/335A**

**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**

No.	Application No.	Location	Proposed Uses/Developments	Basement Area (m <sup>2</sup> )	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 <sup>2</sup> )	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 <sup>2</sup> )	Date of Consideration	Main Reasons for Approval/ Approval Conditions
				% of Basement Area to Total GFA		
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	586	3.8.2018 (MPC)	(i), (ii)/ (a), (b), (c), (d), (f)
				104%		
14.	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)	(i), (ii)/ (b), (c), (d), (g)
				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
- (g) The provision of a minimum overall greenery ratio of 25%

**Rejected Applications**

No.	Application No.	Location	Proposed Uses/Developments	Basement Area (m <sup>2</sup> )	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%		
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/K18/333	147 Waterloo Road	Proposed minor relaxation of BH restriction from 3 to 4 storeys to allow for one storey of basement for three car parking spaces and ancillary plant room use, and minor relaxation of PR restriction from 0.6 to 1.013 for a permitted house development	462	20.9.2019 (MPC)	(B), (C)
				55%		

**Main Reasons for Rejection:**

- (A) Excessive basement size and insufficient information to demonstrate planning and design merits
- (B) Undesirable precedent
- (C) Proposed relaxation of plot ratio restriction is excessive and insufficient planning and design merits

**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 GFA calculation of the underground car park;
- (c) to note the comments of District Land Officer/Kowloon East (DLO/KE), LandsD that if the planning application is approved by the Town Planning Board, the lot owner has to apply to LandsD for a consent for implementation of the proposed redevelopment. However, there is no guarantee that the consent will be given. 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 consent is given, 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; and
- (d) to note the comments of the Chief Town Planner/Urban Design & Landscape, Planning Department that:
  - (i) the applicant is advised to amend the relevant text: the proposed treatments of Tree 1 (T1) and Tree 2 (T2) in “Tree Assessment Schedule” should be “Retain” instead of “Fell” and “Transplant”;
  - (ii) the retained trees should be preserved at existing level and necessary tree protection measures should be provided during construction stage; and
  - (iii) the approval of the s.16 does not imply the approval of tree works, such as felling/transplanting or pruning under lease. Tree works application, if any, should be submitted direct to DLO for approval. Advice from LandsD should be sought for matters concerning the lease, where appropriate.