

Previous Planning Application Covering the Premises

Approved Application

No.	Application No.	Use/Development	Date of Approval	Approval Condition(s)
1.	A/K7/60	Proposed School (Tutorial School)	4.4.2003 (MPC) (lapsed on 4.4.2007)	Nil

**Similar s.16 Applications for School (Tutorial School)
within “Residential (Group B)” Zone in the Vicinity of the Premises**

Approved Applications

No.	Application No.	Location	Date of Approval	Approval Condition(s)
1.	A/K7/38	G/F (Portion), 264 Prince Edward Road West	14.4.2000 (MPC)	Nil
2.	A/K7/39	Flat B, G/F, 272B Prince Edward Road West	22.9.2000 (MPC)	Nil
3.	A/K7/42	G/F (Basement), 190 Boundary Street	7.12.2001 (MPC)	Nil
4.	A/K7/43	G/F, 168A Boundary Street	21.12.2001 (MPC)	Nil
5.	A/K7/47	Lower G/F (Western Portion), 5 Pentland Street	10.5.2002 (MPC)	Nil
6.	A/K7/48	1/F (Southern Portion), 296 Prince Edward Road West	10.5.2002 (MPC)	Nil
7.	A/K7/50	Units A & B, Basement (Street Level), 116 Waterloo Road	10.5.2002 (MPC)	Nil
8.	A/K7/54	G/F (East Portion), 5 Pentland Street	9.8.2002 (MPC)	Nil
9.	A/K7/58	G/F, 301C Prince Edward Road West	4.4.2003 (MPC)	Nil
10.	A/K7/60	G/F, 1A La Salle Road	4.4.2003 (MPC)	Nil
11.	A/K7/61	G/F, Front, 270B Prince Edward Road West	25.7.2003 (MPC)	Nil
12.	A/K7/62	G/F (Basement) (North and Middle Portion), 7 Pentland Street	29.8.2003 (MPC)	Nil
13.	A/K7/63	G/F, 144 Boundary Street	7.11.2003 (MPC)	Nil
14.	A/K7/64	G/F (Portion), 4 Earl Street	11.6.2004 (MPC)	Nil
15.	A/K7/66	Portion B, Rear Portion, G/F, 312 Prince Edward Road West	27.8.2004 (MPC)	(a)
16.	A/K7/67	Basement South, Lower G/F, 7 Pentland Street	10.9.2004 (MPC)	(a)
17.	A/K7/69	G/F (Part), 266A and 266B Prince Edward Road West	18.3.2005 (MPC)	(a)
18.	A/K7/71	G/F, 144B Boundary Street	15.4.2005 (MPC)	(a)
19.	A/K7/73	G/F, 144F Boundary Street	23.9.2005 (MPC)	(a)
20.	A/K7/74	Lower G/F (Basement) (Portion), 188 Boundary Street	13.1.2006 (MPC)	(a)
21.	A/K7/76	Shop B, G/F, 168 Boundary Street	15.9.2006 (MPC)	(a)
22.	A/K7/79	G/F, 126 Waterloo Road	17.11.2006 (MPC)	Nil
23.	A/K7/80	G/F, Block E, 268A Prince Edward Road West	2.2.2007 (MPC)	(a)

No.	Application No.	Location	Date of Approval	Approval Condition(s)
24.	A/K7/84	Flat 1, G/F, 313, 313A, 313B & 313C Prince Edward Road West	24.8.2007 (MPC)	(a)
25.	A/K7/89	G/F (Left Portion), 144 Boundary Street	9.5.2008 (MPC)	(a), (b)
26.	A/K7/93	G/F (Rear Portion), 312 Prince Edward Road West	17.4.2009 (MPC)	(a)
27.	A/K7/96	Shop B, Ground Floor, 144G Boundary Street	19.6.2009 (MPC)	(a)
28.	A/K7/101	G/F (Front Portion), 312 Prince Edward Road West	18.2.2011 (MPC)	(a)
29.	A/K7/114	Shops 2 & 3, G/F, 126 Waterloo Road	20.4.2018 (MPC)	(a)
30.	A/K7/116	G/F, 124 Waterloo Road	18.1.2019 (MPC)	(a)

Approval Conditions:

- (a) Provision of fire service installations / water supplies for firefighting.
- (b) Installation of a security alarm system at the emergency exit to the communal carpark.

Rejected Applications

No.	Application No.	Location	Date of Consideration	Reasons for Rejection
1.	A/K7/81	G/F, 294A, Prince Edward Road West	9.3.2007 (MPC)	(1), (2)
2.	A/K7/83	G/F, 294A, Prince Edward Road West	8.6.2007 (MPC)	(2), (3)
3.	A/K7/85	G/F, Block H, 268B Prince Edward Road West	16.5.2008 (Board)	(2), (4)
4.	A/K7/86	G/F (Portion), 294A Prince Edward Road West	14.12.2007 (MPC)	(2), (3)
5.	A/K7/87	G/F, 144A Boundary Street	28.3.2008 (MPC)	(2), (5)
6.	A/K7/99	G/F, 108C Boundary Street	8.10.2010 (Board)	(6), (7)
7.	A/K7/104	Flat A, 1/F, 301 Prince Edward Road West	22.7.2011 (MPC)	(4), (7)
8.	A/K7/108	G/F, Block A, 268, 268A, 268B, 270, 270A, 270B & 270C, Prince Edward Road West	2.8.2013 (MPC)	(8), (9)

Rejection Reasons:

- (1) No proposal to demonstrate that the tutorial school would not impose any nuisances to the existing residential premises within the same development and to address resident's concerns on security and nuisance problems

- (2) Approval of the application would set an undesirable precedent for other similar applications for tutorial schools within the residential buildings in the area which had no separate access to the application premises from public roads
- (3) There was insufficient information to demonstrate that the tutorial school would not impose nuisance to the existing residential premises within the same development
- (4) The tutorial school did not comply with the Town Planning Board Guidelines for "Application for Tutorial School under section 16 of the Town Planning Ordinance" (TPB PG-No. 40) in that there was insufficient information in the application to demonstrate that the tutorial school, without the provision of a separate exclusive access from public road, would not cause nuisances to the existing residential premises within the same development
- (5) The proposed development did not comply with TPB PG-No. 40 in that the application premises was at the inner part of the residential development without separate exclusive access and the proposed tutorial school might cause disturbance or nuisance to the local residents
- (6) The proposed tutorial school would cause disturbance or nuisance to the local residents
- (7) Approval of the application would set an undesirable precedent for other similar applications for tutorial schools within the residential buildings in the area
- (8) The application was not acceptable as it would aggravate the existing traffic congestion on the section of Prince Edward Road West near the application site during tutorial school peak hours
- (9) The approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such similar applications would aggravate the traffic congestion in this part of Prince Edward Road West

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Kowloon East, Lands Department (DLO/KE, LandsD) that as to the user of the lot, it is noted from the Occupation Permit (OP) dated 3.12.1956 that the Premises were designated for domestic use on the general building plan (GBP) approved by the Building Authority (BA). The proposal is concerning the change of use of the existing Premises. The applicant declares that no additions or alterations (A&A) works would be involved. However, he reserves his comments at the building plan stage and would remind the applicant that prior consent from the Director of Lands should be required in case of proposed A&A works to the existing building;
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD) that comments on the building proposal of the development would be subject to submission of more detailed plans or application for approval under the Buildings Ordinance;
- (c) to note the comments of the Director of Fire Services (D of FS) that detailed fire services requirements will be formulated upon receipt of formal submission of GBP or receipt of formal application via Licensing Authority. The applicant is advised to observe the requirements of emergency vehicular access (EVA) as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administrated by BD;
- (d) to note the comments of the Secretary for Education (SED) that registration of school is granted in accordance with the stipulated requirements under the Education Ordinance (Cap. 279) and relevant Guidelines. Clearance from the Board and LandsD should be obtained in respect of the applied use at the Premises. In addition, the Premises should be suitable for school use in terms of fire safety and building safety as confirmed by the FSD and BD respectively. The applicant should also submit the documentary proof of the right to use the Premises, OP (for premises design and constructed as a school), the proposed curriculum, courses and fees information, etc., for consideration of the application; and
- (e) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised to follow the relevant requirements of Hong Kong Planning Standards and Guidelines (HKPSG) in respect of the air quality and noise aspects as far as practicable regarding the environmental perspective.