

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K9/271

- Applicant** : Harvest Triumph Limited represented by Lanbase Surveyors Limited
- Site** : 84 and 86 Wuhu Street, Hung Hom, Kowloon
- Site Area** : 142.14m² (about)
- Lease** : (a) Hung Hom Inland Lot No. 529 (“the Lot”) which is held under the Conditions of Regrant No. 10802 as varied or modified by a modification letter dated 24.11.2014. The salient conditions related to hotel purposes are at **Appendix IV**; and
- (b) restricted to non-industrial purposes (excluding godown and petrol filling station) provided that in the event of the Lot being used for hotel purposes together with any ancillary accommodation as defined in **Appendix IV** (including retail shop and restaurants), the Lot shall not be used for any purposes other than solely for the said purposes (i.e. hotel).
- Plan** : Approved Hung Hom Outline Zoning Plan (OZP) No. S/K9/26
- Zoning** : “Residential (Group A)4” (“R(A)4”)
- Remarks:
- For a non-domestic building to be erected on the site, the maximum plot ratio (PR) shall not exceed 9.0.
 - A maximum building height (BH) of 80mPD or the height of the existing building, whichever is the greater.
- Application** : Proposed Hotel

1. The Proposal

- 1.1 The applicant seeks planning permission to develop an 18-storey hotel development with 48 guestrooms at 84 and 86 Wuhu Street, Hung Hom (the Site). The Site falls within an area zoned “R(A)4” on the approved Hung Hom OZP No. S/K9/26 (**Plan A-1**). According to the Notes of the OZP, the proposed hotel development in “R(A)” zone requires planning permission from the Town Planning Board (the Board).
- 1.2 The Site is the subject of a previous planning application (No. A/K9/261) for a hotel development which was approved with conditions by the Metro Planning Committee

(the Committee) of the Board on 8.11.2013. The current application is submitted by the same applicant. There is no change in site area, total gross floor area (GFA) and PR. The major difference between the previously approved scheme and the current scheme is an increase in number of guestrooms from 30 to 48 (+60%) by conversion of restaurant areas in the approved scheme into guestrooms in the current scheme. There is also slight reduction in BH at upper top roof level from 59.298mPD to 55.6mPD (i.e. -3.698mPD). Since the increase in number of guestroom has exceeded 20% of the approved scheme, a fresh section 16 planning application is required according to the TPB PG-NO. 36B ‘Town Planning Board Guidelines for Class A and Class B Amendments to Approved Development Proposals’. A comparison of the development parameters between the previous approved scheme and the current application are as follows:

Development Parameters	Application No. A/K9/261 (a)	Current Scheme (b)	Difference (b)-(a)
Site area	142.14m ²	142.14m ²	0
Non-domestic GFA #	1,279.187m ² (excluding BOH GFA of 62.814m ²)	1,279.187m ² (excluding BOH GFA of 37.722m ²)#	0
- Hotel	547.932m ²	1,161.232m ²	+613.3m ²
- Eating Place/Shop and Services	731.255m ²	117.955m ²	-613.3m ²
Non-domestic PR	8.999	8.999	0
Site Coverage (Above 15m)	Not exceeding 72.5%	Not exceeding 72.5%	0
Building Height	59.298mPD	55.6mPD	-3.698mPD
No. of Storey	17	18	+1
No. of Guestrooms	30	48	+18 (+60%)
Floor Use[@]			
G/F	Hotel Lobby, Shop	Hotel Lobby, Café/Shop	
Upper Part of G/F	(No upper part of G/F)	Switch Room	
1/F – 2/F	Restaurant	Guestrooms	
3/F – 7/F	Restaurant, Kitchen	Guestrooms	
8/F	Lift Machine Room, F.S. Pump Room, BOH Facilities	Guestrooms	
9/F	Sprinkler Water Tank, Sprinkler Pump Room	Guestrooms	
10/F – 15/F	Guestrooms	Guestrooms	
16/F	Guestrooms	BOH Facilities, Sprinkler Pump Room	
17/F	Guestrooms	NIL	
Roof	Lift Machine Room, T.B.E Room, Emergency Generator Room	Sprinkler Water Tank	
Upper Roof	A/C Plant Room, Water Tank	Lift Machine Room, T.B.E. Room, Emergency Generator Room	
Top Roof	NIL	F.S. Water Tank, Pump Room	

- # The area of BOH facilities is subject to Building Authority's approval at the building plan submission stage.
- @ Floor numbering of 4/F, 13/F and 14/F are omitted.

- 1.3 According to the applicant, the hotel is mainly to serve individual business and oversea visitors and without conference and banquet facilities. The hotel visitors and staffs will travel by public transport. Since there is no run-in/out at the Site, the proposed hotel will use the spare kerbspace at Station Lane for loading/unloading activities during non-peak hours (i.e. after 3:00 p.m.) and the public car park in the vicinity of the Site.
- 1.4 The floor plans, section plan and photomontages of the proposed hotel submitted by the applicant are shown in **Drawings A-1 to A-7**.
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application form received on 10.7.2018 (Appendix I)
 - (b) Supplementary planning statement (Appendix Ia)
 - (c) Letter dated 9.7.2018 clarifying the proposed building height and floor uses (Appendix Ib)
 - (d) Letter dated 11.7.2018 clarifying the absolute building height and providing revised drawing (Appendix Ic)
 - (e) Letter dated 29.10.2018 submitting a Traffic Review Report and photomontage of the proposed hotel (*accepted but not exempted from publication and recounting requirements*) (Appendix Id)
 - (f) Letter received on 6.12.2018 submitted responses to departmental comments, photomontages and revised floor plans (Appendix Ie)
 - (g) Letter dated 14.12.2018 providing revised photomontages (Appendix If)
- 1.6 On 7.9.2018, the Committee agreed to defer a decision on the application for two months as requested by the applicant in order to allow adequate time to prepare further information (FI) to address comments from concerned Government departments. With the FI submitted on 29.10.2018, 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 detailed in Section 7 of the planning statement at **Appendices Ib** and **Id**. They can be summarised as follows:

- (a) the Committee has previously approved a planning application (No. A/K9/261) for hotel development at the Site.

- (b) the reduction in restaurant floors means less restaurant customers. This can enhance hotel guests' privacy;
- (c) the increase in guestroom size can enhance the enjoyment and living space for the hotel guests;
- (d) compared with the previously approved scheme, there is no change in total GFA;
- (e) the hotel guests are expected to use public transport facilities. Therefore, the demand for parking spaces is small. The Traffic Review Report indicated that the proposed increase in 18 guestrooms (compared with the previously approved scheme) will generate minimal additional traffic volume and will not create any adverse traffic impact on the local road network during the AM and PM peak periods; and spare kerbspaces in the vicinity of the Site (i.e. Station Lane) are available for the hotel loading/unloading activities;
- (f) the Committee has approved similar planning applications for hotel developments in "R(A)" zone within Hung Hom area; and
- (g) the proposed hotel use is one of the "Column 2" uses which will not against the planning intention of the "R(A)" zone. The proposed hotel development is compatible with the surrounding environment which is primary occupied by composite commercial/residential developments.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is the sole "current land owner". Detailed information would be deposited at the meeting for Members' inspection.

4. Previous Applications

- 4.1 There is one previous application (No. A/K9/261) for proposed hotel development solely on the Site, which was submitted by the same applicant. On 8.11.2013, the Committee approved the application for the reasons that the proposed hotel is considered not incompatible with the surrounding developments. Also, the application site is a corner site located at the junction of Gillies Avenue South and Wuhu Street subject to traffic noise impact, its location being sandwiched between two hotel developments (i.e. existing Bridal Tea House Hotel and the proposed hotel at 88-102 Wuhu Street), and it was covered by a planning application (No. A/K9/242) for hotel development at 84-102 Wuhu Street (**Plan A-1**) approved by the Committee on 15.10.2010, the current application may warrant special consideration. The details of this application are mentioned in paragraph 1.2 above. Building plans for the proposed hotel development under application No. A/K9/261 has been approved and the applicant can implement the proposed hotel development.
- 4.2 There are two more previous planning applications (Nos. A/K9/227 and A/K9/242) at 84 to 102 Wuhu Street (i.e. covering the Site and the adjoining site at 88-102 Wuhu Street (**Plan A-2**)). Application No. A/K9/227 for proposed hotel cum flat development was rejected by the Committee on 24.10.2008 for reason that the overall PR of the hotel portion exceeded the maximum PR restriction of 9 for

non-domestic use in “R(A)” zone under the OZP. Application No. A/K9/242 for proposed hotel development was approved with conditions by the Committee on 15.10.2010. Details of these previous applications are summarized in **Appendix II**.

5. Similar Applications

- 5.1 The Committee has considered 22 applications for hotel use within “R(A)” zone on the Hung Hom OZP (**Plan A-1**) since 2000. 19 of them were approved with conditions mainly on grounds that they were not incompatible with the surrounding developments and would not cause adverse environmental, sewerage, drainage and traffic impacts on the surrounding areas (including No. A/K9/232 at 88-102 Wuhu Street adjoining the Site).
- 5.2 For the three rejected applications (Nos. A/K9/206, A/K9/250 and A/K9/257), application No. A/K9/206 was rejected in 2006 mainly for the reason that there was no provision for the Board to grant permission for the proposed hotel use with PR exceeding the maximum PR restriction of 9.0 for non-domestic building in the “R(A)” zone. For Application Nos. A/K9/250 and A/K9/257 they were rejected in 2013 mainly for the reasons that given the current acute shortage of housing land, there was no strong justification to use the application site which was intended for high-density residential development for hotel development; and there was no provision of internal parking and loading/unloading facilities for the proposed hotel development which would have adverse traffic impact on surrounding roads. Details of these similar applications are summarized in **Appendix III**.

6. The Site and Its Surrounding Areas (Plans A-1 and A-2 and Photos on Plan A-3)

- 6.1 The Site is:
 - (a) is located at the junction of Gillies Avenue South and Wuhu Street; and
 - (b) is currently vacant.
- 6.2 The surrounding areas have the following characteristics:
 - (a) the Site is located within a residential area with composite buildings consisting of residential flats on the upper floors and commercial uses on the lower floors. There is also a commercial building and hotels in the area. Further north of Station Lane are some government, institution and community (GIC) uses including the French International School, Hung Hom Government Clinic and Kun Yam Temple (**Plan A-2**);
 - (b) an existing 11-storey hotel, namely the Bridal Tea House Hotel (紅茶館) and a row of residential buildings of 6 to 7 storeys are located to its immediately north;
 - (c) a vacant site at 88-102 Wuhu Street adjoining the Site to the west has planning permission for a 17-storey hotel development (at 51.7mPD) under Application No. A/K9/232 which was approved with conditions by the Committee on

9.10.2009. Building plans for that hotel development has been approved by the Building Authority; and

- (d) the Site is well-served by various modes of public transport including bus and mini-bus services. The Ho Man Tin and Whampoa Stations of the MTR Kwun Tong Line Extension are about 250m and 460m to the northwest and southeast respectively, and the Hung Hom Railway Station is about 580m further southwest (**Plan A-1**); and

7. Planning Intention

The “R(A)4” zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

8. Comments from Relevant Government Departments

- 8.1 The following Government departments have been consulted and their views on the application and the public comments received are summarized as follows:

Land Administration

- 8.1.1 Comments of the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD):

- (a) no objection to the application;
- (b) no comment on the application provided that the GFA of the proposed café/shop on G/F, and other “ancillary accommodation” (if any), would not exceed 732m² of which not more than 128m² are used for retail shops or entertainment facilities or both; and
- (c) detailed design of the development, including the BOH facilities, will be further scrutinized at the building plan stage and there is no guarantee that the schematic design as presently proposed in the s16 application to be reflected in the building plan submission(s) will be accepted under the lease.

Building Matters

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

- (a) no in-principle objection to the application;
- (b) it is noted that the proposed scheme in the subject application is different from the general building plans of a proposed hotel development approved by the Building Authority on 4.7.2018. The “no objection in-principle” thereof should not be construed as approval under Buildings Ordinance (BO); and

- (c) detailed comments on the proposal under BO would be given at the submission stage of amendment plans.

Traffic

8.1.3 Commissioner for Transport (C for T):

- (a) he has the rights to impose, alter or cancel any car parking, loading/unloading facilities and/or any no-stopping restrictions, on all local roads to cope with changing traffic conditions and needs. The frontage road space would not be reserved for any exclusive use of the subject development; and
- (b) in view of the traffic conditions at Wuhu Street and Walker Road, loading/unloading activities for the proposed hotel should be confined at Station Lane.

Environment

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

- (a) hotel developments are normally provided with centralized air conditioning system and the applicant/Authorized Persons should be able to select a proper location for fresh-air intake during detailed design stage to avoid exposing future occupants under unacceptable environmental nuisances/impact; and
- (b) should the Board approve this application, approval conditions requiring the applicant to submit a Sewerage Impact Assessment (SIA) and to implement the local sewerage upgrading/sewerage connection works identified in the SIA are recommended.

Fire Safety

8.1.5 Comments of the Director of Fire Services (D of FS):

- (a) no objection in principle to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction. Detailed Fire Services requirements will be formulated upon receipt of formal submission of general building plans; and
- (b) as no details of the emergency vehicular access (EVA) have been provided, comments could not be offered by his Department at the present stage. Nevertheless, the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by the Buildings Department.

Hotel Licensing

8.1.6 Comments of the Chief Officer (Licensing Authority), Home Affairs Department (CO(LA), HAD):

- (a) no objection to the application under the Hotel and Guesthouse Accommodation Ordinance (HAGAO), Cap. 349;
- (b) the applicant should submit a copy of the occupation permit for the proposed hotel when making an application under the HAGAO, Cap 349;
- (c) any licensed area under the same licence should be physically connected unless otherwise justified. As detailed licence plan is not available in the application, his advice could be provided upon the formal application of the licence;
- (d) as insufficient information in relation to the fire service installations (FSI) have been provided in the proposal, comment on the aspect of fire services provisions cannot be made at present. The applicant should observe relevant section of the Code of Practice for Minimum Fire Services Installations and Equipment; and
- (e) the licensing requirements will be formulated after inspections by his Building safety Unit and Fire Safety Team upon receipt of application under HAGAO.

Tourism Aspect

8.1.7 Comments of the Commissioner for Tourism (C for Tourism):

- (a) supports the hotel application provided that it is agreeable to all relevant Government departments, and that the applicant is able to meet all requirements laid down by the relevant departments; and
- (b) the proposed hotel development in Hung Hom will help increase the provision of hotel facilities, broaden the range of accommodations for visitors, and support the development of convention and exhibition, tourism and hotel industries.

Visual and Landscape Aspect

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

Urban Design Aspect

- (a) the proposed development has a building height of 45.8mPD (main roof). The height of the roof-top utility structures reaches 55.8mPD, which is 10m representing almost 24% of the building height. Nevertheless, the overall building height measured to the top roof is

still within the statutory building height limit of 80mPD applicable to the subject “R(A)4” site;

- (b) the proposed scheme is similar to the approved hotel scheme under application No. A/K9/261 in terms of building form and scale;

Landscape Aspect

- (c) no objection to the application from the landscape planning perspective;
- (d) the site is vacant without any existing tree found within the site. Adverse landscape impact caused by the proposed hotel development is not anticipated. Low to medium rise residential buildings and also some other single-block hotel/serviced apartment developments are found in the vicinity and the proposed hotel development is not incompatible with the existing landscape character; and
- (e) given the constrained site layout and tight site area, there is no external/open space left for any meaningful landscape treatment (particularly by means of tree planting) as greenery contributing to or noticeably enjoyable in public realm.

District Officer’s Comments

8.1.9 Comments of the District Officer (Kowloon City), Home Affairs Department (DO/KC, HAD):

- (a) no comment on the application;
- (b) he noted that PlanD has notified the interested Kowloon City District Council Members, Hung Hom Area Committee as well as the Owners Committee/Mutual Aid Committees/Management Committees/management companies/residents of buildings and institutions near the Site about the planning application; and
- (c) the Board should take into account all the comments gathered in the consultation exercise in the decision making process. Should the application be eventually approved, the applicant should take appropriate measures to address the concerns of relevant stakeholders.

8.2 The following Government departments have no objection/no comments on the application:

- (a) Commissioner of Police (C of P);
- (b) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (c) Chief Highway Engineer/Kowloon, Highways Department ;
- (d) Chief Engineer/Construction, Water Supplies Department; and
- (e) Director of Food and Environmental Hygiene.

9. Public Comments Received During Statutory Publication Period

- 9.1 On 17.7.2018, the application was published for public inspection. During the first 3 weeks of the statutory public inspection period, which ended on 7.8.2018, 3 public comments were received (**Appendix V**). A Kowloon City District Council Member expresses concerns about the adverse traffic impact and nuisance from the proposed hotel development and indicated that car park should be provided. One individual opined that the site that is zoned residential should be used for housing development and the supply of hotel exceeds regular requirements in Hung Hom district. One Hung Hom Area Committee Member indicated that he has no comment on the application.
- 9.2 On 9.11.2018, the further information submitted by the applicant was published for public inspection. During the first 3 weeks of the public inspection period, which ended on 30.11.2018, 35 comments were received including 34 individuals and one owners' incorporation of a building at the opposite site of Wuhu Street (i.e. Chee Shing Building) (**Appendix Va**). One comment opined that the construction works should be completed as early as possible and sufficient mitigation measures should be undertaken in order to minimize the disturbances to local residents and environmental impacts on the area. The proposal should provide as much parking spaces as possible to address the problems of illegal parking and traffic congestion in the area. The other 34 comments including the owner's incorporation raise objection to the application due to the reasons similar to those mentioned in paragraph 9.1 above.

10. Planning Considerations and Assessments

Land Use

- 10.1 The application is for a 18-storey hotel development with 48 guestrooms, PR of 8.999 and BH of 55.6mPD. The planning intention of the "R(A)4" zone is primarily for high-density residential developments and commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. Hotel use requires planning permission from the Board. The proposed hotel use is not in line with the planning intention of the "R(A)" zone.
- 10.2 The Site is located within an area predominantly occupied by residential developments with commercial uses on the ground floor and with a mix of commercial building and hotels. An existing 11-storey hotel abuts to its north and a vacant site with planning permission for a 17-storey hotel development approved under application No. A/K9/232 abuts to its west (**Plan A-2**). The proposed hotel development is considered not incompatible with the surrounding developments in terms of land use.
- 10.3 As there is current acute shortage of housing supply, site planned for residential use should generally be retained for residential development. Nevertheless, given its location being sandwiched between two existing/planned hotel developments, and it was covered by a previous planning application (No. A/K9/261) approved with conditions by the Committee (see paragraph 10.4 below), the current application may

warrant special consideration. C for Tourism supports the application as it will help increase the provision of hotel facilities, broaden the range of accommodations for visitors, and support the development of convention and exhibition, tourism and hotel industries.

Previous Approval

10.4 The Site is the subject of a previous planning application (No. A/K9/261) for a 17-storey hotel development which was approved with conditions by the Committee on 8.11.2013. The proposed hotel development has building plans approved by the Building Authority. As such, the applicant can implement that permitted hotel scheme. The current application is submitted by the same applicant and the major differences are the increase in number of guestroom from 30 to 48 (i.e. +60%) and there is no change in site area, total GFA and PR, and a reduction in building height from 59.298mPD to 55.6mPD (-3.698m).

Traffic and Other Technical Aspects

10.5 The proposed hotel has 48 guestrooms with no on-site car parking and loading/unloading facilities. The Traffic Review Report indicates that the additional 18 guestrooms would not create any adverse traffic impact onto the local road network during peak periods and adequate kerbspaces in the vicinity of the Site are available for the hotel loading/unloading activities. The visitors and staffs will use public transport. The hotel will use the spare kerbspace at Station Lane for loading/unloading activities during non-peak hours (i.e. after 3:00 p.m.). There are public car parks near Station Lane which can be used by the hotel related vehicles if necessary. C for T has no adverse comment on the application.

10.6 The proposed hotel development would unlikely generate adverse environmental, drainage and sewerage impacts on the surrounding areas. Relevant Government departments including DEP, CE/MS,DSD, D of FS and CBS/K, BD have no objection to/no adverse comments on the application. Relevant approval conditions are suggested in paragraph 11.2.

Public Comments

10.7 Regarding the public concerns on potential nuisances of the proposed hotel operation, C of P would maintain public order and enforce traffic management in the area. For concerns on impact on housing land supply and potential traffic impact as well as the environmental impacts during construction stage, the planning assessments in paragraphs 10.1 to 10.6 above are relevant.

11. Planning Department's Views

11.1 Based on the assessment made in paragraph 10 above and having taken into account the public comments mentioned in paragraph 9 above, Planning Department has no objection to the application.

11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 21.12.2022, 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 Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (b) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (c) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

The suggested advisory clauses are attached at **Appendix VI**.

11.3 Alternatively, should the Committee decided to reject the application, the following reasons are suggested for Members' reference:

- (a) given the current acute shortage of housing land, there was no strong justification to use the application site which was intended for high-density residential development for hotel development; and
- (b) approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such applications would further reduce land zoned "Residential" for housing development.

12. Decision Sought

12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

12.2 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.

12.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the application.

13. Attachments

Appendix I	Application form received on 10.7.2018
Appendix Ia	Supplementary planning statement
Appendix Ib	Letter dated 9.7.2018 from the applicant
Appendix Ic	Letter dated 11.7.2018 from the applicant
Appendix Id	FI received on 29.10.2018

Appendix Ie	FI received on 6.12.2018
Appendix If	FI received on 14.12.2018
Appendix II	Previous applications covering the application site
Appendix III	Similar applications for hotel development in “R(A)” zone on Hung Hom OZP (Since 2000)
Appendix IV	Detailed comments of Government departments
Appendix V	Public comments received
Appendix Va	Public comments on FI received
Appendix VI	Suggested advisory clauses
Drawings A-1 to A-4	Floor Plans
Drawing A-5	Section
Drawings A-6 and A-7	Photomontage
Plan A-1	Site Plan
Plan A-2	Location Plan
Plan A-3	Site Photos

**PLANNING DEPARTMENT
DECEMBER 2018**