

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/K9/272

- Applicant** : Urban Renewal Authority (URA)
- Site** : Authorised URA Bailey Street/Wing Kwong Street Development Project (DP) Site at 107-109 Ma Tau Wai Road (odd nos.), 2-50 Wing Kwong Street (even nos.), 1-13 Wan Tat Street (odd nos.), 1-19 Wan Fat Street, 1-20 Wan Hing Street, 1-20 Wan Lok Street and 3-21 Bailey Street (odd nos.), Hung Hom, Kowloon and 4 private streets (Wan Tat Street, Wan Fat Street, Wan Hing Street and Wan Lok Street) and multiple alleyways.
- Site Area** : About 7,403m²
- Lease** (a) The private lots listed in 3(b) of **Appendix I** are governed under the Government Lease of KML 52 commencing from 25.9.1899 for a term of 75 years and renewable for 75 years.
- (b) Virtually unrestricted except with non-offensive trade clauses. A licence was granted on 23.5.1934 to the lot owners to “use exercise and follow in or upon the premises known as KML No. 52 the trades or businesses of a Brazier Blacksmith Boiler Maker Ship-builder and Engineer.”
- Plan** : Approved Hung Hom Outline Zoning Plan (OZP) No. S/K9/26
- Zoning** : “Residential (Group A)” (“R(A)”) [Subject to plot ratio (PR) of 7.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic.]
- Application** : Proposed ‘Public Vehicle Park (exclude Container Vehicles)’ at basement level of proposed residential/commercial redevelopment under the authorized URA Bailey Street/Wing Kwong Street DP

1. The Proposal

- 1.1 The applicant seeks planning permission for a public vehicle park (PVP) at the basement of a residential/commercial redevelopment under the authorized URA Bailey Street/Wing Kwong Street DP (KC-009) at the application site (the Site) (**Plan A-1**). The Site is zoned “R(A)” on the approved Hung Hom OZP No.

S/K9/26. According to the Notes of the OZP, ‘PVP (excluding container vehicle)’ is a Column 2 use, which requires planning permission from the Town Planning Board (the Board). The proposed underground PVP will accommodate the following parking spaces:

Private Car	100
Motorcycle	20
Proposed GFA	Assumed all to be exempted GFA*

*The exemption of GFA for the underground PVP is subject to Building Authority (BA)’s agreement at building plan stage.

- 1.2 The indicative location of the ingress/egress of the Site is shown on **Drawing A-2**.
- 1.3 The commercial/residential development under the DP with the following development parameters is always permitted within the “R(A)” zone and is not the subject of the planning application.

Development Parameters	Authorized DP Scheme
Site Area	7,403m ² (about)
Building Height	100mPD
Gross Floor Area (GFA)	66,627m ² (about)
Domestic	55,522m ² (about)
Non-domestic	11,105m ² (about)
Plot Ratio	9
Domestic	7.5
Non-domestic	1.5
Ancillary Car Park	<i>Range Authorized in DP (proposed)</i>
Private vehicle	103-175 (142)
Motorcycle	10-18 (12)
Loading/unloading	16-20 (16)

- 1.4 URA proposed a traffic network for an area bounded by Ngan Hon Street to the north, Sung On Street to the east, Bailey Street to the south and Ma Tau Wai Road/To Kwa Wan Road to the west i.e. Action Area 1 (AA1) under the approved Hung Fook Street/Ngan Hon Street Development Scheme Plan (DSP) No. S/K9/URA2/2 (previous traffic network) (**Plan A-4**). In this planning application, URA proposes a traffic network enhancement scheme for AA1 which is made possible by the proposed relocation of on-street private car and motorcycle parking spaces in AA1 into the proposed underground PVP on the Site (**Drawings A-1 to A-6**). The key features of the amendments made to the previous traffic network are outlined below and shown in **Plan A-4**:
 - (a) conversion of portions of Hung Fook Street, Kai Ming Street and Wan On Street to pedestrian streets;

- (b) convert the streets between Ngan Hon Street and Wing Kwong Street (including the proposed street through the Hung Fook Street/Ngan Hon Street Development Scheme (KC-010), portion of Hung Fook Street, Yuk Shing Street, portion of Kai Ming Street and Wan On Street extension) to traffic calming streets that run one-way southward;
 - (c) convert Wing Kwong Street, between Ngan Hon Street and Wing Kwong Street/Wan On Street junction to a single-2 lane two-way street;
 - (d) extend the eastern end of Ngan Hon Street to open up a new egress to Sung On Street; and
 - (e) relocate run-in/out of underground car park at KC-010 to Wing Kwong Street. The car park capacity at the underground car park at KC-010 will be maintained (i.e. not more than 274 car parking spaces, 20 loading/unloading bays and 4 coach parking spaces);
- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 6.8.2018 **(Appendix I)**
 - (b) Planning Statement received on 6.8.2018 **(Appendix Ia)**
 - (c) Letter received on 6.8.2018 providing supplementary information to the Planning Statement **(Appendix Ib)**
 - (d) Letter dated 19.9.2018 providing responses to departmental comments **(Appendix Ic)**
 - (e) Letter dated 24.9.2018 providing responses to departmental comments **(Appendix Id)**
 - (f) Letter dated 30.10.2018 providing a Signal Junction Analysis and revised floor layout plans (*accepted but not exempted from publication and recounting requirements*) **(Appendix Ie)**
- 1.6 Plans including notional concept plan, floor layout plans, proposed traffic network enhancement scheme and signalized junction scheme submitted by the applicant are shown in **Drawings A-1 to A-7**.
- 1.7 On 5.10.2018, 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 Transport Department. With the FI submitted on 30.10.2018, 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 provided in the supplementary planning statement at **Appendix Ia** and FI at **Appendices Ic to Ie**. They are summarized as follows:

- (a) the proposed development of underground PVP is in line with Government's on-going policy on promoting walkability and utilizing underground space to create opportunities for at-grade urban space, enhance urban connectivity and improve congested urban environment;
- (b) URA has no objection to specify that the 100 public car parking spaces are for general public use in the land grant stage. The total number of car parking spaces and mode of letting (i.e. hourly, daily or monthly) can be specified under conditions of the land grant or deed of mutual covenant;
- (c) future operation of the PVP can be handled by URA/joint venture partner/carpark management agent;
- (d) the PVP can provide opportunity to relocate the on-street parking spaces in AA1 off-street therein, and can help to enhance the streetscape vibrancy, provide a comfortable pedestrian walking environment and create a sense of place for communities in the neighbourhood. This is in line with the 2017 Policy Address and Policy Agenda that set out the Government's initiatives on land transport of "Improving Pedestrian Environment" and to take forward "Walk in Hong Kong";
- (e) after the extension of Wan On Road, the PVP is within walking distance from the farthest end of the developments within AA1 and that will not be included in URA's redevelopments. Hence, URA's intention is to relocate all 45 nos. of on-street metered car parking spaces and 20 nos. of on-street motorcycle parking spaces within AA1 into the PVP. URA indicated that some on-street motorcycle parking spaces could remain on-street near Yuk Shing Street (if required). The proposed PVP provides solution space for possible relocation of on-street parking, but the actual deletion of on-street car park is subject to Commissioner for Transport (C for T) and relevant consultation;
- (f) the traffic impact assessment (TIA) indicates that the additional pedestrian and vehicular flows generated by the proposed PVP is limited;
- (g) the proposed PVP will be provided underground, and the building bulk above ground will remain unchanged;
- (h) the applicant consulted the KCDC on the proposed development on 5.7.2018 and KCDC generally welcomed the proposal;
- (i) the traffic engineering design for the proposed traffic network, including junction arrangement will be dealt with in detailed design stage. The siting of pedestrian crossing at a roundabout junction requires individual consideration. Since the future locations of pedestrian access of KC-009 and other development sites are not

known, it is pre-mature to undertake a pedestrian assessment or to determine the pedestrian desire line/routes as well as the position of the pedestrian crossing at this planning stage; and

- (j) the traffic network enhancement scheme is for reference and does not form part of the planning application. Local consultation for the proposed road network will be carried out in the later land grant/road gazettal stage under Cap. 370. If the consultation with public/District Council in land grant stage for the proposed road scheme under AA1 is not successful, e.g. the objections to the road scheme could not be resolved, the URA will not pursue the proposed underground PVP in KC-009.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is one of the “current land owners”. In respect of the other “current land owners”, the applicant has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by publishing a notice in local newspaper and posting a notice of the application near the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. Previous Application

There is no previous application at the Site.

5. Similar Applications

There is no similar application for PVP in Hung Hom.

6. The Site and Its Surrounding Areas (Plans A-1 to A-3 and site photos on Plans A-5 and A-6)

6.1 The Site:

- (a) is the URA Bailey Street/Wing Kwong Street DP site that was commenced on 4.3.2016 and authorized on 25.11.2016 under the URA Ordinance; and
- (b) is currently occupied by 6-9 storeys residential buildings constructed in 1950s and 1960s with ground floor used for shops and services businesses. The existing buildings at the Site are mostly vacant.

6.2 The surrounding areas have the following characteristics:

- (a) predominantly with residential buildings constructed in 1950s and 1960s;

- (b) to the immediate north, across Wing Kwong Street, are some URA redevelopment projects (**Plan A-3**);
- (c) to the immediate east, across Wan On Street, is a commercial/residential development nearing completion and an existing residential development, Bailey Garden (**Plan A-2**);
- (d) to the immediate south, across Bailey Street, are some residential developments along Sung Chi Street and Sung Kit Street and two URA redevelopment projects (**Plan A-3**). Further south are some existing industrial/commercial developments; and
- (e) to the immediate west, across a back lane, is a row of residential developments with shops on ground floor. Further west is Ma Tau Wai Road.

7. Planning Intention

The “R(A)” 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 are summarized as follows:

Land Administration

- 8.1.1 Comments of the Chief Estate Surveyor/Urban Renewal, Lands Department (CES/UR, LandsD):

- (a) the subject site comprises a number of private lots and also affects the following land status:
 - (i) a scavenging lane on Government land between KML 52 S.B ss.28 (i.e. Wing Kwong Mansion) and KML 52 S.B ss.10 S.C. R.P. and KML 52 S.B. ss. 10 R.P;
 - (ii) statutory easement of Sewage Tunnel from Kwun Tong and Kwai Chung to Stonecutters Island, Sewage Tunnel Protection Area and Sewage Tunnel Outer Protection Area;
 - (iii) next to the railway scheme limit of Shatin to Central Link; and
 - (iv) Wan Fat Street Electricity Substation;

- (b) URA is required to clarify which party is responsible for the construction and subsequent operation, maintenance and management of the PVP;
- (c) should the application be approved by the Board and in case the government decides to invoke the Lands Resumption Ordinance, Cap. 124 to resume the remaining properties in the DP, the URA is required to submit land grant application to LandsD. There is no guarantee that the maximum GFA and other development parameters will be incorporated in the future land grant conditions. Appropriate lease conditions will be considered at a later stage after the planning approval is granted and after the approval of the land resumption application. If the land grant is approved by LandsD acting in its capacity as the landlord at its absolute discretion, it will be subject to such terms and conditions, including but not limited to payment of premium, as may be imposed; and
- (d) appropriate lease conditions including whether the GFA of the PVP is exempted under lease will be considered at the land grant stage after the planning approval is granted and after the approval of the land resumption application.

Building Matters

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

- (a) No objection to the application subject to the proposed development shall in all respects comply with the Buildings Ordinance (BO) and its allied regulations; including but not limited to the followings:
 - (i) the scheme involves extinguishment of existing lanes/streets between the buildings with erection of new buildings over, under, upon and/or on the existing lanes/streets, which would contravene section 31 of the BO;
 - (ii) exemptions and/or modifications with or without condition(s) under the BO may be considered for the proposed extinguishment of the existing lanes/streets and inclusion of the existing lanes/existing streets/the proposed through road in the site area for the purposes of plot ratio and site coverage calculations under the Building (Planning) Regulations (B(P)R), but they will only be considered on its individual merits based on relevant information or justification submitted to the Building Authority. The applicant is advised to appoint an authorized person to submit a pre-submission enquiry on the issues arisen under the Practice Note for Authorized Persons, Registered Structural Engineers and

Registered Geotechnical Engineers (PNAP) ADM-19 at an early stage to seek determination from the Building Authority;

- (iii) PNAP APP-151 on Building Design to Foster a Quality and Sustainable Built Environment and PNAP APP-152 on Sustainable Building Design Guidelines are applicable to the proposed development;
- (iv) PNAP APP-2 spells out the criteria on the application of B(P)R 23(3)(b) in respect of car parking spaces, associated ramps and facilities to be disregarded from GFA calculation. 100% GFA concession may be granted for underground carparks while only 50% GFA concession may be granted for above ground carparks; and
- (v) detailed comments under the BO will be given at building plan submission stage.

Traffic

8.1.3 Comments of the Commissioner for Transport (C for T):

- (a) having considered the FI in **Appendix Ie**, he has no further comment on the proposed underground PVP at the Site from traffic engineering viewpoint subject to:
 - (i) the proposal of the PVP and detailed design of the proposed road network in connection with the proposed development, including but not limited to the junction and pedestrian assessment shall be subject to his satisfaction;
 - (ii) the detailed arrangement of on-street metered parking spaces and motorcycle parking spaces shall be subject to his satisfaction; and
- (b) if the application is approved, the following conditions are required to address the above:
 - (i) the submission of a revised Traffic Impact Assessment including but not limited to the junction and pedestrian assessment, arrangement of on-street metered parking spaces and motorcycle parking spaces and implementation of the mitigation measures identified therein to his satisfaction;
 - (ii) the design and provision of the underground public vehicle park including vehicular access to his satisfaction.

Fire Safety

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

No in principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of D of FS. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.

8.2 The following Government departments have no objection to or no comment on the application:

- (a) District Lands Officer/Kowloon West, Lands Department;
- (b) Director of Environmental Protection;
- (c) Commissioner of Police;
- (d) Chief Highway Engineer/Kowloon, Highways Department;
- (e) Chief Engineer/Mainland South, Drainage Services Department;
- (f) Chief Engineer/Construction, Water Supplies Department; and
- (g) District Officer(Kowloon City), Home Affairs Department.

9. Public Comments Received During Statutory Publication Period

- 9.1 On 14.8.2018, the application was published for public inspection. During the first 3 weeks of the statutory public inspection period, which ended on 4.9.2018, fourteen public comments were received (**Appendix II**). Thirteen comments, submitted by two representatives of nearby Sung Chi Building Owner's Incorporation and eleven individuals, support the application and/or support increase of PVP to address the general shortage of parking spaces in Hung Hom. Two of those comments suggested increasing the number of public private car parking spaces to 200-300 and public motorcycle parking spaces to 30 or 50.
- 9.2 One comment, submitted by an individual, indicates that there is no explanation provided as to why there should be parking provision at the Site in addition to the vehicle park proposed in KC-010, and that local residents are not consulted on the proposal.
- 9.3 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, two comments submitted by individuals were received. One comment agrees with the application without giving reason while the other comment indicates no comment on the application (**Appendix IIa**).

10. Planning Considerations and Assessments

Land Use

- 10.1 The application is for a proposed underground PVP with 100 car parking spaces and 20 motorcycle parking spaces in the authorized URA Bailey Street/Wing Kwong Street DP. The DP is for a residential/commercial development that is always permitted in the “R(A)” zone under the OZP. The proposed ‘PVP (excluding container vehicle)’ is a Column 2 use which requires planning permission from the Board. URA indicated that the proposed PVP is for relocation of on-street metered parking spaces for private car and motorcycle within AA1 so as to free up street space for traffic calming and pedestrianisation. The PVP is also for meeting the parking demand of existing/planned developments in AA1. In terms of land use, the underground PVP will create planning benefits in AA1 and can help to address public parking demand, it is considered not incompatible with the surrounding residential developments.

Technical Feasibility of PVP and Traffic Network Enhancement Scheme

- 10.2 As mentioned in paragraph 1.4 above, URA has proposed a traffic network for AA1 under the approved Hung Fook Street/Ngan Hon Street DSP No. S/K9/URA2/2 (KC-010). The traffic network was incorporated in the Explanatory Statement of the DSP in 2016 (**Plan A-4**). Since then, URA has commenced the authorized Kai Ming Street/Wing Kwong Street DP (KC-013) and Wing Kwong Street/Sung On Street DP (KC-014) within AA1 (**Plan A-3**). In this application, URA proposed a traffic network enhancement scheme to further improve the accessibility and walkability within AA1 by proposing traffic calming and pedestrianized streets. The road network is also refined to provide two-lane traffic on Wing Kwong Street and a direct egress at the junction of Ngan Hon Street/Sung On Street to cater for traffic in the area, including those from the Site. An open space is proposed near Wing Kwong Street/Wan On Street (**Drawing A-6** and **Plan A-4**). To enable the proposed traffic network enhancement scheme, 45 on-street metered car parking and 20 motorcycle parking in AA1 are proposed to be relocated off-street into the proposed PVP at the Site. In addition, about 50 extra public car parking spaces are proposed to cater for parking demand in the AA1.
- 10.3 According to the applicant, the proposed pedestrianisation, traffic calming and provision of open space will promote walkability, create opportunities for at-grade urban space, enhance urban connectivity and improve congested urban environment in AA1. The provision of a PVP, if justified in scale and technical feasibility from traffic impact perspective, can be supported from planning point of view. According to the submitted TIA, the proposed PVP would not create adverse traffic impact in the area and C for T has no adverse comments on the application subject to (i) the proposal of the PVP and detailed design of the proposed road network in connection with the proposed PVP, including but not limited to the junction and pedestrian assessment and (ii) the detailed arrangement of on-street metered parking spaces and motorcycle parking spaces are to his satisfaction. Relevant approval conditions are suggested in paragraphs 11.2 (a) and (b).

- 10.4 It is URA's intention to relocate all of the on-street car and motorcycle parking spaces in AA1 into the proposed PVP. C for T considers that some on-street spaces may need to be retained within AA1 to serve those developments that have not been included in URA redevelopment projects. URA indicated that the PVP only provide a solution space for relocation of the on-street parking spaces, however, whether all or part of the on-street parking spaces can be relocated to the PVP is subject to C for T's agreement and local consultation for the traffic network enhancement scheme in the later land grant/road gazettal stage under Cap. 370. To address the concerns of C for T as highlighted in the above paragraph, relevant planning conditions are suggested in paragraph 11.2.
- 10.5 Regarding the departmental comments about the party that is responsible for the construction and subsequent operation, maintenance and management of the PVP, URA responded that relevant clauses including the number of public vehicle parking spaces as well as the mode of letting of those spaces may be included in the conditions of lease or deed of mutual covenant. URA advised that the operation of the PVP can be handled by URA or joint venture partner or car park management agent.

Building Matters

- 10.6 CBS/K, BD's views about extinguishment and building over existing lanes/streets within the Site are noted and should be dealt with during the general building plan submission stage.
- 10.7 The applicant assumed that the GFA of the proposed PVP could be exempted from GFA calculation; and CBS/K advised that the granting of GFA concessions will be considered during building plan submission stage. In this regard, an advisory clause is suggested in **Appendix III** to advise the applicant that if the area of GFA concessions assumed in this application are not granted/agreed by BD and the resultant PR exceed the maximum PR restriction for the "R(A)" zone, a fresh section 16 planning application to the Board would be required. CBS/K, BD has no objection to the application.

Public Comments

- 10.8 The public comments supporting the application and/or supporting more PVP in the area are noted. Regarding the public comment querying that there is lack of local consultation and no apparent need for another PVP on the Site, the planning assessments above are relevant.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the public comments mentioned in paragraph 9, the 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 approval conditions and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a revised Traffic Impact Assessment including but not limited to the junction and pedestrian assessment, arrangement of on-street metered parking spaces and motorcycle parking spaces and implementation of the mitigation measures identified therein to the satisfaction of the Commissioner for Transport (C for T) or of the Town Planning Board (TPB);
- (b) the design and provision of the underground public vehicle park including vehicular access to the satisfaction of the C for T or of the TPB.; and
- (c) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

The suggested advisory clauses are at **Appendix III**.

- 11.3 There is no strong planning reason to recommend rejection of the application.

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 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 applicant.

13. Attachments

Appendix I	Application Form received on 6.8.2018
Appendix Ia	Planning Statement received on 6.8.2018
Appendix Ib	Letter received on 6.8.2018
Appendix Ic	FI received on 19.9.2018
Appendix Id	FI received on 24.9.2018
Appendix Ie	FI received on 30.10.2018

Appendix II	Public comments received
Appendix IIa	Public comments on FI received
Appendix III	Suggested advisory clauses
Drawings A-1 to A-5	Notional Concept Plan, Floor Plans
Drawing A-6	Proposed Traffic Network Enhancement Scheme
Drawing A-7	Signalized Junction Scheme
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Locations of URA DS and DP
Plan A-4	Comparison of Traffic Network Plans
Plans A-5 and A-6	Site Photos

**PLANNING DEPARTMENT
DECEMBER 2018**