

Previous Applications

Rejected Applications

No.	Application No.	Location	Proposed Use	Date of Consideration	Decision	Reasons for Rejection
1.	A/K9/38	13 Hok Yuen Street, Hung Hom	Office building with shops on lower floors	27.1.1989 (TPB)	Rejected	(1), (2), (3), (4), (5)
2.	Y/K9/3	9-13 Hok Yuen Street, 18-28 Man Lok Street and 37-53 Man Yue Street, Hung Hom	Rezoning from "OU(B)" to "R(E)"	22.6.2007	Not agreed	(6), (7), (8), (9), (10)
3.	Y/K9/8	13 Hok Yuen Street	Rezoning from "OU(B)" to "R(E)"	4.5.2012	Not agreed	(6), (10)

Rejection Reasons:

- (1) Approval of the application would result in a substantial loss of industrial floor area in Hung Hom.
- (2) It will set a precedent for others to follow and the cumulative effect may be detrimental to the manufacturing industries of Hong Kong.
- (3) There was insufficient provision of carparking space on site to serve the proposed office development and the traffic improvement claimed to result from such development is yet to be substantiated.
- (4) The potential problem of displacement/description to the existing industrial tenants in the building had not been adequately addressed.
- (5) The feasibility of conversion of the industrial building to office use in compliance with the Buildings Ordinance is yet to be demonstrated.
- (6) The application site was located in the well-established Hung Hom commercial and industrial area where business activities were active. The "OU(B)" zone was appropriate for the area.
- (7) There was an estimated increase in demand for "OU(B)" floor space in long run and additional "OU(B)" land would be required to sustain Hong Kong's economic growth. The proposed rezoning would reduce the supply of land for business affecting Hong Kong's long term economic growth.
- (8) The proposed "R(E)" zone was not compatible with the "OU(B)" zone in the adjacent area.
- (9) There was insufficient information in the submission to demonstrate that the I/R interface problems would be resolved.

- (10) The approval of the application would set an undesirable precedent for similar applications in the area, resulting in cumulative loss of “OU(B)” floor space and adverse impact on traffic, infrastructure, open space and G/IC facilities provisions in the area.

Recommended Advisory Clauses

- (a) the approval of the application does not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design Guidelines and any gross floor area (GFA) concession of the proposed commercial development will be granted by the Building Authority (BA). The applicant should approach the Buildings Department (BD) directly to obtain the necessary approval. If the proposed building design elements and GFA concession are not approved/granted by the BA 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 District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD) that the applicant shall apply to LandsD for a licence/lease modification if the planning application is approved by the Town Planning Board (the Board) and there is provision of offensive trades (such as bars, cafés, restaurants, etc.) within the development. However, there is no guarantee that the licence/lease modification will be approved. 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 application is approved, 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;
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD) that according to the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 on Building Design to Foster a Quality and Sustainable Built Environment, the compliance with the Sustainable Building Design Guidelines as promulgated in the PNAP APP-152, where applicable, is a pre-requisite in exempting or disregarding green/amenity features and non-mandatory/non-essential plant rooms and services from GFA and/or site coverage calculations (GFA concessions) in new building developments. According to PNAP APP-2, associated ramps and facilities to be disregarded from GFA calculation if the provision meets the criteria on the application of B(P)R 23(3)(b) in respect carparking spaces. 100% GFA concession may be granted for underground carparks while only 50% GFA concession may be granted for aboveground carpark provided that car parking spaces are EV charging-enabling. Refuge floor/roof provided in accordance with Subsection B18 of the Code of Practice for Fire Safety in Buildings 2011 may be exempted from GFA calculations. Detailed comments under the BO will be given upon submission of building plans amendment;
- (d) 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 general building plans;
- (e) to note the comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD) that the tower near southern site boundary is not served by any street or emergency vehicular access (EVA). EVA within the Site shall be provided for this tower in accordance with B(P)R 41D and PNAP APP-136; and 20% greenery to be provided to comply with PNAP APP-152; and
- (f) to note the comments of the Commissioner for Transport that owing to the high demand of parking spaces in the district of the proposed development, upper bound of Hong Kong Planning Standards and Guidelines (HKPSG) should be adopted for the provision of car parking spaces, motorcycle parking spaces and L/UL bays. The goods vehicle provision should be divided into 65% LGV and 35% HGV in accordance with HKPSG.