

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

**APPLICATION NO. A/K5/815**

- Applicant** : Trillion Mart Development Limited represented by Llewelyn-Davies Hong Kong Limited
- Site** : 476 Castle Peak Road, Cheung Sha Wan, Kowloon
- Site Area** : About 929.03m<sup>2</sup>
- Lease** : New Kowloon Inland Lot (NKIL) No. 1761  
(a) restricted for non-industrial (excluding residential and cinema) purposes  
(b) subject to maximum gross floor area (GFA) of 13,859.56m<sup>2</sup>
- Plan** : Approved Cheung Sha Wan Outline Zoning Plan (OZP) No. S/K5/37
- Zoning** : “Other Specified Uses” annotated “Business 1” (“OU(B)1”)  
(a) maximum plot ratio (PR) of 12.0 and maximum building height (BH) of 130 metres above Principal Datum (mPD), or the PR and height of the existing building, whichever is the greater  
(b) minimum setback of 2m from the lot boundary abutting Castle Peak Road shall be provided  
(c) minor relaxation of the PR and BH restrictions may be considered by the Town Planning Board (the Board) on application based on individual merits of a development or redevelopment proposal
- Application** : Proposed Hotel (Wholesale Conversion of Existing Commercial Building) with Minor Relaxation of PR Restriction

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed wholesale conversion of an existing commercial building for hotel use with minor relaxation of PR restriction from the existing PR of 14.539 to 14.92 (i.e. +0.381 or +2.6%) at 476 Castle Peak Road, Cheung Sha Wan (the Site), which is zoned “OU(B)1” on the approved Cheung Sha Wan OZP No. S/K5/37 (**Plan A-1**). According to the Notes of the OZP for “OU(B)” zone, under Schedule I for open-air development or building other than industrial or industrial-office (I-O) building, ‘Hotel’ is a Column 2 use which requires planning permission from the Board. Minor relaxation of the PR restriction may be considered by the Board on application under section 16 of the Town Planning Ordinance (the Ordinance).

- 1.2 The Site is the subject of two previous planning applications (Nos. A/K5/228 and A/K5/778). On 1.7.1994, the Metro Planning Committee (the Committee) of the Board approved Application No. A/K5/228 with condition for in-situ conversion of the industrial building at the Site, which was originally completed in 1984, into retail/office building. The conversion works were completed in 2001 resulting in the existing commercial building with PR 14.539. On 28.10.2016, the Committee approved Application No. A/K5/778, which was submitted by the same applicant as the current application, for minor relaxation of PR restriction (from the existing PR of 14.539 to 14.92) through conversion works with extension of floor space at recessed areas and void areas of the existing building for permitted office/shop and services/eating place uses (Approved Scheme). The Approved Scheme has not been implemented, though the building plans for the scheme were approved in June 2017.
- 1.3 According to the applicant, the proposed hotel development will provide about 200 guestrooms and ancillary facilities (eating place/shop and services/gym/business room or multi-purpose room uses) (the Proposed Scheme). The additional PR of 0.381 (or GFA of about 351.506m<sup>2</sup>) of the proposed hotel development (as compared with the existing PR) involves conversion works including extension of floor space at recessed areas and void areas of the existing building without major changes to its existing bulk (**Drawings A-2 to A-6, and Appendix Id**). The locations of the proposed conversion works under the Proposed Scheme and the Approved Scheme are basically the same with minor difference in areas.
- 1.4 The relevant floor/section plans submitted by the applicant are at **Drawings A-1 to A-8**. The major development parameters and floor uses of the Approved Scheme and the Proposed Scheme are as follows:

	<b>Approved Scheme (No. A/K5/778) (a)</b>	<b>Proposed Scheme (No. A/K5/815) (b)</b>	<b>Differences (b) – (a)</b>
<b>Development Parameters</b>			
Site Area	about 929.03m <sup>2</sup>	about 929.03m <sup>2</sup>	no change
GFA	13,859.529m <sup>2</sup>	not more than 13,858.983m <sup>2</sup> *	-0.546m <sup>2</sup>
PR	14.92	not more than 14.92	no change
Site Coverage			
• Podium	about 96.55%	about 98.8% #	+2.25%
• Tower	about 63.672%	not more than 63.672%	no change
No. of Storeys	23	23	no change
BH (main roof)	83.846mPD	not more than 83.846mPD	no change
<b>Main Floor Uses</b>			
G/F	retail, E&M facilities, car park and loading/ unloading area	ancillary eating place/shop and services, E&M facilities, car park and loading/ unloading area	N.A.

	<b>Approved Scheme (No. A/K5/778) (a)</b>	<b>Proposed Scheme (No. A/K5/815) (b)</b>	<b>Differences (b) – (a)</b>
1-3/F	office	ancillary eating place/shop and services/gym/business room or multi-purpose room	N.A.
4/F – 22/F	office	hotel rooms	N.A.

Notes:

- \* According to the applicant, the proposed GFA excludes concession of back-of-house (BOH) facilities which are subject to the Building Authority's approval at the building plan submission stage.
- # According to the applicant, the building plans for the Approved Scheme under Application No. A/K5/778 were approved by the Building Authority on 6.6.2017, with the site coverage for the podium at 98.8%. However, the corresponding building works have not been carried out.

1.5 In support of the application, the applicant has submitted the following documents:

- (a) Application form and supplementary information (**Appendix I**) received on 3.1.2020
- (b) Supplementary Planning Statement (SPS) enclosing plans and drawings, Traffic Impact Assessment (TIA) and Sewerage Impact Assessment (SIA) received on 3.1.2020 (**Appendix Ia**)
- (c) First Further Information (FI) received on 18.3.2020 with responses to departmental comments# (**Appendix Ib**)
- (d) Second FI received on 4.5.2020 with responses to departmental comments# (**Appendix Ic**)
- (e) Third FI received on 18.6.2020 with responses to departmental comments (**Appendix Id**)

# *accepted but not exempted from publication and recounting requirements*

1.6 On 17.3.2020, the Committee agreed to defer a decision on the application for two months as requested by the applicant. The applicant submitted FIs on 18.3.2020, 4.5.2020 and 18.6.2020 in response to departmental comments received (**Appendices Ib to Id**). 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 at **Appendices Ia to Id**. They are summarised as follows:

### In Line with Planning Intention

- (a) In the vicinity of the Site, there are commercial uses and mixed residential developments with commercial uses. The proposed development is a supportive use to the existing business uses in the area and is not incompatible with the

surrounding land uses. The proposed use is generally in line with the planning intention and land use characteristics of the area. The proposed hotel also complies with the Town Planning Board Guidelines for Development within “OU(B)” Zone (TPB PG-No. 22D) in terms of compatibility with uses in the existing business/industrial area until the whole area is transformed to cater for the new non-polluting business uses.

#### In Line with Guidelines for Suitable Sites for Hotel Development

- (b) The Site is considered suitable for hotel development as it fulfils the criteria set out in the Hong Kong Planning Standards and Guidelines (HKPSG) including proximity to compatible uses and public transport, and acting as an environmental buffer to sensitive uses such as residential developments in the surrounding area.

#### No Material Change to Overall Bulk of Existing Building

- (c) There is no material change to the bulk of the existing building except adding negligible extents of floor slab (**Appendix Id**). The proposed minor relaxation in PR restriction would only result in slight increase in GFA of about 2.6%. The proposed minor relaxation of PR restriction from 14.539 to 14.92 has been approved in the previous planning application submitted by the same applicant under Application No. A/K5/778.

#### No Insurmountable Impacts to the Surroundings

- (d) Based on the TIA and SIA submitted, there are no adverse traffic and sewerage impacts anticipated.

### **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. Town Planning Board Guidelines**

The Town Planning Board Guidelines for Development within “OU(B)” Zone (TPB PG-No. 22D) promulgated in September 2007 are relevant in the following aspects:

- (a) the “OU(B)” zone has been introduced to allow maximum flexibility in the use of existing industrial and I-O buildings as well as in the development of new buildings for both commercial and clean industrial uses. The planning intention of the “OU(B)” zone is primarily for general employment uses. As it is not possible to phase out existing polluting and hazardous industrial uses all at once, it is necessary to ensure compatibility of the uses within the same building and in existing industrial area until the whole area is transformed to cater for the new non-polluting business uses; and
- (b) for all new development, redevelopment, conversion and material change of use, adequate parking and loading/unloading spaces should be provided in

accordance with the requirements of the HKPSG, and all other statutory or non-statutory requirements of relevant Government departments must also be met. These include building structure, means of escape and fire safety requirements, which will be considered at the building plan submission stage.

## 5. Previous Applications

5.1 The Site is the subject of two previous applications (Nos. A/K5/228 and A/K5/778). Application No. A/K5/228 was for in-situ conversion of the industrial building into retail/office building at the Site which was zoned “Industrial” (“I”) on the draft Cheung Sha Wan OZP No. S/K5/9 subject to PR restriction of 12 or the PR of the existing building, whichever is the greater. The proposed PR was 15 (about) which was the PR of the original industrial building (PR 14.99). The application was approved with condition by the Committee on 1.7.1994 mainly on the ground that the proposed development would help alleviate industrial/residential/hospital interface problem. The conversion works were completed in 2001<sup>[1]</sup>. According to the building plans approved by the Building Authority on 25.5.2000, the resultant PR from the conversion works is about 14.539 which is lower than the proposed PR of 15 under Application No. A/K5/228.

5.2 On 28.10.2016, the Committee approved Application No. A/K5/778 submitted by the same applicant for proposed minor relaxation of PR restriction from the existing PR of 14.539 to 14.92 for permitted office/shop and services/eating place uses, on the considerations that there was no material change to the building bulk of the existing building; the resultant PR was still lower than the GFA/PR approved in the previous application No. A/K5/228; the proposed relaxation of PR was considered minor; and it would not result in adverse impacts. Whilst the building plans for the scheme under application No. A/K5/778 (at PR 14.92) were approved on 6.6.2017, the corresponding conversion works have not been implemented.

## 6. Similar Applications

There are 13 similar applications (Nos. A/K5/517, A/K5/526, A/K5/527, A/K5/530, A/K5/540, A/K5/541, A/K5/553, A/K5/661, A/K5/705, A/K5/729, A/K5/742, A/K5/751 and A/K5/753) for proposed hotel development within the “OU(B)” zone in the Cheung Sha Wan area covering 12 sites (**Plan A-1**), among which five sites involve wholesale conversion. None of these applications involves minor relaxation of PR restriction. All applications were approved with conditions mainly on the considerations that the proposed hotel development was generally in line with the planning intention of the “OU(B)” zone and there were no significant adverse traffic, environmental and infrastructural impacts on adjacent developments. Details of these applications are at **Appendix II**.

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<sup>[1]</sup> The GFA under the approved application No. A/K5/228 was 13,859.56m<sup>2</sup> and the PR was about 15 (with a site area of 926.02m<sup>2</sup>).

**7. The Site and Its Surrounding Area (Plans A-1 and A-2 and photos on Plans A-3 and A-4)**

7.1 The Site is:

- (a) occupied by an existing 23-storey commercial building originally completed in 1984 as an industrial building with subsequent conversion works completed in 2001;
- (b) mainly used as shops, car park and loading/unloading area on G/F and offices on 1/F to 22/F; and
- (c) at the eastern fringe of the Cheung Sha Wan Industrial/Business Area (CSWIBA) abutting Castle Peak Road to the south with main entrance to the existing building, Wing Hong Street to the north, and Tsap Fai Street to the east with vehicular ingress/egress.

7.2 The surrounding area has the following characteristics:

- (a) to the west of the Site along Castle Peak Road and Wing Wong Street are predominantly industrial buildings, I-O and commercial/office developments within the CSWIBA;
- (b) to the east and to the south across Tsap Fai Street and Castle Peak Road respectively are mainly residential developments with commercial uses on the lower floors including Yiu Fai Mansion, One New York and Federal Mansion;
- (c) to the north across Wing Hong Street is Caritas Medical Centre; and
- (d) MTR Lai Chi Kok Station is approximately 500m to the southwest (**Plan A-1**).

**8. Planning Intention**

8.1 The planning intention of the “OU(B)” zone is primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings.

8.2 Developments within the “OU(B)” zone are restricted to a maximum PR of 12.0, or the PR of the existing building, whichever is the greater. Based on individual merits of a development or redevelopment proposal, minor relaxation of the stated PR restriction may be considered by the Board on application under section 16 of the Ordinance. However, for any existing building with PR already exceeding the relevant restriction as stipulated on the OZP or in the Notes of the OZP, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.

## **9. Comments from Relevant Government Departments**

9.1 The following government departments have been consulted and their comments are summarised as follows:

### **Land Administration**

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

- (a) no objection to the application;
- (b) the Site falls within NKIL No. 1761 (“the Lot”) which is held under a Government Lease dated 10 August 1933 as varied or modified by two Modification Letters dated 4 March 1950 and 12 February 1997 respectively. The lease conditions restrict the Lot to be used for non-industrial (excluding residential and cinema) purposes, in particular, (i) the ground floor of any building erected or to be erected is restricted for retail purposes and/or restaurant and for the manoeuvring parking, loading and unloading of service vehicles; and (ii) the upper floors of any building erected or to be erected is restricted for office purposes. The Lot is also subject to a maximum GFA of 13,859.56m<sup>2</sup> and other provisions such as parking/loading/unloading requirements;
- (c) the area of the Lot under lease is 929.02m<sup>2</sup> (about), as against 929.03m<sup>2</sup> stated in the planning application submitted by the applicant;
- (d) the proposed hotel use will conflict with the lease conditions. If the planning application is approved by the Board, the lot owner has to apply to LandsD for a lease modification. However, there is no guarantee that the 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; and
- (e) subject to the above, the detail design of the proposed works including but not limited to the GFA calculation will be further scrutinised at the building plan stage.

### **Building Matters**

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

- (a) no in-principle objection to the application;

- (b) subject to compliance with the criteria as set out in PNAP APP-40, the hotel development may be treated as non-domestic building and granted with concession under Building (Planning) Regulation 23A;
- (c) detailed comments will be provided at the building plan submission stage; and
- (d) detailed comments on the proposed development are at **Appendix III**.

### **Traffic**

#### 9.1.3 Comments of the Commissioner for Transport (C for T):

- (a) has no objection to the application; and
- (b) it is noted that the proposed development will involve only renovation of an existing building with internal change of use and the existing building bulk will be largely unchanged, and the proposed development would maintain the existing vehicular access of 7.6m with the provision of loading/unloading bay meeting the low-end of HKPSG requirements.

### **Environment**

#### 9.1.4 Comments of the Director of Environmental Protection (DEP):

- (a) no objection to the application; and
- (b) detailed comments on the SIA are at **Appendix III**. It is considered that the sewerage impacts of the proposed development would not be insurmountable. Notwithstanding this, should the application be approved, it is recommended to impose the following approval conditions related to sewerage impacts:
  - (i) the submission of an updated SIA for the proposed development to the satisfaction of DEP or of the Board; and
  - (ii) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated SIA for the proposed development in condition (i) above to the satisfaction of the Director of Drainage Services or of the Board.

#### 9.1.5 Comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD):

- (a) no in-principle objection to the application; and
- (b) detailed comments on the SIA are at **Appendix III**.



## **Urban Design and Landscape**

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

### *Urban Design and Visual Aspects*

- (a) the Site is located at the eastern fringe of the CSWIBA. According to the applicant, the minor relaxation is for extension of floor space at recessed areas and void areas of the existing building, resulting in slight increase on the podium site coverage to 98.8%. The overall BH remains the same. Considering the increase in the overall bulk of the building is relatively small, significant visual impact is not anticipated;

### *Landscape Aspect*

- (b) no objection to the application from landscape planning perspective; and
- (c) the Site is located in an area of industrial urban landscape character. According to the SPS, the Site is bounded by Tsap Fai Street, Castle Peak Road and Wing Hong Street, without any major vegetation identified within its boundary. It is noted that the proposed development will only involve renovation of an existing building with internal change of use and there are existing movable planters at G/F.

9.1.7 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

it is noted that the proposed development consists of one tower block with a height of about 83.846mPD which complies with the BH restriction permitted under the OZP and may not be incompatible with the adjacent developments with BH restrictions ranging from 100mPD to 130mPD.

## **Fire Safety**

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

- (a) no in-principle objection to the applicant's proposal subject to fire service installations and water supplies for firefighting being provided to the satisfaction of Fire Services Department;
- (b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans or referral from licensing authority; and

- (c) the applicant is advised to observe the requirements of Emergency Vehicular Access as stipulated in section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by BD.

### **Gas Safety**

#### 9.1.9 Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) no objection to the application;
- (b) there is an intermediate pressure underground town gas transmission pipeline running along Castle Peak Road in the vicinity of the Site. However, it is considered that a risk assessment is not required;
- (c) the applicant should liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes or gas installations within or in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of development; and
- (d) the applicant should observe the requirements of the Electrical and Mechanical Services Department's (EMSD) "Code of Practice on Avoiding Danger from Gas Pipes".

### **Tourism**

#### 9.1.10 Comments of the Commissioner for Tourism (C for Tourism):

- (a) no objection to the proposed hotel development at the Site provided that it is agreeable to all relevant government departments, and that the applicant is able to comply with all requirements laid down by the relevant departments; and
- (b) the proposed hotel development 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.

### **Licensing Requirements**

#### 9.1.11 Comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority, Home Affairs Department (CO(LA), OLA, HAD):

- (a) no objection to the application;
- (b) the applicant should submit a copy of the occupation permit or acknowledgement letter for the proposed hotel when making an

application under the Hotel and Guesthouse Accommodation Ordinance (HAGAO), Cap. 349; and

- (c) the licensing requirements will be formulated after inspections by his Building Safety Unit and Fire Safety Team upon receipt of application under HAGAO.

9.2 The following government departments have no comment on/no objection to the application:

- (a) District Officer (Sham Shui Po), Home Affairs Department (DO(SSP), HAD);
- (b) Project Manager (South), Civil Engineering and Development Department (PM(S), CEDD);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD); and
- (e) Commissioner of Police (C of P).

## **10. Public Comments Received During Statutory Publication Periods**

During the statutory public inspection periods, a total of 41 public comments were received (**Appendix IV**), including 22 objecting comments submitted from individuals and 19 expressing concerns from individuals, the Owner's Corporation of Federal Mansion and the Hong Kong and China Gas Company Limited (HKCGCL). The objecting comments/concerns are mainly on the grounds of adverse traffic impacts and nuisance/noise to the surrounding areas, the Site should be for office use for office space supply instead of hotel development, there is no tourist attractions and hence there is no demand for hotel in the area. HKCGCL comments that the proposed development is in close vicinity to an intermediate gas pipeline along Castle Peak Road and a risk assessment should be conducted.

## **11. Planning Considerations and Assessments**

11.1 The applicant seeks planning permission for proposed wholesale conversion of an existing 23-storey commercial building for hotel use with minor relaxation of PR restriction from the existing PR of 14.539 to 14.92 (i.e. +0.381 or +2.6%) at the Site which is zoned "OU(B)" on the Cheung Sha Wan OZP. The Site is the subject of two previous planning applications (Nos. A/K5/228 and A/K5/778) approved by the Committee on 1.7.1994 and 28.10.2016 respectively. Application No. A/K5/228 was for in-situ conversion of the original industrial building into retail/office building, and the conversion works were completed in 2001 resulting in the existing commercial building with PR 14.539. Application No. A/K5/778 was submitted by the same applicant as the current application for proposed minor relaxation of PR restriction from the existing PR of 14.539 to 14.92 for permitted office/shop and services/eating place uses. Whilst the building plans for the scheme were approved in June 2017, the corresponding building works have not been implemented.

### Planning Intention and Land Use Compatibility

- 11.2 The proposed hotel development is considered generally in line with the planning intention of the “OU(B)” zone which is intended for general business uses. Within this zone, development or redevelopment/conversion of the whole buildings for commercial development and clean industrial uses are encouraged.
- 11.3 The Site is located at the eastern fringe of the CSWIBA, with other industrial/business developments to the west, mixed residential developments with commercial uses to the east and the south, and Caritas Medical Centre to the north. The proposed development is generally in line with the TPB PG-No. 22D for “OU(B)” zone in that it is considered not incompatible with the surrounding land uses.

### Relaxation of PR Restriction

- 11.4 According to the applicant, the proposed conversion works involve extension of floor space at recessed areas and void areas of the existing building without major changes to the existing building bulk (**Drawings A-2 to A-6, and Appendix Id**). Compared to the existing building, the proposed conversion works result in an additional GFA of 351.506m<sup>2</sup> and the resultant PR is 14.92. The proposed conversion works and the proposed PR of 14.92 under the current application are basically the same as the Approved Scheme under Application No. A/K5/778. CTP/UD&L, PlanD considers that the increase in the overall bulk of the building is relatively small and significant visual impact is not anticipated. CA/CMD2, ArchSD considers that the proposed development with a BH of about 83.846mPD may not be incompatible with the adjacent developments. The proposed conversion works do not involve any material change to the overall bulk of the existing building. Besides, the BH of the existing building remains unchanged as a result of the proposed conversion works. In this regard, the proposed relaxation of PR restriction is considered minor in nature and the proposed PR relaxation from 14.539 to 14.92 is the same as the approved Application No. A/K5/778.
- 11.5 The proposed development would not result in adverse traffic, environmental, and infrastructural impact on the surrounding area. Relevant government departments consulted including C for T, DEP, CE/MS of DSD, D of FS, CBS/K of BD, DEMS, and CO(LA) of HAD have no objection to or no adverse comments on the application. C for Tourism has no objection to the proposed development if it is agreeable to all relevant government departments 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. To address DEP’s concerns on sewerage impact and D of FS’s concerns on fire safety, approval conditions under paragraphs 12.2 (a) to (c) below are recommended.
- 11.6 There are 13 similar applications for hotel development within the “OU(B)” zone in the Cheung Sha Wan area (**Plan A-1 and Appendix II**) previously approved with conditions by the Committee. There is no major change in planning circumstances since the approval of these applications and the approval of the

application is consistent with the previous decisions of the Committee on similar applications.

### Public Comments

- 11.7 With regard to the public comments received, the planning assessments above and the departmental comments in paragraph 9 above are relevant. On the comment from HKCGCL regarding the need of a risk assessment given the presence of an intermediate gas pipeline in the vicinity, DEMS considers that a risk assessment is not required and the applicant should liaise with HKCGCL in respect of the exact locations of existing or planned gas pipes or gas installations within or in the vicinity of the Site as well as any required minimum set back distance from them during the design and construction stages, and the applicant should also observe the requirements of EMSD's "Code of Practice on Avoiding Danger from Gas Pipes" as mentioned in paragraph 9.1.9 above.

## **12. Planning Department's View**

- 12.1 Based on the assessment made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 26.6.2024, 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 an updated Sewerage Impact Assessment 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 updated Sewerage Impact Assessment in condition (a) above 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 recommended advisory clauses are attached at **Appendix V**.

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

### 13. **Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition and advisory clauses, if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 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.

### 14. **Attachments**

<b>Appendix I</b>	Application form and supplementary information received on 3.1.2020
<b>Appendix Ia</b>	Supplementary Planning Statement received on 3.1.2020
<b>Appendix Ib</b>	First FI received on 18.3.2020
<b>Appendix Ic</b>	Second FI received on 4.5.2020
<b>Appendix Id</b>	Third FI received on 18.6.2020
<b>Appendix II</b>	Similar applications
<b>Appendix III</b>	Detailed comments from government departments
<b>Appendix IV</b>	Public comments
<b>Appendix V</b>	Recommended advisory clauses
<b>Drawings A-1 to A-7</b>	Floor plans submitted by the applicant
<b>Drawing A-8</b>	Section submitted by the applicant
<b>Plan A-1</b>	Location plan
<b>Plan A-2</b>	Site plan
<b>Plans A-3 to A-4</b>	Site photos

**PLANNING DEPARTMENT  
JUNE 2020**