

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

**APPLICATION NO. A/KC/459**

<b><u>Applicant</u></b>	Full Luck Hotel Limited represented by Raymond Chan Surveyors Limited
<b><u>Premises</u></b>	Second floor of “Hotel Ease · Tsuen Wan”, Nos. 15-19 Chun Pin Street, Kwai Chung, New Territories
<b><u>Floor Area</u></b>	About 836.13m <sup>2</sup>
<b><u>Lease</u></b>	Lot 295 sA in DD444 (i) governed by New Grant No. 3925 (to expire on 30.6.2047); and (ii) subject to waiver letter dated 11.1.2013 for hotel purposes together with any ancillary accommodation
<b><u>Plan</u></b>	Draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/29
<b><u>Zoning</u></b>	“Other Specified Uses” annotated “Business” (“OU(Business)”) [Restricted to a maximum plot ratio (PR) of 9.5, or the PR of the existing building, whichever is the greater and a 3.5m-wide non-building area (NBA) from the lot boundary abutting Chun Pin Street and Ta Chuen Ping Street.]
<b><u>Application</u></b>	Proposed Hotel (partial conversion of the original shop use at the second floor of an existing hotel)

**1. The Proposal**

- 1.1 The applicant, owner of the application premises (the Premises), seeks planning permission to convert the second floor (2/F) of an existing 24-storey hotel at 15-19 Chun Pin Street, Kwai Chung (the Site) for proposed ‘hotel’ use with 14 guestrooms and hotel ancillary facilities (including gym room and business centre). The Site with an area of about 836.13m<sup>2</sup>, is zoned “OU(Business)” on the draft Kwai Chung OZP No. S/KC/29 (**Plans A-1 to A2** and photos on **Plans A-3 to A-4**). According to Schedule I of the Notes for the “OU(Business)” zone, planning permission from the Town Planning Board (the Board) for hotel development is required.
- 1.2 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 22.2.2019 (**Appendix I**)
  - (b) Planning statement attached to the Application Form (**Appendix Ia**) received on 22.2.2019
  - (c) Replacement pages to the planning statement vide (**Appendix Ib**) applicant’s letter received on 22.2.2019

- 1.3 The Premises is located on the second floor of an existing hotel development, which was approved under a previous application (No. A/KC/374) for the wholesale conversion of an existing industrial building to a 24-storey hotel. The application was approved with conditions by the Metro Planning Committee (the Committee) of the Board on 2.12.2011. Building Authority (BA) had issued acknowledgement letter on 16.3.2017 certifying the completion of Alternations and Additions works for the hotel.
- 1.4 The 2/F floor plan (**Drawings A-1 and A-2**) and other floor plans/schematic sections of the hotel are shown in **Drawings A-3 to A-8**. The main development parameters of the approved application and that of the proposed conversion under the current application are summarized as follows:

Development Parameter	Approved Scheme (No. A/KC/374) (a)	Proposed Scheme after Conversion (b)	Change (b)-(a)
Site (Premises) Area	About 836.13 m <sup>2</sup>	About 836.13 m <sup>2</sup>	No change
Non-domestic GFA	<b>Total GFA:</b> About 10,722 m <sup>2</sup>	<b>Total GFA:</b> About 10,008.063 m <sup>2</sup>	<b>Total GFA:</b> -713.937 m <sup>2</sup> * (-6.66%)
Plot Ratio	12.82	11.97	-0.85* (-6.63%)
Building Height (main roof)	76.3 m (24 storeys) or 104.8 mPD	76.3 m (24 storeys) or 104.8 mPD	No change
Number of Storeys	24	24	No change
G/F	Car park, loading/unloading area, lift hall & staircases	Same uses	No change
UG/F	Hotel entrance/reception counter, lift hall, shops and staircases	Same uses	No change
1/F	Shop, lift hall and staircase (non-hotel licence area)	Same uses	No change
2/F	<b>Shop and Back-of-House (BOH) facilities</b>	<b>14 Hotel guestrooms, hotel ancillary facilities (gym room, business centre) and BOH</b>	<b>Change of floor uses with 14 additional guestrooms</b>
3-22/F	Guest rooms, BOH and lift hall	Same uses	No change
R/F	E&M facilities, Plant rooms	Same uses	No change
No. of Guestroom	Not more than 160	Not more than 174	+14 nos. (+8.75%)
Average Guestroom Size	About 30.3 m <sup>2</sup>	About 28.5 m <sup>2</sup>	-1.8 m <sup>2</sup> (-5.94%)

No. of Parking Space	<u>Private Car:</u> 8 (including 1 for disabled) <u>Motorcycle:</u> 1	<u>Private Car:</u> 8 (including 1 for disabled) <u>Motorcycle:</u> 1	No change
No. of L/UL Bay	<u>Heavy Goods Vehicle:</u> 1 <u>Light Goods Vehicle:</u> 2 <u>Coach Lay-by:</u> 1 <u>Taxi/Private Car Lay-by:</u> 2	<u>Heavy Goods Vehicle:</u> 1 <u>Light Goods Vehicle:</u> 2 <u>Coach Lay-by:</u> 1 <u>Taxi/Private Car Lay-by:</u> 2	No change

\* Total GFA calculation includes BOH area which may be exempted from GFA calculation subject to approval of the Building Authority at the stage of building plans submission

1.5 Under the approved application No. A/KC/374, the application premises was proposed for shops and BOH uses. On 13.5.2015, the applicant proposed Class B amendments to the originally approved scheme under Application No. A/KC/374-1 mainly for increasing the total number of hotel guestroom by 14 (from 160 to 174) and providing hotel ancillary facilities by converting the shop at the application premises. On 26.6.2015, the proposed amendments were approved by the Director of Planning under the delegated authority of the Board. However, the approved revised scheme for 174 hotel guestrooms was not implemented and lapsed on 2.12.2015.

1.6 The Premises (with total floor area of about 836.13m<sup>2</sup>) is intended for shop use (with a floor area of about 444.764m<sup>2</sup>) and hotel BOH use (with a floor area of about 74.116m<sup>2</sup>) under the previously approved scheme (No. A/KC/374). According to site inspection, the Premises are mainly vacant and partially used as gym room and meeting room. The current application is to facilitate the change of the original shop use at the Premises to hotel use with an addition of 14 guestrooms and hotel ancillary facilities (such as gym room and business centre), similar to Application No. A/KC/374-1. The main development parameters of the existing hotel with the proposed conversion under the current application are summarized as follows:

## 2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Planning Statement attached to the Application Form (**Appendix Ia**), which are summarised as follows:

### (a) No Significant Difference from Previous Planning Approval

The existing hotel, “Hotel Ease · Tsuen Wan”, was implemented in accordance to the proposed hotel development scheme (by wholesale conversion of an existing industrial building) under planning application No. A/KC/374 approved by the Board on 2.12.2011. Proposed minor amendment to the original development scheme under Application No.

A/KC/374-1 for change of development parameters, inter alia, increasing the total number of guestroom number from 160 to 174 was subsequently approved by the Director of Planning on 26.6.2015. The current development scheme only involves change of the application premises from shop use to 14 hotel guestrooms and hotel ancillary facilities and generally conforms to the approved 174-room hotel development scheme under Application No. A/KC/374-1 proposed by the same applicant in 2015.

(b) Foreseeable Demand of Hotel Guestroom from Tourism Industry

There has been no significant change in planning policies and land uses at the subject area since the last planning approval. According to the statistics published by Tourism Commission of the Commerce and Economic Development Bureau, as at the end of 2017 the average hotel occupancy rate in Hong Kong is 89% with a 2% increase compared to that in 2016. The increasing demand of hotel guestrooms in Hong Kong is foreseeable. Hence, the current development scheme is an admirable option from strategic planning viewpoint as it could give support to the prosperous tourism development.

(c) No Increase in Development Intensity

The current scheme would not constitute higher development intensity. The total non-domestic GFA of the existing hotel is about 10,008.63m<sup>2</sup> (excluding BOH area of about 317.166m<sup>2</sup> which was exempted from GFA calculation under Buildings Ordinance), with a plot ratio of 11.97. The proposed addition of 14 hotel guestrooms and hotel ancillary facilities would be provided within the area originally earmarked for shop and BOH uses, and no additional floorspace would be created. Therefore, the resultant GFA and plot ratio of the subject building upon approval of this planning application would remain unchanged.

(d) Conforming to the Planning Intention of “OU(Business)” Zone

The introduction of “OU(Business)” zone was to facilitate adaptation and revitalization for industrial buildings and allows a mix of office, commercial and non-polluting industrial uses in the subject land use zoning. The zoning allows flexibility of industrial buildings to be used or redeveloped for both industrial and office/commercial purposes including hotels subject to planning permission. The “OU(Business)” zone covering the subject building has not changed since the last planning approval. The proposed change of use is therefore considered in line with the planning intention of the “OU(Business)” zone.

(e) Compatibility to Adjoining Uses

Upon conversion of the application premises from shop use to guestrooms and hotel ancillary facilities use, it would be considered compatible to the existing BOH use (hotel licenced area) on the same floor. The immediate upper floors from 3/F to 22/F are hotel guestrooms with hotel licence granted by Home Affairs Department. The immediate lower floor at 1/F of the subject building would be retained for shop use (non-hotel licence area). The premises upon alteration would be accessed from the existing hotel entrance currently designated on the UG/F of the subject building. The proposed use should be considered compatible to its

immediate adjoining uses.

(f) No Adverse Traffic Impact

The existing hotel has provided sufficient internal transport facilities. The existing internal transport facilities includes 8 private car parking spaces; 1 motorcycle parking space; 1 loading/unloading bay for heavy/medium goods vehicle; 2 loading/unloading bays for light goods vehicle; 1 coach lay-by and 2 taxi/private car lay-bys. The existing internal transport facilities provision have fulfilled the “Hong Kong Planning Standards and Guidelines” (HKPSG) requirement for a 174-room hotel development. Adverse traffic impact from the proposed development is not anticipated.

(g) Acceptable Environmental Condition

There is no noise induced from the existing light industrial/commercial activities such that the local environment is relatively silent. The central air conditioning system and fixed window to be provided at the application premises could prevent the hotel users being subject to air or noise impact from the surrounding road networks and land use.

(h) No Change of Planning Circumstance would Deviate the Board’s Previous Decision

The planning approval for the minor amendment to the previously approved hotel scheme (Application No. A/KC/374-1) for 174 rooms hotel development was granted in June 2015. It has been demonstrated that planning policies and land uses at the subject area have no significant change during these years. Therefore, the previous decisions of the Board should be paid regard.

(i) Compliance of Planning Approval Conditions

The applicant has fulfilled all the planning conditions imposed on the approved Application No. A/KC/374. The applicant is a reliable hotel operator and has genuine need to extend the hotel guestroom number to an optimum operation scale.

(j) No Impact to the Existing Hotel Operation

Under the approved General Building Plan (**Drawing Nos. A-2 to A-8**), the 1/F and 2/F of the subject building with total floor area of about 842.562m<sup>2</sup> was approved for shop use. Upon approval of this application, the 1/F of the subject building with floor area of about 397.798 m<sup>2</sup> currently providing catering services to the hotel users would be retained. It is anticipated that there would be no undesirable impact to the existing hotel operation resulting from the deduction of the subject retail floorspace.

(k) Similar Planning Approvals under the Same OZP

During the past decade, there were six sites within the “OU(Business)” zone under the Kwai Chung OZP that were approved for hotel use by the Board.

**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 No.22D on ‘Development within “OU(Business)” zone’ (TPB PG-No. 22D) (the TPB Guidelines), revised and promulgated in September 2007, is relevant in the following aspects:

- (a) the “OU(Business)” zone has been introduced to allow maximum flexibility in the use of existing industrial and industrial-office (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(Business)” 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 Application**

The Site is the subject of a previous application No. A/KC/374 for the wholesale conversion of an existing 24-storey industrial building into a hotel with 160 guestrooms. The application was approved with conditions by the Committee of the Board on 2.12.2011 on the ground that the proposed development was in line with planning intention of the “OU(Business)” zone, the development was compatible with the surrounding land uses and that it would not create adverse environmental, sewerage, drainage and traffic impacts on the surrounding area.

**6. Similar Applications**

- 6.1 There are 20 similar applications (Nos. A/KC/288, 290, 308, 309, 310, 316, 336, 350, 364, 371, 373, 375, 381, 390, 396, 397, 410, 424, 428 and 430) in respect of 13 hotel developments within the “OU(Business)” zone in Kwai Chung (**Appendix II and Plan A-1**). Out of them, 17 were approved with conditions and 3 were rejected.
- 6.2 For the approved applications, the Committee mainly considered that hotel

development could serve as a catalyst in speeding up the redevelopment of the industrial area which was in line with the planning intention of the “OU(Business)” zone, compatible with the surrounding land uses and that the proposed developments would not create adverse environmental, sewerage, drainage and traffic impacts on the surrounding area.

6.3 The Committee rejected three applications given the excessive scale of the proposed development and the setting of an undesirable precedent in the area.

6.4 Details of the similar applications are summarized at **Appendix II**.

## **7. The Premises and Its Surrounding Areas (Plans A-1 to A-2 and photos on Plans A-3 to A-4)**

7.1 The Premises is:

- (a) located on the 2/F of an existing 24-storey hotel development with carparking facilities at ground floor, hotel entrance/reception counter at UG/F, shops and BOH area on 1/F and 2/F, and hotel guestrooms at upper floors; and
- (b) the Site is accessible to vehicles via Chun Pin Street. It is also bounded by Ta Chuen Ping Street to the south.

7.2 The surrounding areas have the following characteristics:

- (a) the Site is located in the midst of a larger industrial area bounded by Lei Muk Road to the north and Ta Chuen Ping Street to the south-west, Wo Yi Hop Road to the south and south-east. Buildings in the area are mainly used for industrial-related office, firms and warehouses, with ground floors scattered with commercial uses such as canteens, banks, metalware shops, convenience stores etc.;
- (b) to the east is a hotel (Silka Tsuen Wan) at Lam Tin Street and Wo Yi Hop Road (wholesale conversion of an 14-storey industrial building under Application No. A/KC/390, (**Plan A-1**));
- (c) to the south-west across Chun Pin Street is a cluster of industrial buildings, beyond which is a cluster of residential development. To the south across two rows of industrial blocks is Apex Horizon Suite Hotel with service apartments (**Plan A-1**); and
- (d) to the north are clusters of industrial developments.

## **8. Planning Intention**

The planning intention of the “OU(Business)” 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. Less fire hazard-prone office use that would not involve direct provision of customer services or

goods to the general public is always permitted in existing industrial or industrial-office buildings.

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

9.1 The following Government departments have been consulted and their views on the application are summarised as follows:

### **Land Administration**

9.1.1 Comments of the District Lands Officer/Tsuen Wan & Kwai Tsing, Lands Department (DLO/TW&KT, LandsD):

the Site is governed by New Grant No. 3925 (to expire on 30.6.2047) and subject to waiver letter dated 11.1.2013 for hotel purposes together with any ancillary accommodation. The proposed hotel uses at the Premises is permissible under the waiver letter.

### **Traffic**

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

Given the vehicular access point and provision of internal transport facilities remain unchanged, he has no in-principle objection to the application by increasing the number of guestrooms to 174. According to the HKPSG, the internal transport facilities are adequate.

### **Environment**

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

Hotel developments are normally provided with central air conditioning system and the Applicants/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 nuisance/impact.

### **Building Matters**

9.1.4 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) he has no in-principle objection to the application under the Buildings Ordinance (BO) provided that the applicant should appoint an Authorized Person to submit building plans for the proposed change in use/alteration works to demonstrate full compliance with the current provisions of the BO;
- (b) sustainable building design requirements (building separation, setback and site coverage of greenery) in Practice Notes for



Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP APP)-151 'Building Design to Foster a Quality and Sustainable Built Environment' and 152 'Sustainable Building Design Guidelines' would be applicable to the building plan submission if GFA concession for non-mandatory areas/greenery features are to be applied;

- (c) if the proposed use is subject to the issue of a licence, the applicant is required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
- (d) PNAP AP-111 'Design of Car Parks and Loading/Unloading Facilities' should be complied with; and
- (e) detailed comments will be given at building plan submission stage. Applications for modification of the Buildings Ordinance and Regulations will also be considered upon submission of building plans.

### **Fire Safety**

#### 9.1.5 Comments of Director of Fire Services (D of FS):

- (a) he has no objection in-principle to the application subject to the fire service installations and water supplies for firefighting being provided to his satisfaction. Detailed fire service requirements will be formulated upon receipt of formal submissions of general building plans or referral from the licensing authority; and
- (b) arrangement on emergency vehicular access (EVA) shall comply with the Code of Practice for Fire Safety in Buildings which is administered by BD.

### **Tourism**

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

- (a) Hong Kong registered 65.15 million visitor arrivals in 2018. Amongst them, 45% (29.3 million) were overnight visitors. Hotel occupancy rate in the past five years in general stands at a high level of close to 90%. To enhance the appeal of Hong Kong as an international convention, exhibition and tourism capital, it is necessary to ensure the provision of adequate hotel facilities; and
- (b) the proposed hotel use 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. In this regard, he supports the proposed hotel use at the application premises 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. He trusts that the Planning Department would consider whether the application premises is suitable for hotel use and relevant Government departments would comment on the technical feasibility and compatibility of the proposed hotel with the surrounding environment.

### **Licensing Requirements**

- 9.1.7 Comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority, Home Affairs Department (CO (LA), OLA, HAD):
- (a) “Hotel Ease · Tsuen Wan” is licenced since 19.9.2017. He has no objection to the application under "the Hotel and Guesthouse Accommodation Ordinance (the Ordinance);
  - (b) at the time of application for licence under the Ordinance, an evidence showing that the Building Authority has granted prior approval for the change of use of the 2/F premises from non-domestic use to hotel use should be submitted; and
  - (c) the licensing requirements will be formulated after his inspection upon receipt of a licence application under HAGAO.

### **District Officer’s Comments**

- 9.1.8 Comments of the District Officer (Kwai Tsing), Home Affairs Department (DO(K&T), HAD):

his office has posted the subject application on notice boards of his office and the Shek Lei Community Hall respectively from 1.3.2019 to 22.3.2019, and has not received any comments on the application.

- 9.2 The following Government departments have no comment on the application:

- (a) Chief Highway Engineer/NT West, Highways Department (CHE/NTW, HyD);
- (b) Chief Engineer/Development(2), Water Supplies Department (CE/D(2), WSD); and
- (c) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD).

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

On 1.3.2019, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 22.3.2019, one public comment raising no objection to the application was received (**Appendix III**).

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

- 11.1 The proposed conversion of the Premises at the 2/F of an existing hotel development for an addition of 14 hotel guestrooms and ancillary facilities is generally in line with the planning intention of the “OU(Business)” 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.
- 11.2 The proposed conversion is also generally in line with the Town Planning Board Guidelines for “OU(Business)” zone set out in paragraph 4 above in that the development is not incompatible with the surrounding developments and that there is no incompatibility of uses within the same building. The Site is situated amid an industrial area and some industrial buildings in the area are currently used for industrial-related office, firms and warehouses, with ground floors scattered with commercial uses such as canteens, banks, metalware shops, convenience stores etc. Besides, a hotel development, “Silka Tsuen Wan” and the Apex Horizon Suite Hotel with service apartments, are located to the east and south of the development respectively. The proposed conversion is therefore considered not incompatible with the existing dominant uses for the area and from land use compatibility point of view. Besides, the proposed conversion with the same proposed addition of 14 hotel guestrooms as Class B amendment, among others, was in fact once approved under Application No. A/KC/374-1 on 26.6.2015 but not implemented.
- 11.3 The proposed conversion would involve no increase in the overall development bulk and building height of the existing hotel development, and hence would not result in adverse visual impacts. Upon conversion, the proposed hotel guestroom on the 2/F is considered in line with the uses of the remaining floors which helps the hotel to continue function as a catalyst in phasing out the current industrial uses within the “OU(Business)” zone.
- 11.4 The proposed conversion of floorspace to hotel guestrooms and ancillary facilities would not create adverse environmental, sewerage, drainage and traffic impacts on the surrounding area. Concerned departments including C for T, DEP and CE/MS, DSD have no adverse comments on the application. In particular, C for Tourism supports the application since it will help increase the provision of hotel facilities and broaden the range of accommodations for visitors, and hence helps enhance the tourism industry.
- 11.5 One public comment is received which raises no objection to the application.

## **12. Planning Department’s Views**

- 12.1 Based on the assessment made in paragraph 11 and taken into account the public comment mentioned in paragraph 10, 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 12.4.2023, 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 condition of approval and advisory clauses are also suggested for Members' reference:

Approval Condition

the provision of fire service installations and water supply for fire fighting 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 IV**.

12.3 There is no strong reason to recommend rejection to 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(s) and advisory clause(s), 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 applicants.

**14. Attachments**

Appendix I	Application form received on 22.2.2019
Appendix Ia	Planning Statement
Appendix Ib	Replacement pages to the planning statement vide applicant's letter received on 22.2.2019
Appendix II	Summary of similar applications within the "OU(Business)" zone in Kwai Chung
Appendix III	Public comment received during the statutory publication period between 1.3.20189 and 22.3.2019
Appendix IV	Recommended Advisory Clauses
Drawings A-1 to A-6	Floor Plans
Drawings A-7 to A-8	Section Plans
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 to A-4	Site Photos

**PLANNING DEPARTMENT  
APRIL 2019**