

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/KC/464

<u>Applicant</u>	:	Core Post Company Limited represented by PlanPlus Consultancy
<u>Site</u>	:	20-24 Kwai Wing Road, Kwai Chung, New Territories
<u>Site Area</u>	:	About 1,579m ²
<u>Lease</u>	:	(a) Kwai Chung Town Lot No. 148 (b) Held under New Grant No. 4745 dated 30.4.1970 (c) Restricted to general industrial and/or godown purposes only excluding offensive trade
<u>Plan</u>	:	Draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/29
<u>Zoning</u>	:	“Other Specified Uses” annotated “Business” (“OU(B)”) (a) Maximum plot ratio (PR) of 9.5 and maximum building height (BH) of 105 metres above Principal Datum (mPD), or the PR and height of the existing building, whichever is the greater (b) Minor relaxation of the PR/BH restriction may be considered by the Town Planning Board (the Board) on application based on individual merits of development proposal
<u>Application</u>	:	Proposed Minor Relaxation of PR Restriction for Permitted Industrial Development (excluding industrial undertakings involving the use/storage of Dangerous Goods)

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. +20%) for a proposed industrial building (IB) on the application site (the Site), which is zoned “OU(B)” on the draft Kwai Chung OZP No. S/KC/29 (**Plan A-1**). The proposal is to facilitate the redevelopment of the existing 8-storey IB constructed before 1987 (pre-1987 IB)^[1] into a 22-storey IB (including two basement levels) with a maximum BH of 105mPD for “Non-polluting Industrial Uses (excluding industrial undertakings involving the use/storage of Dangerous Goods)” uses. According to the Notes of OZP for “OU(B)” zone under Schedule II for IB or industrial-office building, the proposed uses are Column 1 uses which are always permitted. Minor relaxation of the PR restriction may be considered by the Board on application based on individual merits of development proposal.

^[1] The Occupation Permit (OP) for the subject IB was issued on 11.7.1972.

- 1.2 According to the applicant, the proposed minor relaxation of PR restriction by 20% is in line with the Chief Executive's 2018 Policy Address to incentivise redevelopment of pre-1987 IBs by allowing the relaxation of the maximum permissible non-domestic PR by up to 20% for sites outside "Residential" zones in main urban areas and new towns (see paragraph 3.1 below for details).
- 1.3 Floor plans, diagrammatic section and photomontages submitted by the applicant are shown at **Drawings A-1 to A-16**. Major development parameters of the proposed development are summarised as follows:

Major Development Parameters	Proposed Development	
Site Area	About 1,579.34m ²	
Plot Ratio (PR)	Not more than 11.4	
Gross Floor Area (GFA)	Not more than 18,004.46m ²	
Maximum Site Coverage (SC)	Not more than 100% (below 15m) Not more than 62.5% (above 15m)	
No. of Storeys	22 (including two basement levels and one level of Sky Garden cum Refuge Floor)	
Maximum BH (at main roof level)	Not more than 105mPD	
Proposed Uses	Workshops (for non-polluting industrial use), Loading/Unloading Bays (L&UL), Carparking, Sky Garden cum Refuge Floor	
Parking Spaces	Private Car	31 (incl. one accessible parking space)
	Motorcycle	4
Loading/Unloading Bays	Light Goods Vehicle (LGV)	10
	Heavy Goods Vehicle (HGV)	5
Anticipated Year of Completion	End of 2023	

- 1.4 The Site abuts Castle Peak Road - Kwai Chung to the east and adjoins Kwai Wing Road to the further west (**Plan A-2**). The main entrance lobby of the proposed development will be located on the ground floor leading to Castle Peak Road - Kwai Chung while the ingress/egress at the basement two level carpark facing Kwai Wing Road (**Drawings A-1 and A-2**). Kwai Wing Road and Castle Peak Road - Kwai Chung are on two different street levels and currently connected by a flight of public staircase with a sitting out area (**Drawing A-9 and Plans A-2 and A3-b**). A communal escalator is proposed within the Site to improve pedestrian connectivity such that future occupiers can enter the main entrance lobby at Castle

Peak Road from Kwai Wing Road. Staircase and universal accessible lift (from B2/F to G/F) will be provided to facilitate internal and pedestrian circulation (**Drawings A-10, A-12 and A-14**). The communal escalator and lift will be open to the public from 7am to 8pm and 24 hours respectively under proper management of the Applicant.

- 1.5 To enhance the visual permeability and air ventilation, setbacks are proposed along the northern and eastern boundaries of the Site. There will be setback of about 3.6m at the northern portion of the Site which will widen the existing building gap (of about 10m) to about 13.6m in total between the proposed development and the EDGE, an office building to the north. Another building setback from the existing pavement along Castle Peak Road - Kwai Chung with a maximum setback of about 10.5m is proposed at the eastern portion (**Drawing A-15**).
- 1.6 Illegal parking has been identified outside the run-in/out of the existing development. To avoid blocking access to the proposed development, road marking will be proposed in front of the vehicular access (**Drawing A-17**). Traffic signs and road marking will also be proposed along Kwai Sau Road (**Drawing A-18**).
- 1.7 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 19.7.2019 (**Appendix I**)
 - (b) Supporting Planning Statement (**Appendix Ia**)
 - (c) Letter dated 19.7.2019 providing amended page (Section Plan) of the Supporting Planning Statement (**Appendix Ib**)
 - (d) Letter dated 22.8.2019 from the applicant requesting for deferment (**Appendix Ic**)
 - (e) Letter dated 30.9.2019 providing responses to departmental comments, providing revised Sewerage Impact Assessment (SIA), revised Traffic Impact Assessment (TIA), revised architectural drawings, revised photomontages and revised Landscape Proposals* (**Appendix Id**)
 - (f) Letter dated 2.10.2019 providing replacement pages of Visual Impact Assessment (VIA)* (**Appendix Ie**)
 - (g) Letter dated 14.11.2019 providing responses to departmental comments, replacement pages of the SIA and the Supplementary Notes to the Planning Statement# (**Appendix If**)
 - (h) Letter dated 25.11.2019 providing replacement pages of responses to departmental comments# (**Appendix Ig**)

Remarks:

* Further information (FI) accepted but not exempted from publication and recounting requirement

Further information accepted and exempted from publication and recounting requirement

- 1.8 At the request of the applicant (**Appendix Ic**), the Metro Planning Committee (the Committee) agreed on 6.9.2019 to defer making a decision on the application for two months pending the preparation of FI to address the departmental comments. The applicant submitted FI (**Appendices Id, Ie, If and Ig**) on 30.9.2019, 2.10.2019, 14.11.2019 and 25.11.2019 and the application is re-scheduled for consideration by the Committee on 29.11.2019.

2. **Justifications from the Applicant**

- 2.1 The justifications put forth by the applicant in support of the application are set out in Section 5 of the Supporting Planning Statement and Further Information at **Appendices Ia, Id, Ie, If and Ig**, which are summarised as follows:

In line with New Government Policy on Redevelopment of IBs

- (a) The proposed redevelopment will help revitalise sub-standard IBs. The provision of more floor areas renders the Territory's scarce land resources to be better utilised, whilst increasing the existing industrial stock at the same time. Latest fire services requirements will be fully implemented in the proposed modern type IB.

Conforming to the Planning Intention of Statutory Plan and Fulfilling Requirement for Minor Relaxation of PR Restriction

- (b) The proposed design merits for the proposed development will significantly improve the pedestrian walkability and the connectivity in the vicinity, upgrade the surrounding environment, and create visual relief in the urban core in this part of the Kwai Chung area. The application will be a desirable positive precedent to catalyze the land use restructuring of the traditional industrial hub of Kwai Chung.

Conforms to Recommendations in the 'Report on 2014 Area Assessments of Industrial Land in the Territory' for Industrial Land Use Restructuring

- (c) It was the recommendation of the Area Assessments 2014 to retain the area for "OU(B)" zone facilitating the transformation of traditional Kwai Chung industrial hub to general business area. The redevelopment to modern type IBs echoes the above recommendation and actualises the land use restructuring. The additional PR sought helps to address the anticipated shortfall of industrial floor space, and to echo with the Government's intention to support re-industrialization by maximizing land development potential.

Planning and Design Merits

- (d) The escalator and lift voluntarily proposed by the applicant will enhance the pedestrian walking experience. It can also serve as alternative walking options, in addition to the existing uncovered staircase along the existing public sitting-out area. Pedestrian connectivity between the two major roads will be enhanced by the improvement of walking environment where the local community will be benefited.

Enhancement of Air Ventilation and Visual Permeability

- (e) The proposed widening of the building gap to the adjacent EDGE building and ground floor setback along the Castle Peak Road - Kwai Chung will enhance air ventilation and visual permeability and help reduce the overall

building mass. The proposed setback will be 3.6m along the northern site boundary abutting the public lane which constitutes a total building gap of about 13.6m (**Drawing A-15**), and will widen the micro-breezeway along the building gap.

Development of a Vibrant Townscape

- (f) Shrub and weeping plants will be fully provided on the sky garden which helps soften the building edge, and reduce the visual intrusion and glaring effect of the hard wall surface (**Drawings A-13 and A-16**). Coloured cobble paver and non-reflective tiles at the roof levels will deliver visual relief to the viewers at the elevated level. These features significantly mitigate the surrounding homogenous built environment, which can catalyse the transformation of the existing townscape.

Enhancement of Pedestrian Accessibility, Connectivity and Comfort

- (g) The landscape proposal will greatly improve the aesthetic quality of the building frontage and façade. The ground floor landscaping can serve as a green buffer between the major road and the proposed development, and provide interesting pavement patterns. The Sky Garden with landscaping works will soften the hard building lines and enhance the building permeability (**Drawing A-7**). Vertical greening along the escalators will improve the visual compatibility of the building façade and the walking environment (**Drawings A-12 and A-13**).

Compliance with Sustainable Building Design Guidelines (SBDG)

- (h) The overall greenery area of minimum 20% of the site coverage will be provided. Building will be set back to improve air ventilation and enhance the environmental quality at pedestrian level. Green building design includes: (i) compliance with BEAM Plus requirements for green building; (ii) provision of communal sky-garden; (iii) compliance with the Overall Thermal Transfer Value (OTTV) requirements and Building Energy Code under the latest Building Energy Efficiency Ordinance. Besides, glass with external reflectance less than 20% will be adopted to minimise glare effect.

Technical Feasibility of the Development Proposal

- (i) Technical assessments conducted have demonstrated that the proposal is acceptable with no adverse impact. The TIA indicates that internal transport facilities will be provided to the high-end of the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG), and all critical junctions will be operated in positive capacities upon operation of the development. The SIA concludes that much less wastewater will be generated from the proposed development than the existing manufacturing use. The VIA indicates that the proposed mitigation measures such as the proposed setbacks, Sky Garden and landscape treatment at street level will help enhance the street environment for the benefit of local residents.

3. **Background**

Policy Initiatives of Revitalisation of IBs

- 3.1 As set out in Policy Address 2018, to provide more floor area to meeting Hong Kong's changing social and economic needs, and make better use of the valuable land resources, a new scheme to incentivise redevelopment of IBs is announced. To encourage owners to redevelop IBs constructed before 1987^[2], there is a policy direction to allow relaxation of the maximum permissible non-domestic PR as specified in an OZP by up to 20% for redevelopment of pre-1987 IBs located outside "Residential" zones in Main Urban Areas and New Towns into industrial/commercial uses. The relaxation of PR is subject to approval by the Board on a case-by-case basis and the maximum non-domestic PR permissible under the Building (Planning) Regulation (B(P)R)^[3]. The Board may approve such application subject to technical assessments confirming the feasibility of allowing such in terms of infrastructure capacity, technical constraints, as well as relevant planning principles and considerations.
- 3.2 The time limit for owners to submit applications is three years, with effect from 10.10.2018. Should the application be approved, the modified lease should be executed (with full land premium charged) within three years after the planning permission is granted.

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

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

5. **Previous Application**

There is no previous application for minor relaxation of PR by 20% at the Site.

6. **Similar Applications**

- 6.1 There are five similar applications (No. A/KC/460, A/KC/463, A/KC/465, A/KC/466 and A/KC/467) for proposed minor relaxation of PR restriction for permitted non-polluting industrial development within the "OU(B)" zone in Kwai Chung (**Plan A-1**). Application No. A/KC/460 was approved with conditions by the Committee on 6.9.2019, while the remaining four applications are being processed.

^[2] Pre-1987 IBs refer to those eligible IBs which were wholly or partly constructed on or before 1.3.1987, or those constructed with their building plans first submitted to the Building Authority (BA) for approval on or before the same date.

^[3] Under the new policy, any bonus floor area claimed under section 22(1) or (2) of the B(P)R is not to be counted towards the proposed increase of non-domestic PR by 20% for redevelopment projects.

6.2 On the territorial level, since March 2019, the Committee has considered nine minor relaxation applications in the Metro Area relating to the Policy Initiatives of Revitalisation of IBs. Four of the applications in San Po Kong, Hung Hom, Kwai Chung and Tsuen Wan involved relaxation of PR whilst the remaining five in Kwun Tong Business Area (KTBA) involved minor relaxation of both PR and BH (see **Appendix II** for details). The four applications (A/K9/274, A/K11/233, A/KC/460 and A/TW/505) involving minor relaxation of PR were approved with conditions. Among the five applications involving both minor relaxation of PR and BH, three were approved with conditions (A/K14/763, A/K14/766 and A/K14/771) and one was rejected (A/K14/764^[4]) mainly on the ground that the applicant failed to demonstrate that there were sufficient planning and design merits^[5] for the proposal. The remaining application (A/K14/773) was deferred by the Committee on 18.10.2019 where the applicant was requested to provide further information on the planning and design merits of the proposal to facilitate Members' consideration.

7. The Site and Its Surrounding Areas (Plans A-1 to A-2 and photos on Plans A-3a and A-3b)

7.1 The Site is:

- (a) occupied by an existing eight-storey factory building, Fang Brothers Textiles Limited Factory Building, which was completed in 1972 and currently used as knitting company and offices (**Plan A-3a**);
- (b) abutting Castle Peak Road - Kwai Chung with vehicular access via Kwai Wing Road. The two roads are at two different street levels which are currently connected by public footsteps with a sitting out area; and
- (c) located at about 650m northeast of MTR Kwai Hing Station and is well served by various modes of public transport including buses and public light buses.

7.2 The surrounding areas have the following characteristics (**Plans A-1 and A-2**):

- (a) the Site is located in the midst of a larger industrial/business area bounded by Castle Peak Road- Kwai Chung to the north and east, Kwai Wing Road to the west and Tai Lin Pai Road to the south (**Plan A-1**). Most of the buildings in the area are being used for industrial workshops, office/industrial-related office, and warehouses, with ground floors scattered with some commercial uses such as canteens and property agencies etc.;

^[4] Applications No. A/K14/764 and 771 covered the same site. The former application (involving minor relaxation for PR by 20% and BH by 30.2%) was rejected while the latter application (involving minor relaxation for PR by 20% and BH by 19.7%) was subsequently approved with conditions.

^[5] The applicant of Application No. A/K14/764 applied for a review of the Committee's decision to reject the application. The Board agreed on 12.7.2019 to defer making a decision on the application for two months as requested by the applicant. Subsequently, the application was withdrawn on 21.8.2019.

- (b) to the east across Castle Peak Road- Kwai Chung is a residential cluster, and further east is the Wo Yip Hop Road industrial/business area (**Plans A-1 and A-2**);
- (c) to the south is the existing IBs including On Fat Industrial Building and Shui Sum Industrial Building. To the further south across Tai Lin Pai Road are clusters of IBs and commercial offices (as wholesale conversion or redevelopments of IBs) (**Plan A-1 and A-2**);
- (d) to the west is the Kwai Wing Road public vehicle park (**Plan A-2**), and to the further southwest is the Kwai Hing Estate (**Plan A-1**); and
- (e) to the north is the EDGE which is an office building (after wholesale conversion of an IB) and to the northwest is the Kwai Wing Road Cooked Food Hawker Bazaar.

8. Planning Intention

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. 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 I-O buildings.

9. Comments from Relevant Government Departments

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

Policy Perspective

- 9.1.1 Comments of the Secretary for Development (SDEV), Development Bureau (SDEV, DEVB):

- (a) it is Government’s policy to incentivise owners to redevelop old IBs to optimise utilisation of the existing industrial stock and make better use of valuable land resources, while addressing more effectively the issues of fire safety and non-compliant uses. To this end, he gives policy support to this application for relaxation of PR if it satisfies all relevant conditions or criteria (see details in paragraph 3.1 above);
- (b) it is noted that the applicant considers that the redevelopment project would meet the planning intention of that “OU(B)” zone. In this context, the redevelopment project would appear to bring greater benefits in the longer term if it allows flexibly a mix of different uses including both non-polluting industrial and commercial ones. There are some industrial-office building developments in the surrounding area with good connectivity to transport infrastructure; and

- (c) he is willing to provide policy support for the planning application on the clear understanding that the redevelopment proposal will comply with all the technical requirements as examined by relevant departments.

Land Administration

9.1.2 Comments of the District Lands Officer/Tsuen Wan & Kwai Tsing (DLO/TW&KT) and the Chief Estate Surveyor/Development Control, LandsD:

- (a) the Site falls within Kwai Chung Town Lot No. 148 ("the Lot"), which is held under New Grant No. 4745 dated 30.4.1970. The Lot is restricted to general industrial and/or godown purposes excluding offensive trade and there is no restriction on GFA or site coverage or building height. Spaces for parking, loading and unloading of motor vehicles shall be provided within the Lot at the rate of not less than 1 vehicle for each 10,000 ft² or part thereof of GFA or not less than one vehicle for each 5,000 ft² or part thereof of the site area, whichever is the greater rate;
- (b) to be qualified for the measure on relaxation of the maximum permissible non-domestic PR by 20% for redevelopment project, the building has to be pre-1987 IBs located outside "Residential" zones in Main Urban Areas and New Towns and subject to the maximum non-domestic PR allowed under the B(P)R. Pre-1987 IB refers to those wholly or partly constructed on or before 1.3.1987 or those constructed with building plans first submitted to Building Authority for approval on or before 1.3.1987;
- (c) 'non-polluting industrial use' in planning terms will constitute uses in breach of the lease conditions. If planning approval is given and if the proposed industrial development is intended to be used for "non-polluting industrial uses" that are in breach of the lease conditions, the lot owner shall need to apply to the Lands Department for a lease modification for the proposed development. The proposal will only be considered upon receipt of formal application from the lot owner. There is no guarantee that the application, if received by Lands Department, will be approved and he reserves comment on such. The application will be considered by the Lands Department acting in the capacity as landlord at its sole discretion. In the event that the application is approved, it will be subject to such terms and conditions as the Government shall deem fit to do so, including, among others, payment of premium and administrative fee; and
- (d) under the 2018 IB revitalisation measure for redevelopment, the lease modification letter/conditions of land exchange shall be executed within 3 years from the date of TPB's approval letter.

Building Matters

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

- (a) he has no comment on the proposed relaxation of PR to 11.4 under the Buildings Ordinance (BO);
- (b) the Occupation Permit (OP) for the subject building was issued on 11.7.1972;
- (c) according to the layout shown in the Planning Statement, it is noted that some workshop units with usable floor area of less than 80m² and its floor with storey height exceeding 3.5m. In this regard, the requirements as stipulated in the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAPs) APP-159 'Measures to Deter Misuse of Industrial Buildings for Residential Use' should be complied;
- (d) requirements for sustainable building design guidelines as stipulated in the PNAP APP-152 should be complied; and
- (e) detailed comments under the BO will be given at building plan submission stage.

Traffic

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

- (a) he has no comment on the application for minor relaxation of PR for permitted industrial redevelopment from traffic engineering perspective. According to the TIA and FI at **Appendices Ia** and **Id**, the applicant demonstrated that the proposal would accommodate the high-end provision of parking and loading/loading facilities within the redevelopment. In addition, the applicant proposed traffic measures to alleviate the traffic congestion due to the illegal parking in vicinity; and
- (b) the proposed universal accessible lift should be operated in 24-hour for general public and the applicant should propose a pedestrian route of minimum 2m clear width connecting Castle Peak Road – Kwai Chung within the redevelopment in order to complete the accessibility of wheel-chair person.

9.1.5 Comments of the Chief Highway Engineer/NT West, Highways Department (CHE/NTW, HyD):

the proposed road marking works to deter illegal parking identified in the TIA should be approved by TD and carried out by the applicant to HyD's standard.

Environmental Aspect

9.1.6 Comments of the Director of Environment Protection (DEP):

- (a) she has no objection to the application;
- (b) based on the applicant's submissions (**Appendices Ia and Id**), there is no active industrial chimneys identified within 200m from the proposed development and that no fresh air intake of air sensitive uses will be located within the buffer zone according to HKPSG requirements. The proposed development will be provided with air conditioning and maintenance windows will be opened for maintenance or emergency purpose only. Besides, no adverse road traffic noise impact is anticipated and the applicant will conduct a land contamination assessment in accordance with the prevailing guidelines prior to development of the site. The revised SIA concludes that unacceptable sewerage impacts are not anticipated; and
- (c) the applicant is advised to minimise the generation of construction and demolition materials, and reuse and recycle the construction and demolition materials on-site as far as possible, and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development.

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

should the application be approved, approval condition in relation to the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA for the proposed development should be imposed.

Urban Design and Visual Aspects

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

- (a) the Site is located to the west of Castle Peak Road - Kwai Chung alongside other industrial sites/buildings under the same "OU(B)" zone with existing BH ranging from about 33mPD to 107mPD. To the east on the other side of Castle Peak Road is a group of mostly residential buildings with existing BH ranging from about 44mPD to 131mPD. The proposed minor relaxation of PR does not involve additional BH beyond what is permitted under the OZP. As illustrated in the VIA, it is unlikely that the proposed development will induce significant adverse effects on the visual character of the surrounding townscape;
- (b) based on the information submitted, the applicant has incorporated a number of good design measures that would enhance the street

environment, including building setbacks along the northern and eastern site boundaries with tree/shrub planting, universal accessible lift, communal escalator along the northern site boundary alongside the existing stairways connecting between Castle Peak Road and the existing sitting out area at Kwai Wing Road, communal Sky Garden with vegetated edges, and exterior green wall at the basement levels facing the proposed escalator and existing sitting out area. Such measures would promote visual interest, enhance the streetscape and improve connectivity, in particular for the pedestrian route along the northern site boundary. Although technically speaking, incorporation of these design measures do not necessarily require additional PR, these design enhancements and public benefit components can be regarded as design merits attributed to the proposed development;

- (c) it is noted that the proposed escalator is uncovered. The applicant may wish to explore possibility of a building design that would provide some weather protection over the escalator. It seems necessary that outdoor escalators should be protected by a canopy or other similar structure; and
- (d) the first two floors of the proposed development are for workshops, which may fit the intended functionality of the proposed development. Given that there is a wide range of permissible uses within the “OU(B)” zone that would help activate the street frontage, the applicant may consider designing the building in a way that allow for flexibility to accommodate future change of building uses on the lower floors.

Landscape Aspect

9.1.9 Comments of CTP/UD&L, PlanD:

- (a) considering that further adverse landscape impact due to the proposed minor relaxation is not anticipated, she has no objection to the application from landscape planning perspective; and
- (b) should the application be approved by the TPB, as the proposed landscape treatment abutting the existing sitting out area would enhance the amenity of the public realm, approval condition regarding the submission and implementation of landscape proposal is recommended to be included in the planning permission.

District Officer’s Comments

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

his office has posted the application on notice boards of his office and the Kwai Fong Community Hall respectively from 26.7.2019 to 16.8.2019 and from 15.10.2019 to 5.11.2019, and has not received any comments on the application.

- 9.2 The following Government departments have no objection to/no comment on the application:
- (a) Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD);
 - (b) Director of Fire Services;
 - (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
 - (d) Commissioner of Police.

10. Public Comments Received During Statutory Publication Period

The application was published for public inspection on 26.7.2019. Within the statutory public inspection period, two comments from the same person (**Appendix III**) objecting to the application were received which raised doubt on the sustainability and value of the proposed green features (such as the Sky Garden). Besides, it is also raised that strong justifications and planning merits should be provided to support the proposed minor relaxation of PR and approval of the application would set an undesirable precedent.

11. Planning Considerations and Assessments

- 11.1 The applicant seeks planning permission for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. +20%). According to the applicant, the proposed minor relaxation is in line with the government's policy on revitalising ageing IBs. The proposal is to redevelop the existing eight-storey IB into a 22-storey IB with a BH of 105mPD for permitted non-polluting industrial uses. The proposed redevelopment is in line with the planning intention of the "OU(B)" zone which is primarily for general business uses and the BH complies with BHR of 105mPD under OZP.

Policy Aspect

- 11.2 The existing IB with an OP issued on 11.7.1972 can be regarded as an eligible pre-1987 IB under government's new policy on revitalising IBs. DEVB gives policy support to the current application for the minor relaxation of PR by 20% with the initiative to incentivise redevelopment of old IBs to optimise utilisation of the existing industrial stock and make better use of the valuable land resources, while addressing more effectively the issues of fire safety and non-compliant uses.

Technical Aspect

- 11.3 The proposed minor relaxation of PR from 9.5 to 11.4 (i.e. +20%) generally follows the policy on revitalisation of pre-1987 IBs, and consideration of such application is subject to technical assessments confirming the feasibility of the proposed development. In support of the application, the applicant has submitted the TIA which demonstrates that the proposed development will not cause adverse traffic impact to the surrounding areas with implementation of the proposed traffic measures. C for T's traffic concerns can be addressed through the incorporation of

approval conditions in paragraph 12.2(a) to (c) below. EPD's concern on the land contamination issue and DSD's concern on the sewerage aspect can be addressed by the imposition of approval conditions in paragraph 12.2(e) and ~~(f)~~ **to (g)** below ~~respectively~~. Other relevant Government departments including FSD have no adverse comment on the application.

Planning and Design Merits Aspect

- 11.4 The Applicant has proposed a communal escalator in the Site to improve pedestrian connectivity so that the future occupiers can enter the main entrance lobby at Castle Peak Road from Kwai Wing Road. The proposed staircase and universal accessible lift will also be provided within the proposed development to facilitate internal and pedestrian circulation (**Drawings A-12 and A-14**). The communal escalator entirely within the Site will be open to the public under proper management of the Applicant. Setbacks are proposed along the northern and eastern portions of the Site to widen the existing building gap between the proposed development and the adjacent buildings. CTP/UD&L, PlanD considers the proposed measures will promote visual interest, enhance the streetscape and improve connectivity, in particular for the pedestrian route along the northern site boundary. These design enhancements and public benefit components can be regarded as design merits attributed to the proposed development.
- 11.5 With regard to sustainability of building design, the applicant indicates that the SBDG will be adopted by incorporating sufficient greening ratio, greenery provision at G/F as well as vertical greening (**Drawing A-11**). Regarding the green building design, the applicant has proposed a communal sky garden (**Drawing A-10**) and adopted the building design which can meet the requirements of BEAM Plus, OTTV and Building Energy Code under the latest Building Energy Efficiency Ordinance. Detailed proposed measures on green building design can be considered at the detailed building design stage upon building plan submission. CTP/UD&L considers that the applicant has incorporated a number of good design measures that would enhance the street environment. Such measures will promote visual interest, enhance the streetscape and improve connectivity.
- 11.6 Regarding the public comments on design merits and green features, the planning assessments above and departmental comments in paragraph 9 are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application on the terms of the application as submitted to the Board, it is suggested that the permission shall be valid until 29.11.2023, 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 conditions of approval and advisory clauses are suggested for Members' reference:

Approval conditions

- (a) the implementation of the traffic improvement measures identified in the submitted Traffic Impact Assessment, as proposed by the applicant at his own cost to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the provision, management and maintenance of the proposed communal escalators (operated from 7:00 to 20:00 for general public) and the proposed universal accessible lift/pedestrian route (of minimum 2m clear width) connecting Castle Peak Road – Kwai Chung (operated in 24-hour for general public) within the Site, as proposed by the applicant at his own cost, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (d) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
- (e) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the Site to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (f) **the submission of sewerage impact assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and**
- (g) the design and implementation of the local sewerage upgrading/sewerage connection works identified in the accepted Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are attached at **Appendix IV**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of PR restriction.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or to 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 applicant.

14. Attachments

Appendix I	Application form received on 19.7.2019
Appendix Ia	Supporting Planning Statement
Appendix Ib	Letter received on 19.7.2019 providing amended page (Section Plan) of the Supporting Planning Statement
Appendix Ic	Letter dated 22.8.2019 from the applicant requesting for deferment
Appendix Id	Letter dated 30.9.2019 providing responses to departmental comments, revised SIA, revised TIA, revised architectural drawings, revised photomontages and revised Landscape Proposals
Appendix Ie	Letter dated 2.10.2019 providing replacement pages of VIA
Appendix If	Letter dated 14.11.2019 providing responses to departmental comments, replacement pages of the SIA and the Supplementary Notes to the Planning Statement
Appendix Ig	Letter dated 25.11.2019 providing replacement pages of responses to departmental comments
Appendix II	Similar Applications
Appendix III	Public comments received during the statutory publication period
Appendix IV	Recommended Advisory Clauses
Drawings A-1 to A-18	Floor plans, diagrammatic section and photomontages submitted by the applicant
Plan A-1	Location plan
Plan A-2	Site plan
Plans A-3a and A-3b	Site photos

**PLANNING DEPARTMENT
NOVEMBER 2019**