

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/KC/469

- Applicant** : Park International Investment Limited represented by Kenneth To and Associates Limited
- Site** : 57-61 Ta Chuen Ping Street, Kwai Chung, New Territories
- Site Area** : About 2,248m²
- Lease** : (a) Lot 277 S.E. RP and Extension in D.D. 444
(b) Held under New Grant No. 3491 as varied by an Extension Letter dated 28.7.1964 and a Modification Letter dated 24.12.1964 and restricted to industrial purposes only
(c) There is no restriction on Gross Floor Area or building height
- Plan** : Draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/29
- Zoning** : “Other Specified Uses” annotated “Business” (“OU(B)”)
- (a) Maximum plot ratio (PR) of 9.5 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) A minimum 3.5m non-building area (NBA) from the lot boundary abutting Ta Chuen Ping Street shall be provided as stipulated on the OZP
- (c) Minor relaxation of the PR/BH restrictions may be considered by the Town Planning Board (the Board) on application based on individual merits of development proposal
- Application** : Proposed Hotel Use and Proposed Minor Relaxation of PR Restriction

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed hotel use and minor relaxation of PR restriction from 9.5 to 11.4 (i.e. 1.9 or +20%) on the application site (the Site), which is zoned “OU(B)” on the draft Kwai Chung OZP No. S/KC/29 (**Plans A-1a** and **A-2**). The application is to facilitate the redevelopment of a 8-storey industrial building (IB) constructed before 1987 (pre-1987 IB)¹ into a 31-storey hotel development (including one basement floor). According to the Notes of the OZP under Schedule I of “OU(B)” zone, ‘Hotel’ is a Column 2 use which requires planning permission. Minor relaxation of the PR restriction may be considered by the Board under section 16 of the Town Planning Ordinance. The existing IB is now vacant. The Site is the subject of a previous application (No. A/KC/460) for proposed minor relaxation of PR restriction for permitted Industrial-Office (I-O) development under the 2018 Policy Initiatives of Revitalisation of IBs, which was approved with conditions by the Committee on 5.7.2019. (paragraph 6.2 refers)

¹ The Occupation Permit (OP) for the subject IB was issued on 4.11.1970.

- 1.2 The Site abuts Ta Chuen Ping Street. The proposed development has incorporated building setback of 3.5m-wide from the lot boundary abutting Ta Chuen Ping Street as stipulated on the OZP to cater for the long-term road widening proposal and improvement of air permeability of the business/industrial area on Wo Yi Hop Road (**Plan A-2**). Apart from the setback as required by the OZP along the southern portion of the Site, the proposed development has also incorporated voluntary above-ground building setback of 0.95m, 2.3m, 2.3m and 3.3m along its southern, western, northern and eastern boundaries respectively (**Drawing A-2**). The setback area abutting Ta Chuen Ping Street will form the landscaped area and part of the pedestrian area accessible to the public. The setback areas along the western, northern and eastern portions will form the service lanes which are accessible to the public.
- 1.3 Roadside planter with ornamental trees, shrubs and groundcover are proposed on the ground floor to provide shade and visual interest (**Drawing A-11**). The setback at the southern portion of G/F and 1/F has incorporated planting strip (**Drawing A-12**). Landscape features including edge plantings on 1/F and 2/F, and vertical green wall at the 1/F facade are also proposed to improve the visual quality (**Drawings A-15 and A-16**). The total greenery coverage is about 26.09% (about 586.5m²).
- 1.4 Relevant floor/section plans and renderings of the proposed scheme submitted by the applicant are shown at **Drawings A-1 to A-18**. Major development parameters of the proposed scheme are as follows:

Development Parameters	Proposed Scheme
Site Area	About 2,248m ²
Plot Ratio	Not more than 11.4
Gross Floor Area (Non-domestic)	Not more than 25,627.2m ²
Site Coverage	
• Below 15m	Not more than 80%
• Above 15m	Not more than 60%
No. of Block	1
No. of Storeys	31 (including one basement level)
Building Height (at main roof level)	Not more than 130mPD
Proposed Uses	Hotel with hotel restaurant on 2/F
Proposed Room Number	About 1,196
Greenery	About 26.09% (about 586.5m ²)
Parking Spaces (at B/F and G/F)	
• Private Car	12
• Motorcycle	2
Loading/Unloading (L/UL) Bays	
• Taxi	4
• Coach	4
• Light Goods Vehicles	7
• Heavy Good Vehicle	5
Building Setbacks	
• Ta Chuen Ping Street	<ul style="list-style-type: none"> • Full-height setback of 4.45m (based on a minimum 3.5m-wide NBA from the lot boundary abutting Ta Chuen Ping Street according to OZP requirement and additional voluntary full-height setback of 0.95m) • Voluntary full-height setback of 2.3m • Voluntary full-height setback of 2.3m • Voluntary full-height setback of 3.3m
• Western boundary from the Lot	
• Northern boundary from the Lot	
• Eastern boundary from the Lot	
Anticipated Year of Completion	2024

Notes:

- (1) The Site includes the area dedicated for NBA along Ta Chuen Ping Street as required under the OZP
- (2) On top of the PR/GFA set out as above, the applicant intends to claim a bonus PR of about 0.249 (i.e. GFA of about 560m²) under the B(P)R 22(2) for provision of a minimum 3.5m non-building area setting back from the lot boundary abutting Ta Chuen Ping Street. According to applicant, the BH can accommodate the bonus PR
- (3) Any bonus PR that may be approved by the Building Authority (BA) under B(P)R 22(1) or (2) for the setback areas to be surrendered to the Government have not been reflected in the above
- (4) Non-accountable GFA for Back-of-House (BOH) facilities of not more than 5% of the proposed GFA is subject to approval by the Building Authority at building plan submission stage

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

- (a) Application Form received on 11.5.2020 (Appendix I)
- (b) Supplementary Planning Statement with a Landscape Proposal, Traffic Impact Assessment (TIA), Sewerage Impact Statement (SIA) and Environmental Assessment (EA) received on 11.5.2020 (Appendix Ia)
- (c) Further information (FI) 1 received on 23.6.2020 providing responses to departmental comments and revised SIA # (Appendix Ib)
- (d) FI 2 received on 10.8.2020 providing responses to departmental comments and revised TIA, revised landscape proposal and revised architectural drawings # (Appendix Ic)
- (e) FI 3 received on 9.9.2020 providing clarifications on bonus PR and revised architectural drawings* (Appendix Id)
- (g) FI 4 received on 16.9.2020 submitting revised TIA to address Transport Department's comments # (Appendix Ie)
- (h) FI 5 received on 12.10.2020 providing replacement pages to the revised TIA* (Appendix If)
- (i) FI 6 received on 30.10.2020 providing responses to departmental comments and revised architectural drawings* (Appendix Ig)

accepted but not exempted from publication and recounting requirement

* accepted and exempted from publication and recounting requirement

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application as set out in **Appendices I to Ig** are summarised as follows:

In Line with Government Policies on Revitalizing IBs

- (a) To encourage redevelopment of pre-1987 IBs, relaxation of maximum permissible PR by up to 20% is the latest policy direction to incentivise IB redevelopment in accordance with the 2018 Policy Address. The proposed redevelopment with minor relaxation of PR is in line with the Government's Policy to optimise the use of existing IB.

Tourism Development

- (b) The statistics of the number of visitor arrivals and hotel room occupancy rate from 2012 to 2018 showed that there had been a keen demand for tourist accommodation. Although the hotel room occupancy rate had been dropping since the second half of 2019 due to the social issues and coronavirus pandemic, the overall hotel room

occupancy rate in 2019 was kept as about 79% according to the statistics from the Hong Kong Tourism Board. It is anticipated that tourism development and the economy will recover after the pandemic is resolved. In the long term, allowance for new supply of hotel rooms, particularly in the “OU(B)” zone, is still appropriate and necessary.

In Line with Planning Intention and Trend of Transformation of the Subject Business Area

- (c) The proposed use conforms with the planning intention of “OU(B)” zone which is primarily for general business uses. The proposed hotel will provide an important business-related facility in support of the growing business operations in the area. The Castel Peak Road/Wo Yi Hop Road Business Area has been undergoing a gradual transformation and the proposed hotel development with quality design echoes with the general planning direction of the district.

Compatibility with Surrounding Land Uses and Good Accessibility

- (d) The Site is located within the “OU(B)” zone which is intended for mixed commercial and non-polluting business uses in the long run and the transformation has begun with the recently opened hotels in the area. The Site is also subject to previously approved applications No. A/KC/371 and 460 for hotel use and for minor relaxation of permitted I-O development respectively. Therefore, the proposed hotel development is considered compatible with the surrounding land uses.
- (e) The Site has fairly good accessibility and is well served by public transport, including bus and minibus in the vicinity and within 20 minutes walking distance to Kwai Hing MTR station .

Planning and Design Merits of the Proposed Development

- (f) The proposed minor relaxation of PR for 20% can optimize the utilisation of previous land resources. Carparking spaces and L/U bays will be provided at the B/F and G/F to minimize the building bulk. No relaxation of BH restriction is required and the relaxation of PR is considered minor in nature and acceptable.
- (g) Apart from the 3.5m setback along Ta Chuen Ping Street required under the OZP, the above-ground development will additionally be set back (0.95m) from the NBA to further improve permeability and streetscape along Ta Chuen Ping Street. The south-eastern corner of the proposed hotel will be further set back on G/F and 1/F from Ta Chuen Ping Street to achieve a total setback up to 7.275m to widen pedestrian footpath and allow planting strip to provide pleasant and visually appealing walking environment. The service lane areas along the eastern, northern and western sides of the Site are also accessible to the public.
- (h) Roadside planter is also provided at the south-eastern corner to allow a smooth transition between the proposed hotel development and the road. Decent paving at G/F, vertical greening at 1/F and edge planting at 1/F and 2/F with creeping plants are proposed at the southern façade to further improve visual quality.

Compliance with Sustainable Building Design Guidelines (SBDG) and Green Building Design

- (i) The building setback requirement under SBDG is satisfied since the distance between the lot boundary abutting Ta Chuen Ping Street and the centreline of Ta Cheung Ping Street is 6m and there is a required 3.5m setback along Ta Chuen Ping Street under the

OZP. The proposed green coverage is about 26.09% (about 586.5m²). Green building design has been considered, including twin tanks for potable water, motion sensor for lighting system, energy meters for main building services systems, CO2 sensor for the basement carpark and low-e glass façade.

No Adverse Impacts from Various Technical Perspectives

- (j) Technical assessments including TIA, SIA and EA have been conducted to demonstrate that the proposal would have no adverse impact on traffic, sewerage and environmental aspects. The applicant has proposed traffic measures by imposing traffic bollards and railing in the vicinity of the proposed run-in/out to discourage illegal parking and loading/unloading on footpath (**Drawing A-3**).

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

The applicant is one of the three ‘current land owners’ and has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by notifying and obtaining consents from the two other owners. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The TPB Guidelines for Development within “OU(B)” Zone (TPB PG-No. 22D) promulgated in September 2007 is 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 L/UL 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. Background on the Policy Initiatives of Revitalisation of IBs

5.1 As set out in the 2018 Policy Address, 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 1987², there is a policy direction to allow relaxation of the maximum permissible non-domestic PR as specified in an

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 for approval on or before the same date.

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 Policy). 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 B(P)R³. 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.

- 5.2 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.

6. Previous Applications

- 6.1 The Site is the subject of two previous applications, i.e. No. A/KC/371 and 460 (**Plan A-1a**). Application No. A/KC/371 for the proposed wholesale conversion of the 8-storey IB into a hotel, which was submitted by the same applicant of the subject application, was approved with conditions by the Committee on 10.2.2012. It was approved on the considerations 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(B)” zone, the proposed development was compatible with the surrounding land uses and that the proposed development would not create adverse environmental, sewerage, drainage and traffic impacts on the surrounding area. The development is considered to have commenced with the building plans approved but the scheme was not implemented.
- 6.2 Application for A/KC/460 for proposed minor relaxation of PR restriction for permitted I-O development under the Policy was approved with conditions by the Committee on 5.7.2019. The application was submitted by the current applicant with two other applicants. It was approved mainly on the grounds that the application is in line with the Government’s Policy to incentivise the redevelopment of pre-1987 IB; relevant technical assessments were submitted to support the technical feasibility, the proposal has incorporated the set-back requirement as required by the OZP and there was no adverse comment from relevant government departments. The approved I-O development was yet to be implemented.

7. Similar Applications

Proposed Minor Relaxation of PR/BH

- 7.1 Since March 2019, the Committee has considered a total of 15 applications for minor relaxation of PR and/or BH in the Yau Tsim Mong, Cheung Sha Wan, Kwai Chung and Tsuen Wan areas relating to the Policy, including four applications (No. A/KC/460, A/KC/463, A/KC/464 and A/KC/466) in Kwai Chung (**Plan A-1a**). Out of the 15 similar applications, 14 applications were approved with conditions and one were deferred pending for the applicant’s submission of further information on the design of the proposed setback areas and greenery measures on ground level under the proposed scheme, and clarifications on the future management responsibility and pedestrian accessibility of the proposed setback areas (No. A/K5/820) (**Appendix IIa**). In

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.

consideration of these applications, the Committee generally indicated support for the Policy to relax the PR up to 20% as it provides incentives to encourage redevelopment of pre-1987 IBs taking account that relevant technical assessments were submitted to support the technical feasibility and there was no adverse comment from relevant government departments.

- 7.2 Same as the current application, planning applications No. A/KC/460, A/KC/463, A/KC/464 and A/KC/466 are related to the 2018 Policy Initiatives of Revitalisation of IBs, which fall within the areas zoned “OU(B)” within the Kwai Chung OZP and were approved with conditions on 5.7.2019, 17.3.2020, 29.11.2019 and 29.5.2020 respectively (**Plan A-1a**).

Proposed ‘Hotel’ Use

- 7.3 Since 2001, a total of 22 similar applications were submitted for the wholesale conversion or redevelopment of IB/I-O building (Nos. A/KC/288, 290, 308, 309, 310, 316, 336, 350, 364, 371, 373, 374, 375, 381, 390, 396, 397, 410, 424, 428, 430 and 459) in respect of 15 hotel developments within the “OU(Business)” zone in Kwai Chung (**Appendix IIb** and **Plan A-1b**). Out of them, 19 were approved with conditions and three were rejected. 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(B)” 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. The Committee rejected three applications mainly on the considerations that there was insufficient information in the submission to address the air/noise problems and demonstrate that the proposed development would have no adverse visual impacts; and that approval of the application would set an undesirable precedent.

8. The Site and Its Surrounding Areas (Plans A-1a, A-2 and A-5 and Photos on Plan A-3 and A-4)

8.1 The Site is:

- (a) occupied by a vacant 8-storey IB, namely the Central Industrial Building, which was built in 1970 and previously for warehouse use;
- (b) accessible to vehicles via Ta Chuen Ping Street; and
- (c) located about 650m from MTR Kwai Hing Station to the southwest (**Plan A-5**). It is well served by various modes of public transport including buses and public light buses on Castle Peak Road- Kwai Chung.

8.2 The surrounding area has the following characteristics (**Plans A-1a** and **A-2**):

- (a) the Site is located in the midst of a larger industrial area bounded by Lei Muk Road to the north, Chun Pin Street to the east and Ta Chuen Ping Street to the south. Some of the buildings in the area are being used for industrial use, industrial-related office, firms, hotels and warehouses, with ground floors scattered with commercial uses such as canteens, property agencies, metalware shops etc.;

- (b) to the north across Lei Muk Road is a row of IBs, and to the north-west are the vacant buildings of the ex-Salvation Army Kwai Chung Girls' Home where a rezoning application to preserve the existing three Graded Buildings for social welfare uses (Application No. Y/KC/15) was partially agreed by the Committee on 23.10.2020 (**Plan A-1a**);
- (c) to the east are clusters of IBs and a hotel (i.e. Hotel Ease Tsuen Wan) which was redeveloped by the wholesale conversion of IB. To the further north-east is another hotel development, i.e. Silka Tsuen Wan Hotel which was also redeveloped by the wholesale conversion of IB (**Plan A-1b**);
- (d) to the south across Ta Chuen Ping Street is a cluster of IBs, and to the further south-west is a cluster of residential buildings (**Plan A-1b**); and
- (e) to the immediate west is an IB, Vigor Industrial Building (**Plan A-2**).

9. Planning Intention

- 9.1 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. 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.
- 9.2 As stated in the Explanatory Statement of the OZP, in order to cater for the long-term road widening proposal and to improve air ventilation of the "OU(B)" zone bounded by Castle Peak Road and Wo Yi Hop Road, a minimum 3.5m-wide NBA from the lot boundary abutting Ta Chuen Ping Street shall be provided (**Plan A-2**).

10. Comments from Relevant Government Bureau/Departments

- 10.1 The following government bureau/departments have been consulted and their views on the application are summarised as follows:

Policy Perspective

10.1.1 Comments of Secretary for Development (SDEV):

- (a) the previous application No. A/KC/460 for proposed minor relaxation of PR restriction for permitted I-O development was approved by the Board with conditions on 5.7.2019. Now that the owner applicant is riding on the same IB revitalisation policy again to apply for minor relaxation of PR restriction to develop a hotel. It is noted that the applicant now intends to pursue hotel development and will timely implement it upon obtaining the Board's approval of the application. He also noted that the Tourism Commission has no objection to the proposed hotel development, which is in line with the current policy to encourage redevelopment of aged IBs and the planning intention of the current "OU(B)" zoning. In this regard, he is willing to support this application in principle, subject to its full compliance with all relevant requirements under the revitalisation scheme.

Land Administration

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

- (a) the Site falls within Lot 277 S.E. RP and Extension in D.D. 444 which is held under New Grant No. 3491 as varied by an Extension Letter dated 28.7.1964 and a Modification Letter dated 24.12.1964. It is restricted to industrial purposes only. There is no restriction on GFA or building height;
- (b) the proposed hotel development contravenes the existing lease conditions. If planning approval is given, the lot owners shall need to apply to the LandsD for a lease modification for the proposed hotel development and if the lot is in multiple ownership, the application has to be jointly submitted by all owners of the lot. The proposal will only be considered upon receipt of formal application from the lot owners. The application will be considered by the LandsD acting in the capacity as landlord at its sole discretion. When processing the application, LandsD will impose such appropriate terms and conditions including user restriction, the 5-year time limit for completion of the development, payment of full premium and administrative fee, etc. There is no guarantee that the application will be approved by LandsD. Under the 2018 industrial building revitalisation measure for redevelopment, the conditions of lease modification shall be executed within 3 years from the date of the Board's approval letter.

Traffic

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

C for T has no in-principle objection to the application given that:

- (a) the traffic impact assessment has illustrated that the subject redevelopment would not cause adverse traffic impact to the adjacent road network within the Area of Influence;
- (b) the applicant has demonstrated that the redevelopment proposal would accommodate the high-end provision of parking and loading/unloading facilities within the proposed hotel redevelopment scheme. In addition, the applicant has proposed traffic measures at his own cost to enhance the pedestrian safety due to illegal parking on footpath in vicinity (**Drawing A-3**); and
- (c) should the application be approved, it is recommended to impose an approval condition that the design and provision of traffic measures adjacent to the Site and the internal transport facilities, including parking facilities, loading/unloading spaces and vehicular access for the proposed development should be to the satisfaction of C for T or of the Board.

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

It is noted that a 7.3m run-in/out is proposed and the existing one would not be in use. The reconstruction of footpath and any associated road marking and street furniture modification etc. due to the development should be approved by TD and subsequently carried out by the applicant to HyD's standard.

Environment

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

Hotel developments are normally provided with central air condition system and the applicant/Authorized Person should be able to select a proper location for fresh-air intake during detailed design stage to avoid exposing future occupants under unacceptable environmental nuisances/impact. She has no further comments on the SIA, nevertheless as the composition of the proposed uses at the proposed development are still subject to change during the detailed design stage, an updated SIA is required to address the potential changes. Besides, as the proposed development would involve demolition of the existing structures and excavation works, the applicant is advised to minimise the generation of C&D materials; reuse and recycle the C&D 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. Notwithstanding the above, should the application be approved, it is recommended to impose the following approval conditions:

- (i) the submission of an updated Sewerage Impact Assessment (SIA) for the proposed development to the satisfaction of the DEP or of the Board;
- (ii) the implementation of the local sewerage upgrading/sewerage connections works identified in the updated SIA for the proposed development in condition (i) above to the satisfaction of the Director of Drainage Services (DDS) or of the Board; and
- (iii) submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to the development of the site to the satisfaction of the Director of Environmental Protection or of the Board.

Urban Design and Visual

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

Urban Design and Visual Impact

- (a) the Site of about 2,248m² is surrounded by existing IBs to its immediate east, north and west with BH ranging from about 65mPD to 150mPD. The proposed development with BH of about 130mPD has not exceeded the BH restriction stipulated for the Site. It is unlikely that the proposed development will induce any significant adverse visual impact to the surroundings;

- (b) the proposed development has incorporated 3.5m wide NBA along Ta Chuen Ping Street as per the OZP requirement. It has also incorporated additional above-ground setbacks of 0.95m, 2.3m, 2.3m and 3.3m along its southern, western, northern and eastern boundaries respectively. The G/F and 1/F of the south-eastern corner of the proposed development has incorporated further setback furnished with planting strip, with vertical green wall at 1/F along Ta Chuen Ping Street, and edge plantings at 1/F and 2/F along the development edges of the proposed development. The above design measures may promote visual interest and comfort for pedestrians;

Landscape

- (c) the Site is situated in an area of industrial urban landscape character, where dominated by industrial buildings. It is currently occupied by an existing building without any landscape resources. The proposed development is considered not incompatible with the landscape setting in proximity; and
- (d) landscape provisions such as edge planters on G/F, landscape gardens with lawn/shrubs/trees planting on 1/F and 2/F, vertical wall at 1/F along Ta Chuen Ping Street and adequate open space with seating facilities, fitness equipment and children play area on 2/F are proposed to enhance the landscape quality of the development. She has no objection to the application from landscape planning perspective. In view of the limited public frontage and limited available space for effective landscape treatments to enhance the quality of public realm at street level, landscape condition is not necessary should the application be approved by the Board.

Tourism Aspect

10.1.7 Comments of the Commissioner for Tourism (C for Tourism):

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. In this regard, he has no objection to the proposed hotel development 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.

Licensing Aspect

10.1.8 Comments of the Chief Officer (Licensing Authority), Home Affairs Department (CO(LA), HAD):

He has the following comments under the Hotel and Guesthouse Accommodation Ordinance (HAGAO):

- (a) at the time of application under HAGAO, the applicant should submit a copy of the occupation permit for the proposed hotel issued by the Building Authority when making an application under HAGAO;
- (b) the licensed areas should be physically connected; and

- (c) the licensing requirements will be formulated after his inspection upon receipt of the application under HAGAO.

Building Matters

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

- (a) under the Buildings Ordinance (BO), no person shall commence or carry out any building works without having first obtained approval and consent from the Building Authority before commencement of works on leased land unless they are exempted under s.41 of the BO, or fall within minor works under the Building (Minor Works) Regulation. Authorized Person must be appointed to coordinate all new building works in accordance with BO;
- (b) for Unauthorized Building Works (UBW) erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the application site under the BO;
- (c) the permitted PR and SC under the BO should be assessed in accordance with Building (Planning) Regulations (B(P)R) 19, 20, 21 and 22;
- (d) the sustainable building design requirements (building separation, building set back and site coverage of greenery) in Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 and PNAP APP-152 would be applicable to the building plan submission if GFA concessions for non-mandatory areas/greenery features are to be applied;
- (e) it is noted the proposed PR and SC of the proposed hotel have exceeded the permissible domestic PR and SC. Application for hotel concession will be considered at plan submission stage subject to the proposal satisfying all the laid down criteria under B(P)R 23A and PNAP APP-40; and
- (f) detailed comments will be given during the building plan submission stage.

Fire Safety

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

He has no objection in principle to the application subject to fire services installations and water supplies for firefighting being provided to the satisfaction of his department. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. Arrangement on emergency vehicular access shall comply with the Code of Practice for Fire Safety in Buildings which is administered by BD.

- 10.2 The following government departments have no objection to or no comment on the application:
- (a) Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD)
 - (b) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
 - (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
 - (d) Commissioner of Police; and
 - (e) District Officer (Kwai Tsing), Home Affairs Department (DO(K&T), HAD).

11. Public Comments Received During Statutory Publication Period

During the statutory public inspection periods, five public comments from four individuals were received (**Appendix III**). All of them raised objection to the application. The major grounds are summarised as follows:

- (a) the area is planned for industrial use. The one-way road network in the area cannot cater for the traffic flow and pedestrians induced by the proposed hotel development. Currently, there are roadside parking in the area. Large amount of tour coaches/tourists may give rise to conflict with pedestrians in the area and the proposed development would aggravate the traffic condition in the area; and
- (b) many hotels are already closed down and converted to shared living accommodation. The prospect for the return of number of visitors to previous level is remote.

12. Planning Considerations and Assessments

- 12.1 The application is for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. +20%) for a proposed 31-storey hotel development (including one basement level) at the Site zoned "OU(B)" on the OZP. The proposed hotel development includes about 1,196 guest rooms with restaurant on 2/F. The proposed BH of 130mPD does not exceed the OZP restriction.

Planning Intention and Land Use Compatibility

- 12.2 The proposed hotel development is generally in line with the planning intention for the "OU(B)" zone and the transformation in this area from industrial to general business uses. The proposed hotel development is also 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 and would help transform the area for new non-polluting business uses. The proposed BH of not more than 130mPD complies with the BH restriction under the OZP. There are hotels in proximity to the Site (i.e. Hotel Ease Tsuen Wan, Silka Tsuen Wan Hotel and Hotel Cozi – Oasis). They had been implemented and completed subsequent to the approval of planning applications (**Plan A-1b**). The Site is located at the north-western fringe of the Wo Y Hop Road Business Area which is characterised by a mix of IBs, I-O and hotel development. The proposed hotel use at the Site is considered not incompatible with the surrounding uses. C for Tourism has no objection to the application for the proposed hotel development.

Policy Aspect

- 12.3 The OP for the subject IB was issued in 1970 and the existing development can be

regarded as an eligible pre-1987 IB under the Government's policy on revitalising IBs. SDEV is willing to support this application in principle subject to its full compliance with all relevant requirements under the revitalisation scheme.

Technical Aspects

- 12.4 The applicant has submitted technical assessments to confirm the feasibility of the proposed development. According to the applicant, the TIA submitted has demonstrated that the proposed development would not cause adverse traffic impact to the adjacent road network. C for T has no in-principle objection to the application subject to the incorporation of approval conditions set out in paragraphs 13.2(a) and (b) below to address the traffic concern. DEP and DSD have no objection to the application and their concerns on the sewage aspect can be addressed by the imposition of approval conditions as set out in paragraphs 13.2(c) and (d) below. Other relevant Government departments including FSD have no objection to/no adverse comments on the application.

Planning and Design Merits

- 12.5 The proposed development has incorporated 3.5m wide NBA along Ta Chuen Ping Street according to the OZP requirement to cater for the long-term road widening proposal and to improve air ventilation. It has also incorporated voluntary above-ground setbacks of 0.95m, 2.3m, 2.3m and 3.3m along its southern, western, northern and eastern boundaries respectively. The G/F and 1/F of the proposed development has incorporated voluntary setback furnished with planting strip, and edge plantings are proposed at 1/F and 2/F (**Drawings A-11 to A-16**). A greening ratio of about 26.09% is also proposed. CTP/UD&L, PlanD considers that these design measures may promote visual interest and comfort for pedestrians, and the proposed development will unlikely induce any significant adverse visual impact to the surroundings. Landscape provisions such as edge planters/landscape gardens/vertical green wall and open space have been proposed to enhance the landscape quality of the development. Given the above, it is considered that the proposal allows for redevelopment which is in keeping with the planning intention, character and context of the surrounding developments.
- 12.6 On the sustainability building design, the applicant indicates that the proposed development has taken into account the relevant SBDG requirements in terms of building setbacks and greenery. Besides, the applicant has proposed green building design, including sensor for lighting system and low-e glass façade, etc. Detailed proposed measures on green building design can be considered at the detailed building design stage upon building plan submission.

Previous and Similar Applications

- 12.7 The Site is the subject of a previous application (No. A/KC/371) for proposed wholesale conversion of the existing IB into hotel and was approved with conditions by the Committee on 10.2.2012. As set out in para. 7.3 above, there were a total of 22 similar applications for the wholesale conversion or redevelopment of IB/I-O building in respect of 15 hotel developments within the "OU(B)" zone in Kwai Chung and 19 were approved with conditions. There is no major change in the planning circumstances since the approval of these applications and the approval of the subject application is consistent with the previous decisions of the Committee on similar applications.

Public Comments

12.8 Regarding the concerns raised in the public comments, the planning assessments above and the departmental comments in paragraph 10 above are relevant.

13. Planning Department's Views

13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11, the Planning Department has no objection to the application.

13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 6.11.2024, 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 also suggested for Members' reference:

Approval Conditions

- (a) the design and 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;
- (b) the design and implementation of traffic measures as proposed by the applicant at his own cost prior to occupation of the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the submission of an updated Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment for the proposed development in (c) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (e) submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to the development of the site to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.

Advisory Clauses

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

13.3 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 for the proposed minor relaxation of plot ratio restriction.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15. Attachments

Appendix I	Application form received on 11.5.2020
Appendix Ia	Supplementary Planning Statement
Appendix Ib	FI 1 received on 23.6.2020
Appendix Ic	FI 2 received on 10.8.2020
Appendix Id	FI 3 received on 9.9.2020
Appendix Ie	FI 4 received on 16.9.2020
Appendix If	FI 5 received on 12.10.2020
Appendix Ig	FI 6 received on 30.10.2020
Appendix II	Similar Applications
Appendix III	Public Comments
Appendix IV	Advisory Clauses
Drawing A-1	Basement Plan
Drawings A-2 to A-3	G/F Plan
Drawings A-4 to A-8	1/F to 29/F Plan
Drawings A-9 to A-10	Schematic Section Plans
Drawings A-11 to A-12	Landscape Master Plans
Drawings A-13 to A-14	Landscape Sections
Drawings A-15 to A-16	Renderings of Facade Treatments
Drawings A-17 to A-18	Greenery Calculations
Plan A-1a	Location Plan
Plan A-1b	Similar Applications
Plan A-2	Site Plan
Plans A-3 and A-4	Site Photos
Plan A-5	Pedestrian Access Network in Kwai Chung