

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

**APPLICATION NO. A/YL/253**

- Applicant** : Grand Joint Enterprises Limited represented by Lanbase Surveyors Limited
- Site** : 16 Hi Yip Street, Tung Tau Industrial Area (TTIA), Yuen Long, New Territories (Yuen Long Town Lot (Y.L.T.L.) 443)
- Site Area** : 3,106m<sup>2</sup> (about)
- Lease** : Y.L.T.L. 443 under New Grant No. 4390
- The lot shall not be used for any purpose other than the following:
- (i) Non-industrial purposes (excluding residential, godown and petrol filling station (PFS) purposes)
  - (ii) Ground Floor (G/F) shall not be used for public car park
  - (iii) Restricted to public car park use above G/F
- Plan** : Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/23
- Zoning** : “Other Specified Uses” (“OU”) annotated “Public Car Park with Ground Floor Retail Shops (1)” (“OU (Public Car Park with Ground Floor Retail Shops (1))”)  
*[Restricted to a maximum plot ratio (PR) of 5 and a maximum building height (BH) of 15 storeys excluding basement(s)]*
- Application** : Proposed Office cum Public Car Park with G/F and First Floor (1/F) Retail Shops and Minor Relaxation of Plot Ratio Restriction

**1. The Proposal**

- 1.1 The applicant seeks planning permission to redevelop the existing 3-storey purpose-built public car park building, known as Denker Plaza, on the application site (the Site) (**Plan A-1**) into a 12-storey (including one basement floor) office-cum-public car park building with retail shops on parts of the G/F and 1/F, as well as minor relaxation of PR restriction from 5 to 5.75 (+15%). According to the Notes of the OZP for the “OU (Public Car Park with Ground Floor Retail Shops)” zone, ‘Public Vehicle Park (excluding container vehicle)’ and ‘Shop and Services (G/F only)’ are always permitted, while ‘Office’ and ‘Shop and Services (not elsewhere specified)’ are Column 2 uses which require planning permission

from the Town Planning Board (the Board). Minor relaxation of the PR restriction may also be considered by the Board on its individual merits.

- 1.2 The Site is the subject of two previous approved applications (No. A/YL/226 and 248). The former application was for the same use as the current but without minor relaxation in PR, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 10.11.2017. The approved scheme involves a PR of 5, site coverage (SC) of 85% and a maximum BH of 43.95mPD (12 storeys (including one basement car park floor)) providing about 15,530m<sup>2</sup> of non-domestic gross floor area (GFA). The public car parking spaces will be provided at G/F (portion), 1/F (portion), 2/F and 3/F, while the private car parking spaces will be provided at the basement level (B/F). The latter application was for temporary religious institution (church) for a period of 5 years at parts of the G/F of the existing building, which was also approved by the Committee on 17.8.2018. Details of the previous applications are at paragraph 5 below and **Appendix II**.
- 1.3 According to the applicant, the proposed development would provide a total of 365 no. of car parking spaces, 35 no. of motorcycle spaces, 14 no. of heavy goods vehicle (HGV) parking/ loading/unloading (L/UL) spaces and 4 light goods vehicle (LGV) L/UL spaces for public and private use. The proposed development involves a PR of 5.75, SC of 75% and a maximum BH of 54.1mPD (12 storeys (including one basement car park floor)) providing about 17,859.5m<sup>2</sup> of non-domestic GFA. The public car parking spaces will be provided at G/F (portion), 1/F (portion), and 2/F to 5/F, while the private car parking spaces will be provided at the B/F. A single ingress/egress for the proposed development will be located at the north-western corner of the Site abutting Hi Yip Street (**Drawing A-2**). A building set-back of about 3.76m in width will be provided along Hi Yip Street (**Drawing A-2**) and a communal sky garden will be provided at the 6/F (**Drawing A-8**). Floor plans, section plan, landscape proposal and photomontages submitted by the applicant, with comparisons with the previous approved application (No. A/YL/226), where appropriate, are at **Drawings A-1 to A-16**. The proposed development is anticipated to be completed by 2022.
- 1.4 A comparison of the major development parameters of the existing building on the Site, the previously approved scheme (No. A/YL/226) and the current scheme is summarised in the table below:

	Existing Building (Denker Plaza) (a)	Approved Scheme (No. A/YL/226) (b)	Current Scheme (No. A/YL/253) (c)	Difference (c)-(a)	Difference (c)-(b)
Site area (m <sup>2</sup> ) (about)	3,106	3,106	3,106	No change	No change
Non-domestic PR (about)	3.357	5	5.75	+2.393 (+71.3%)	+0.75 (+15%)
Non-domestic GFA (m <sup>2</sup> ) (about)	10,426	15,530	17,859.5	+7,433.5 (+71.3%)	+2,329.5 (+15%)
Office	--	7,031	5,560	+5,560	-1,471 (-20.9%)
Public car park	7,908	7,780	10,109	+2,201 (+27.8%)	+2,329 (+29.9%)
Shop and	1,954	655	1,977	+23	+1,322

	Existing Building (Denker Plaza) (a)	Approved Scheme (No. A/YL/226) (b)	Current Scheme (No. A/YL/253) (c)	Difference (c)-(a)	Difference (c)-(b)
<i>services</i>				(+1.2%)	(+201.8%)
<i>Sky garden</i>	--	--	149.5 <sup>1</sup>	+149.5	+149.5
<i>Lift lobby</i>	--	64	64	+64	No change
<i>Staff rest area</i>	563	--	--	-563	No change
<b>SC (%)</b>	100	85	75	-25%	-10%
<b>BH (mPD)</b>	16.35	43.95	54.1	+37.75m (+230.9%)	+10.15m (+23.1%)
<b>Greenery area (m<sup>2</sup>)</b>	--	688	1,070	+1,070	+382 (+55.5%)
<b>No. of storeys</b>	3	12 (including one basement car park floor)	12 (including one basement car park floor)	+9 (+300%)	No change
<b>No. of public parking spaces</b>					
<i>Private car</i>	183	213	317	+134 (+73.2%)	+104 (+48.8%)
<i>Motorcycle</i>	10	10	30	+20 (+200%)	+20 (+200%)
<i>HGV</i>	--	11	12	+12	+1 (+9.1%)
<b>No. of private parking spaces and L/UL bays</b>					
<i>Private car</i>	--	50	48	+48	-2 (-4%)
<i>Motorcycle</i>	--	5	5	+5	No change
<i>L/UL bays</i>					
<i>LGV</i>	--	3	4	+4	+1 (+33.3%)
<i>HGV</i>	--	2	2	+2	No change

1.5 As compared with the previously approved scheme (No. A/YL/226), the major changes in the current scheme include (**Drawings A-1 to A-16**):

- (a) increase in non-domestic GFA/PR of about 2,329.5m<sup>2</sup>/0.75 (+15%) ;
- (b) increase in BH by 10.15m;
- (c) increase in GFA of ‘shop and services’ use from 655m<sup>2</sup> to 1,977m<sup>2</sup> (+201.8%) with additional ‘shop and services’ use on 1/F (part);
- (d) decrease in GFA for ‘office’ use from 7,031m<sup>2</sup> to 5,560m<sup>2</sup> (-20.9%);
- (e) increase in the number of public car, motorcycle and HGV parking spaces by 104 (+48.8%), 20 (+200%) and 1 (+9.1%) respectively;
- (f) increase in the number of LGV L/UL space by 1 (+33.3%) and decrease in private car parking spaces by 2 (-4%);
- (g) increase in greenery area from 688m<sup>2</sup> to 1,070m<sup>2</sup> (+55.5%); and
- (h) additional 3.76m (about) set-back along Hi Yip Street and provision of a sky garden at the 6/F.

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

- (a) Application Form received on 12.11.2018 **(Appendix I)**
- (b) Supplementary Planning Statement **(Appendix Ia)**

<sup>1</sup> GFA concessions and exemptions (including any communal podium/sky garden, and greenery features, etc.) claimed or as may be claimed by the applicant are subject to the Building Authority (BA)’s approval at building plan submission stage.

- (c) Further Information (FI) received on 6.5.2019 enclosing a response-to-comment (R-to-C) table, and revised development schedule, floor plans, photomontages and traffic impact assessment (TIA)  
*[accepted but not exempted from publication and recounting requirements]* **(Appendix Ib)**
- (d) FI received on 28.8.2019 enclosing a R-to-C table, revised floor plans and photomontages, and a kerbside parking demand survey  
*[accepted and exempted from publication and recounting requirements]* **(Appendix Ic)**
- (e) FI received on 4.10.2019 enclosing a R-to-C table, and revised development schedule, photomontages and floor plans  
*[accepted but not exempted from publication and recounting requirements]* **(Appendix Id)**
- (f) FI received on 16.10.2019 enclosing a R-to-C table, and revised TIA and photomontages  
*[accepted but not exempted from publication and recounting requirements]* **(Appendix Ie)**
- (f) FI received on 19.11.2019 enclosing a R-to-C table and revised photomontages  
*[accepted and exempted from publication and recounting requirements]* **(Appendix If)**
- (g) FI received on 3.12.2019 clarifying the proposed development with a revised section and sequential changes to the landscape proposal, number of public motorcycle parking space, further justification on shop and services on 1/F and the completion year of the proposed development  
*[accepted and exempted from publication and recounting requirements]* **(Appendix Ig)**
- (h) FI received on 4.12.2019 clarifying the clerical error on the revised landscape proposal  
*[accepted and exempted from publication and recounting requirements]* **(Appendix Ih)**

1.7 On 4.1.2019, 8.3.2019 and 5.7.2019, the Committee agreed to defer a decision on the application each for a period of 2 months as requested by the applicant. Subsequently, the applicant submitted FIs on 28.8.2019, 4.10.2019, 16.10.2019, 19.11.2019, 3.12.2019 and 4.12.2019 (**Appendices Ic to Ih**) and the application is scheduled for consideration at this meeting.

## 2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in Section 6 of **Appendix Ia** and FIs at **Appendices Ib** to **Ih**. They are summarised as follows:

### Conformity with the planning intention

- (a) The proposed development is in line with the planning intention of the “OU (Public Car Park with Ground Floor Retail Shops (1))” zone. The proposed development would provide public car parking spaces at G/F to 5/F and retail shops at portions of G/F and 1/F. The GFA split between public car park and other commercial uses would be about 57:43, and the GFA for retail shops would be 1,977m<sup>2</sup>, which is comparable to that of the existing building (i.e. 1,954m<sup>2</sup>). As more space is needed to accommodate the additional public HGV parking space, the essential E&M facilities on the G/F arising from the larger public car park, the building setback along Hi Yip Street and the additional at-grade landscaping, some retail shop element would inevitably have to spill over to parts of the 1/F to achieve the previously approved commercial (office and retail shop) floor space. Compared with the previous approved scheme, the current proposal has a greater proportion of floor space for public car park use, which is more in line with the planning intention of the subject zone.

### Previous planning permission for similar use

- (b) The Site is subject to a planning approval (No. A/YL/226) for the same use albeit without the minor relaxation in PR sought. Similar considerations should be given to the current application as the extent of the proposed commercial (office and retail shop) floor space remains the same as the previous approval.

### Maximisation of development potential for more public car parking spaces for the area

- (c) Surveys show that there is strong kerbside parking demand in the area (**Appendix Ie**). The proposed minor relaxation in PR from 5 to 5.75 (+15%) is purely for public car park use and would facilitate an increase in public car parking spaces in the TTIA. Compared with the approved scheme, there would be an additional 104, 20 and 1 nos. of public car, motorcycle and HGV parking spaces respectively under the current application. The development potential of the Site would be maximised to meet the acute demand for public car parking spaces in the district and help reduce the prevalent illegal on-street parking in the area.

### In line with the transformation of the area

- (d) TTIA is gradually transforming from an industrial to business district. The demand for commercial floor space is increasing. According to the Planning Department (PlanD)’s Study Report on 2014 Area Assessments of Industrial Land in the Territory, the increasing percentage of non-industrial GFA in the existing industrial buildings demonstrated gradual transformation of the area to commercial uses. The proposal with commercial GFA is in line with the transformation of the TTIA.

Increase in employment opportunities

- (e) With the increase in commercial GFA (compared with the existing situation), it is anticipated that the employment opportunities would be increased, which would help local economic development in Yuen Long.

No adverse visual impact

- (f) The proposed BH of 12 storeys (including one basement floor) is less than the OZP restriction of 15 storeys. No adverse visual impact is anticipated. The area is currently dominated by dilapidated industrial buildings. The proposed modern-designed office-cum-public car park building with curtain glass walls would help break the visual monotony in the vicinity and improve the local townscape.

Design merits

- (g) The proposed full height setback along Hi Yip Street would be open for public use at all times, thus improving pedestrian accessibility, connectivity, comfort and safety. Feature paving (green grid paving) will also be provided at the setback areas and would be maintained by the owner.
- (h) A communal sky garden with lush landscaping would enhance air ventilation and visual permeability of the building. The communal sky garden would be open for occupants and visitors' use during reasonable hours, which would enhance the public's enjoyment of the landscape and greenery features.
- (i) More than 20% SC of greenery will be provided to meet the requirements of the Sustainable Building Design Guidelines (SBDG). Building Environment Assessment Method Plus (BEAM Plus) and Joint Practice Note No. 1 on Green and Innovative Buildings will also be adopted in the proposed development.

No adverse traffic impacts

- (j) According to the revised TIA (**Appendix Ie**), the proposed development would generate an addition of not more than 25 passenger car units per hour (combined 2-way) in both AM and PM commuter peaks, as compared with the approved scheme. All junctions analysed would operate with spare capacities by 2025 with the proposed development in place. The proposed minor relaxation in PR by 15% would facilitate genuine relief to the existing shortage of car and goods vehicle parking spaces in the local area. No adverse impact to the surrounding road and pedestrian networks is envisaged.

No adverse drainage and sewerage impacts

- (k) Given that the present infrastructure in the area was designed for industrial uses, the existing public sewer should be able to cater for the future sewerage discharge from the proposed commercial building. The proposed development would only have minimal impact to the existing sewerage system. No adverse drainage and sewerage impact is anticipated.

No temporary parking spaces is necessary during the construction period

- (l) The issue on temporary parking during the construction period had been duly addressed in the previous planning approval. According to the submitted survey (**Appendix Ie**), the adjacent parking facilities would be able to absorb all the parking demand currently using the Site even when the Site is closed during construction. Furthermore, there are new public car parking facilities being commissioned within TTIA.

**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. Background**

The Site was zoned “OU (Public Car Park with Ground Floor Retail Shops)” with no PR and BH restrictions when the draft Yuen Long OZP No. S/YL/1 was gazetted on 12.4.1991. Subsequently, under the draft Yuen Long OZP No. S/YL/16 gazetted on 5.1.2007, the Site was rezoned to the current “OU (Public Car Park with Ground Floor Retail Shops (1))” with the imposition of a PR restriction of 5 to provide better planning control on the development intensity upon development/redevelopment. A maximum BH of 15 storeys (excluding basement(s)) was also imposed in view of the low to medium-rise BH profile of the surrounding areas and the proposed stepped height concept for Yuen Long New Town.

**5. Previous Applications**

- 5.1 The Site is the subject of two previous approved applications (No. A/YL/226 and 248). The former application was for proposed office-cum-public car park building with G/F retail shops which was approved with conditions by the Committee on 10.11.2017, mainly on the considerations that the proposal was not incompatible with the surrounding uses; although the office element of the proposed development was not entirely in line with the planning intention, when compared with the existing public car park at the Site, the proposal could optimise the use of land with the provision of an additional 30 car parking and 11 new HGV parking spaces for public use; and concerned government departments had no objection/adverse comment on the application. The set of building plans to effect this approved scheme was approved by the BA on 9.11.2018 but has yet to be implemented.
- 5.2 The latter application was for temporary religious institution (church) for a period of 5 years at Shop Nos. 3 and 6 on the G/F of Denker Plaza which was approved with conditions by the Committee on 17.8.2018, mainly on the consideration that the proposed use was not incompatible with the other retail shops on G/F of the existing building and the proposal would not jeopardise the redevelopment plan of the existing building. Details of the previous applications are summarised in **Appendix II** and the boundaries of the sites are shown on **Plan A-1**.

**6. Similar Application**

There is no similar application for ‘Office’ use and/or minor relaxation of PR restriction within the same zone nor for the other four similar “OU” zones involving public car parks on the subject OZP (including two “OU” annotated “Public Car Park with Ground Floor Retail Shops” zone, one “OU” annotated “Public Car Park to include Retail and Residential Uses” zone and one “OU” annotated “Public Car Park and Petrol Filling Station with Ground Floor Retail Shops” zone).

**7. The Site and Its Surrounding Areas (Plans A-1 to A-4c)**

7.1 The Site:

- (a) is located in the southern portion of the TTIA (**Plan A-1**);
- (b) currently occupied by a 3-storey purpose-built public car park building, known as Denker Plaza, consisting of the following major uses:

<b>Floor</b>	<b>Current major uses</b>
G/F	Retail shops, church (covered by planning permission No. A/YL/248), private car parking spaces and L/UL spaces
1/F and 2/F	Public car park with a total of 183 no. of car parking spaces and 10 no. of motorcycle spaces

The occupation permit of Denker Plaza was issued in 2005 with a total non-domestic GFA of 10,426m<sup>2</sup>; and

- (c) the existing public car park is accessible from Hi Yip Street at the north-western corner of the Site (**Plan A-2**).

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

- (a) predominantly occupied by industrial buildings with a number of vehicle repair workshops and retail shops on the respective G/Fs within the “OU” annotated “Business” (“OU(B)”) and “OU(B)(1)” zones;
- (b) to its north-east across Hi Yip Street is a piece of vacant woodland zoned “Open Space” (“O”) and to its south across a service lane is Wang Yip Street South Rest Garden on land also zoned “O”;
- (c) to its south-east across a cycle track is the Po Leung Kuk Energetic Youth Club (a local community youth service centre) on land zoned “Government, Institution or Community” (“G/IC”);
- (d) to its further west across Wang Yip Street West and Wang Yip Street South is a site zoned “Comprehensive Development Area” (“CDA”) covered by a planning permission (No. A/YL/182-1) for a completed residential development, known as The Spectra;



- (e) at the western and northern peripheries of the TTIA across Wang Yip Street West are two residential developments, viz. Wang Fu Court and Twin Regency respectively on land zoned “Residential (Group E)1” (**Plan A-1**); and
- (f) the West Rail Long Ping Station is located about 200m to its southwest (**Plan A-1**).

## **8. Planning Intention**

- 8.1 The “OU (Public Car Park with Ground Floor Retail Shops (1))” zone is intended primarily for public car park with G/F retail shops.
- 8.2 According to the Explanatory Statement of the OZP, to provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the PR/GFA and BH restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits with reference to the following criteria:
  - (a) amalgamating smaller sites for achieving better urban design and local area improvements;
  - (b) accommodating the bonus PR granted under the Buildings Ordinance (BO) in relation to surrender/dedication of land/area for use as public passage/street widening;
  - (c) providing better streetscape/good quality street level public space;
  - (d) providing separation between buildings to enhance air ventilation and visual permeability; and
  - (e) other factors, such as site constraints, need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape, visual and air ventilation impacts, as appropriate, would be resulted from the innovative building design.

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

- 9.1 The following Government departments have been consulted and their views on the application and the public comments received, where appropriate, are summarised as follows:

### **Land Administration**

- 9.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) The Site is governed by New Grant No. 4390 dated 11.5.1998 (the

New Grant). The following development conditions are relevant:

- (i) Special Condition (S.C.) (5) of the New Grant restricts that the lot shall not be used for any purpose other than for non-industrial purposes (excluding residential, godown and PFS purposes) and in particular:
  - Other than the building or part of any building at G/F level, the lot shall not be used other than for the purposes of the public carpark as referred to in S.C.(6) and the provision of spaces referred to in S.C.(10); and
  - The building or part of any building at G/F level shall not be used for the purposes of the public carpark.
- (ii) S.C.(6) provides that the lot owner shall, erect construct and maintain a multi-storey public car park (the public carpark) in which the public carpark shall be provided on floor(s) other than the G/F or level of the building(s) erected or to be erected on the lot.
- (iii) S.C.(7)(c) provides that the total GFA shall not be less than 9,318m<sup>2</sup> and shall not exceed 15,530m<sup>2</sup>.
- (iv) S.C.(9)(a) provides that the Lot Owner shall operate, conduct and manage the public carpark at all times; and S.C.(9)(c) requires that the car parking spaces within the public carpark shall be sublet to members of the public on an hourly, monthly or quarterly basis for the parking of motor vehicles.
- (v) S.C.(10)(a) provides that spaces shall be provided within the lot for the parking of motor vehicles at the rate of one space for every 300m<sup>2</sup> or part thereof the GFA in the building(s) erected or to be erected on the Lot to be used for non-industrial (excluding residential, godown and PFS) purposes excluding any floor area to be used for such parking purposes and for L/UL of vehicles under S.C.(10)(b) and the floor area of the public carpark.
- (vi) S.C.(10)(b) provides that spaces shall be provided within the Lot for the L/UL of motor vehicles at the rate of one space for every 1,000m<sup>2</sup> or part thereof the GFA in the building(s) erected or to be erected on the Lot to be used for non-industrial (excluding residential, godown and PFS) purposes excluding any floor area to be used for L/UL purposes and for parking purposes under S.C. (10)(a) and the floor area of the public carpark.
- (vii) S.C.(10)(c) provides that there shall not be taken into account for GFA calculation in respect of the spaces

provided within the building(s) erected or to be erected on the Lot in accordance with S.C.(10)(a) and (10)(b), provided that if the no. of such spaces exceeds the minimum no. calculated under S.C.(10)(a) and (10)(b), all the spaces in excess of that minimum no. shall be taken into account for GFA calculation.

- (viii) The lot is not affected by the Shek Kong Airfield Height Restrictions.
  - (ix) According to her record and the car park layout plan deposited with her office, there are 7 private car parks and 2 L/UL spaces on G/F, total 183 car parking spaces and total 10 motorcycle spaces in the public carpark on 1/F and 2/F.
- (b) Should the application be approved, the owner of the captioned lot is required to apply to her department for a modification of the lease of the lot for the proposed redevelopment. However, there is no guarantee that such application, including the granting of any government land (if any), will be approved. Such application will be dealt with by her department acting in the capacity as the landlord at her discretion, and if it is approved will be subject to such terms and conditions including among others, the payment of such appropriate fees as may be imposed by her department.

### **Traffic**

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

Noting that the number of private car parking spaces has increased from the existing 183 to 213 under the previous planning approval (No. A/YL/226), and further increased to 317 under this application, he agrees with the applicant's assessment that the proposed increase of parking spaces would meet the local demand for parking spaces in the area. As such, he has no objection in principle to the application from traffic engineering perspective subject to the following conditions:

- (a) The submission of a consolidated TIA to his or the Board's satisfaction.
- (b) The design and provision of vehicular access and car parking and L/UL facilities for the proposed development to his or the Board's satisfaction.
- (c) The design and provision of public vehicle parking facilities in the proposed development to his or the Board's satisfaction.

#### 9.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) If any road improvements (including junction improvement,

enhancement/addition of pedestrian crossing facilities, etc.) are considered necessary by the Transport Department (TD) due to the proposed development, they shall be implemented by the applicant to the satisfaction of TD and his department at the applicant's own cost.

- (b) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains.

### **Environment**

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

- (a) Based on the FI (**Appendix Ic**), he noted that there is no chimney emission in the vicinity of the Site. Moreover, the Site does not fall within Potential Hazardous Installation Consultation Zone and the 250m Consultation Zone of a public landfill.
- (b) Office developments are normally provided with central air conditioning system and the applicant/ Authorised Persons (AP) 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.
- (c) Should the application be approved, the applicant shall within 6 months of the approval submit a Sewerage Impact Assessment (SIA) to his or the Board's satisfaction. The applicant shall be responsible to implement the local sewerage upgrading/ sewerage connection works as to be recommended in the approved SIA report.

### **Urban Design, Air Ventilation and Landscaping**

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

Based on the FI (**Appendix Ic**), he notes that the revised proposed development consists of 12 storeys building (including one floor of basement car park) which complies with the permitted BH restriction of 15 storeys (excluding basement floors) as specified in the Notes of the OZP and may not be incompatible with the adjacent developments with building heights ranging from 6 to 18 storeys. In this regard, he has no comment from visual impact point of view.

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

##### Urban Design

- (a) The proposed building height would not exceed the 15 storey building height restriction on the extant OZP. As such, significant

visual implication from the proposed development is not anticipated.

- (b) Some good designs are noted from the submission, including the proposed full-height setback along Hi Yip Street which will be open for public use at all times with a featured paving; the adoption of the SBDG; and the provision of a communal sky garden, which the applicant claims would enhance air ventilation and visual permeability of the proposed building. Presumably, these designs would be reflected during the detailed design stage.

#### Landscaping

- (c) Apart from providing two small edge planters at carpark levels from 2/F to 5/F, the Applicant should explore opportunities for greening measures along the building edges at lower levels facing Hi Yip Street to maximise the greening effect.
- (d) The applicant should consider to relocate the proposed planter on 3/F from the western corner to a better location near the southern corner for receiving sufficient sunlight to promote healthy and sustainable plant growth.
- (e) It is noted that the proposed tree planting location as indicated in the Landscape Master Plan is different from that as shown in Section Plan (Appendix C in **Appendix Ig**) and Top Roof Plan (Appendix D in **Appendix Ig**).
- (f) The applicant is reminded that proper access should be provided for all the planting areas, particularly the edge planters at various levels, for vegetation maintenance.
- (g) The applicant is advised that the approval of the application by the Board does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. The applicant is reminded to approach relevant authority/government department(s) directly to obtain the necessary approval on tree works.

#### Fire Safety

##### 9.1.7 Comments of the Director of Fire Services (D of FS):

- (a) He has no objection in principle to the planning application subject to fire service installations and water supplies for firefighting being provided to his satisfaction. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.
- (b) The arrangement of emergency vehicular access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in

Buildings 2011 which is administered by the Buildings Department (BD).

### **Drainage**

9.1.8 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- (a) He has no objection in principle to the proposed development from public drainage point of view.
- (b) Should the Board consider the application acceptable from the planning point of view, approval condition should be stipulated requiring the applicant to submit a SIA report and to implement the proposed works to the satisfaction of Director of Drainage Services or of the Board.

### **Building Matters**

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

- (a) Based on the FI (**Appendix Ic**), the proposed SC of 75% should be subject to the application of setback approach with sufficient justification to satisfy the criteria set out in Practice Notes for AP, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-132. He reserves the comment on it. Detailed checking of plans will be carried out during building plan submission stage.
- (b) If the proposed PR is based on the assumption that GFA concession will be granted, the pre-requisites in PNAP APP-151 and PNAP APP-152 should be complied with.
- (c) The storey height of G/F (5.5m) and 1/F (5m) should be justified during building plan submission stage.
- (d) Disregarding public and private car parking spaces from GFA calculation under the BO will be considered on the basis of the criteria set out in PNAP APP-2 during building plan submission plan.

9.2 The following government departments have no comments/no adverse comments on the application:

- (a) District Officer/Yuen Long, Home Affairs Department (DO/YL, HAD);
- (b) Project Manager/West, Civil Engineering and Development Department (PM/W, CEDD);
- (c) Head of the Geotechnical Engineering Office, CEDD (H(GEO), CEDD);

- (d) Director of Electrical and Mechanical Services (DEMS);
- (e) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- (f) Commissioner of Police (C of P).

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

On 20.11.2018, 17.5.2019 and 22.10.2019, the application and the FIs were published for public inspection respectively. During the first three weeks of the statutory public inspection periods, which ended on 11.12.2018, 8.6.2019 and 12.11.2019, three comments were received from two members of the general public (**Appendices III-1 to III-3**) suggesting the use of stacked facilities for car parking on site and expressing concern on sewerage disposal of the proposed development.

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

- 11.1 The subject application is for redevelopment of the existing 3-storey purpose-built public car park building into a 12-storey office-cum-public car park building with retail shops on portions of the G/F and 1/F at the Site. The proposal also involves minor relaxation of the PR restriction from 5 to 5.75 (+15%) resulting in an additional 2,329.5m<sup>2</sup> of non-domestic GFA. Compared with the previously approved scheme for the same use (No. A/YL/226), the additional non-domestic GFA is purely for public parking use, resulting in an additional 104, 20 and 1 nos. of public car, motorcycle and HGV parking spaces respectively.

### Planning Intention

- 11.2 The planning intention of the “OU (Public Car Park with Ground Floor Retail Shops (1))” zone is primarily for public car park with G/F retail shops. Although the proposed office (7/F to 10/F) and 1/F retail shop are not entirely in line with the planning intention of the subject zone, the extent of the current proposed office use has been reduced as compared with the previously approved scheme (from 7,031m<sup>2</sup> to the current 5,560m<sup>2</sup>) with part of the floor space being used as a new sky garden for occupants and visitors’ enjoyment during reasonable hours. The applicant also claimed that more space is needed to accommodate the additional public HGV parking space, the essential E&M facilities on the G/F arising from the larger public car park, the building setback along Hi Yip Street and the additional at-grade landscaping. As such, some retail shop element would have to be placed in parts of the 1/F in order to achieve the previously approved commercial (office and retail shop) floor space; the total commercial floor space (including the sky garden) of which has remained unchanged in the current proposal. According to the submitted survey in the revised TIA (**Appendix Ie**), the adjacent parking facilities would be able to absorb all the parking demand currently using the Site even when the Site is closed during construction. Thus, no temporary parking spaces is necessary during the construction period.

### Compatibility

- 11.3 The Site is located in the southern portion of the TTIA, which is undergoing gradual transformation from industrial/warehouse/workshop uses to non-polluting commercial and residential uses. The proposed development is considered not incompatible with the surrounding uses which are mainly medium to high-rise industrial buildings on land zoned “OU(B)” and “OU(B)(1)”. The proposal conforms to the BH restriction of the subject zone and is considered not incompatible with the adjacent developments with BHs ranging from 6 to 18 storeys. In this regard, CA/CMD2, ArchSD and CTP/UD&L, PlanD have no adverse comment on the application.

### Increase in Supply of Public Parking Spaces

- 11.4 The applicant has submitted surveys to substantiate that there are strong local demand and acute shortage of parking spaces in the area (**Appendix Ie**). The current proposed minor relaxation of PR by 15% is purely for public parking use, which would help alleviate the situation. As compared with the existing building, the number of public car parking and motorcycle spaces would increase from 183 to 317 (+73.2%) and from 10 to 30 (+200%) respectively. Furthermore, when compared with the previously approved scheme (No. A/YL/226), the current proposal would provide an additional 104 (+48.8%), 20 (+200%) and 1 (+9.1%) public car, motorcycle and HGV parking spaces respectively. In this connection, C for T agrees with the applicant’s assessment that the proposed increase in parking spaces is aimed at meeting the local demand of parking spaces and therefore he has no objection in principle to the application. The minor relaxation in PR by 15% would improve the public parking situation in the TTIA, which could be considered a planning merit for considering application for minor relaxation of PR as mentioned in paragraph 8.2(e) above.

### Design Merits of the Proposed Scheme

- 11.5 Under the current scheme, a full height setback of about 3.76m in width with at-grade feature paving (green grid paving) is proposed along Hi Yip Street (**Drawings A-2 and A-13**) and will be open for public use at all times to improve the local streetscape. A communal sky garden with adequate space for shrub and tree planting is also proposed at the 6/F (**Drawing A-8**) which would be opened for occupants and visitors’ use at reasonable hours. CTP/UD&L, PlanD considers these to be good design features and has no adverse comment on the application. Besides, more than 20% SC of greenery will be provided to meet the requirements of the SBDG. Such design features have the potential to improve the townscape, streetscape and amenity of the locality and generally meet the criteria for considering application for minor relaxation of PR as mentioned in paragraphs 8.2(c) and (e) above.

### Technical Aspects

- 11.6 Relevant government departments consulted including C for T, DEP, CA/CMD2, ArchSD, CTP/UD&L, PlanD, CE/MN, DSD and CBS/NTW, BD have no objection to/ no adverse comment on the application. Significant adverse traffic, environmental, visual, drainage, sewerage and building safety impacts on the



surrounding area are not envisaged. To address the public concern on sewerage impact and the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 12.2 below should the application be approved.

#### Public Comments

- 11.7 There are three public comments (**Appendices III-1 to III-3**) on the application received during the statutory publication period. The planning considerations and assessments in paragraphs 11.1 to 11.6 above are relevant.

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

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments in paragraph 10 above, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 13.12.2023, 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 also suggested for Members' reference:

#### Approval conditions

- (a) the submission of a consolidated Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the Town Planning Board);
- (b) the design and provision of vehicular access and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the design and provision of public vehicle parking facilities in the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (d) the submission of a Sewerage Impact Assessment (SIA) and implementation of the sewerage proposal identified in the SIA to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the Town Planning Board; and
- (e) the submission and implementation of water supplies for firefighting and fire service installations proposal 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 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

no strong planning and design justification has been given in the submission for the minor relaxation in plot ratio restriction sought.

### **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 applicant.

### **14. Attachments**

<b>Appendix I</b>	Application Form received on 12.11.2018
<b>Appendix Ia</b>	Supplementary Planning Statement
<b>Appendix Ib</b>	FI received on 6.5.2019 enclosing a R-to-C table, and revised development schedule, floor plans, photomontages and TIA
<b>Appendix Ic</b>	FI received on 28.8.2019 enclosing a R-to-C table, and revised floor plans and photomontages, and a kerbside parking demand survey
<b>Appendix Id</b>	FI received on 4.10.2019 enclosing a R-to-C table, and revised development schedule, photomontages and floor plans
<b>Appendix Ie</b>	FI received on 16.10.2019 enclosing a R-to-C table, and revised TIA and photomontages
<b>Appendix If</b>	FI received on 19.11.2019 enclosing a R-to-C table and revised photomontages
<b>Appendix Ig</b>	FI received on 3.12.2019 clarifying the proposed development with a revised section and sequential changes to the landscape proposal, number of public motorcycle parking space, further justification on shop and services on 1/F and the completion year of the proposed development

<b>Appendix Ih</b>	FI received on 4.12.2019 clarifying the clerical error on the revised landscape proposal
<b>Appendix II</b>	Previous applications covering the Site
<b>Appendices III-1 to III-3</b>	Public comments on the application received during the public inspection periods
<b>Appendix IV</b>	Advisory clauses
<b>Drawings A-1 to A-11</b>	Floor plans
<b>Drawing A-12</b>	Section plan
<b>Drawings A-13 to A-15</b>	Landscape proposal
<b>Drawing A-16</b>	Photomontages
<b>Plan A-1</b>	Location plan
<b>Plan A-2</b>	Site plan
<b>Plan A-3</b>	Aerial photo
<b>Plans A-4a to A-4c</b>	Site photos

**PLANNING DEPARTMENT  
DECEMBER 2019**