

MPC Paper No. A/H3/436A  
For Consideration by the  
Metro Planning Committee  
on 21.9.2018

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

**APPLICATION NO. A/H3/436**

<b><u>Applicant</u></b>	Sheen Honour Limited represented by Llewelyn Davies Hong Kong Ltd.
<b><u>Site</u></b>	36 Gage Street, Sheung Wan, Hong Kong
<b><u>Site Area</u></b>	About 88.1m <sup>2</sup>
<b><u>Lease</u></b>	Inland Lot (IL) 62 S.B ss.2
<b><u>Plan</u></b>	Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan (OZP) No. S/H3/31
<b><u>Zoning</u></b>	“Residential (Group A)9” (“R(A)9”)  - a maximum building height (BH) of 120mPD or the height of the existing building, whichever is the greater  - a minimum setback of 1m from the lot boundary fronting Gage Street shall be provided
<b><u>Application</u></b>	Proposed Office, Shop and Services and Eating Place

**1. The Proposal**

- 1.1 The applicant seeks planning permission for a proposed 21-storey office development with shop and services/eating place on G/F to 2/F at 36 Gage Street, Sheung Wan (the Site). The Site falls within an area zoned “R(A)9” on the approved Sai Ying Pun & Sheung Wan OZP No. S/H3/31 (**Plan A-1**). According to the Notes of the “R(A)9” zone, while ‘Office’, ‘Shop and Services’ and ‘Eating Place’ uses are always permitted on the lowest three floors of the building, planning permission from the Town Planning Board (the Board) is required for ‘Office’ use above the lowest three floors.
- 1.2 In support of the application, the applicant submitted the following documents:
- (a) Application form received on 2.3.2018 (Appendix I)
  - (b) Planning Statement received on 2.3.2018 (Appendix Ia)

- (c) Further Information (FI) dated 8.3.2018 providing clarifications on the proposed non-domestic gross floor area (GFA) submitted by the Applicant **(Appendix Ib)**
- (d) FI dated 6.4.2018 providing responses to departmental comments, revised drainage and sewerage impact assessment and additional technical details on traffic impact assessment submitted by the Applicant **(Appendix Ic)**  
*(not exempted from publication and recounting requirements)*
- (e) FI dated 13.4.2018 providing responses to comments from the Commissioner for Heritage's Office and Antiquities and Monuments Office, and major public comments submitted by the Applicant **(Appendix Id)**
- (f) Applicant's letter dated 25.5.2018 requesting deferment of consideration of the application **(Appendix Ie)**
- (g) FI dated 27.7.2018 providing responses to the Planning Department's comments submitted by the Applicant **(Appendix If)**

1.3 The main development parameters and floor uses of the proposed development are set out below:

Site Area	88.1 m <sup>2</sup> (about)
Non-domestic Plot Ratio (PR)	Not more than 15
Total non-domestic GFA	Not more than 1,321.5 m <sup>2</sup>
- Office	- about 1,110 m <sup>2</sup>
- Shop and Services/Eating Place	- about 211.5 m <sup>2</sup>
No. of Blocks	1
Building Height (BH)	Not more than 120mPD at main roof
No. of Storeys	Not more than 21
Site Coverage (SC) below 15m	Not more than 85%
Building Setback	More than 1 m from the lot boundary
Parking Spaces and Loading/Unloading (L/UL) Facilities	Nil
Major Uses by floor:	
G/F to 2/F	Shop and Services/Eating Place
3/F	Mechanical Floor
4/F to 21/F	Office

1.4 The indicative floor layouts and section plan are shown at **Drawings A-1 to A-9**.

1.5 No car parking spaces and L/UL facilities will be provided in the proposed development. Instead, the applicant proposes that the development could use the lay-bys at Site A and Site B of the Urban Renewal Authority (URA) Peel Street/Graham Street Development Scheme (H18 Scheme), located about 15m and 70m away to the south-east of the Site (**Plan A-2**).

- 1.6 The Grade 1 historic structure of Pak Tsz Lane is located at the rear of the buildings at 34-36 Gage Street with an existing passage through the Site to Gage Street (**Plan A-3**). While the original old houses of Pak Tsz Lane have been demolished, the granite steps and the adjoining wall capped by coping concrete are believed to be the original built structure of Pak Tsz Lane (**Plan A-5**). The applicant proposes to re-provide the existing passageway through the Site (**Plan A-8**) with their existing construction materials (i.e. reinforced concrete column and beam structural frame, reinforced concrete floor slabs and brick in-fill walls). As indicated on the G/F layout plan (**Drawing A-1**), a ramp is proposed to replace the step at the passageway's entrance fronting Gage Street to overcome the existing level difference between the Site and Gage Street. A new plaque with material and style of characters matching the early 20<sup>th</sup> century signage design will replace the existing plastic plaque (**Plan A-8**, Photo 5).
- 1.7 The applicant proposes to provide a setback area of not less than 15% with more than 1m setback from the lot boundary along Gage Street to satisfy respectively the Sustainable Building Design Guidelines and the setback requirement stipulated on the OZP.
- 1.8 In support of the application, the applicant has also submitted technical assessments including a Traffic Impact Assessment (TIA), an Environmental Assessment (EA), a Heritage Impact Study Report (HISR), and a Drainage and Sewerage Impact Assessment.
- 1.9 It is expected that the proposed development would be completed by 2022.
- 1.10 The application was received on 2.3.2018 and was originally scheduled for consideration by the Metro Planning Committee (the Committee) on 1.6.2018. On 1.6.2018, at the request of the applicant, the Committee decided to defer making a decision on the application pending the submission of FI by the applicant. The latest FI was submitted by the applicant on 27.7.2018 (**Appendix Ie**). The application is thus scheduled for consideration by the Committee at this meeting.

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

The justifications put forth by the applicant in support of the application are detailed in Section 8 of the planning statement in **Appendix Ia** and in the FI at **Appendix If**. They are summarised as follows:

- (a) there is currently a shortage of office supply in Hong Kong, especially in the central business district (CBD). The proposed development can provide office space of a reasonable scale to meet the demand of office spaces and support Small and Medium Enterprises (SMEs) by providing an option for them to be situated in the CBD;
- (b) the existing building on the Site is a 5-storey residential building located in a prime location in the CBD. It has potential to be redeveloped to maximise the permissible PR of the Site. The proposed development could also achieve synergy with URA projects in the vicinity, such as the Central Market Revitalisation Project and the H18 Scheme where an office/hotel development is being developed at Site C;

- (c) the proposed development generally meets the main planning criteria specified in Town Planning Board Guidelines No.5 (TPB PG-No.5) – “Application for Office Development in Residential (Group A) Zone under Section 16 of the Town Planning Ordinance” in that:
- (i) the proposed development would not cause adverse traffic impact;
  - (ii) the proposed development is well served by public transport and is in close proximity to the Sheung Wan and Central/Hong Kong MTR stations;
  - (iii) the proposed development is compatible with existing and planned land uses as a commercial cluster is found in close proximity along Wellington Street and Queen’s Road Central;
  - (iv) the proposed office development will be operating with air-conditioning system and is hence less susceptible to air and noise pollution than a residential development; and
  - (v) the proposed development would be purposely designed for office uses. There is no risk of subsequent illegal conversion to domestic units or other uses;
- (d) the Site is located in an area where vibrant retail and dining activities are found in the vicinity during the daytime and at night. The proposed development would supplement the commercial activities in the vicinity and create synergy with the retail and dining activities in the surroundings;
- (e) the proposed development has fully respected the historic interest by providing a connection to No.1-2 Pak Tsz Lane, and the existing passageway through the Site leading to Pak Tsz Lane will be re-provided. The proposed passageway will follow the original setting with a better out-look, an improved walking environment, a clear signage and building finishes that match the neighbourhood;
- (f) technical considerations on traffic, environmental, drainage, sewerage and heritage impacts have been duly considered to ascertain the technical feasibility of the proposed scheme. No insurmountable problems are envisaged and all technical departments have no objection to the proposal;
- (g) the Site is under the sole ownership of the applicant. The proposed development can be implemented in a timely manner;
- (h) according to the 2006 and 2016 census, Central and Western District is experiencing a decrease in population and is not suffering from a shortage of housing supply. Limiting the Site to residential use may not be in line with the demographic trend in Hong Kong;
- (i) similar planning applications (no. A/H3/402 and A/H3/432) for commercial/office developments with shops on lower floors within the “R(A)” zone have been approved by the Board; and

- (j) there is currently a shortage of land not only for housing but also for other economic activities. Hence, the proposed office development at the Site is equally important for the sustainable development of Hong Kong.

### 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 and its surrounding area were previously zoned “Commercial/Residential” (“C/R”) on the draft OZP No. S/H3/23 (Plan A-4). On 7.5.2010, draft OZP No. S/H3/24 incorporating amendments to rezone the subject “C/R” site to “Commercial” (“C”) and “R(A)” was exhibited for public inspection, with a view to providing a clear planning intention for these sites. Sites on the western side of Gage Street were rezoned to “R(A)9”, while sites at Gage Street adjoining Graham Street and those on both sides of Wellington Street were rezoned to “C”. Since then, the zonings of these sites have remained unchanged.

### 5. Town Planning Board Guidelines

5.1 The Town Planning Board Guidelines for Application for Office Development in “Residential (Group A)” Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 5) are relevant to this application. The relevant assessment criteria are summarised as follows:

- (a) the site should be sufficiently large to achieve a properly designed office building;
- (b) there should be adequate provision of parking and L/UL facilities within the site in accordance with HKPSG and to the satisfaction of the Transport Department (TD). For sites with narrow frontage, where on-site L/UL requirement cannot be met, the applicant should demonstrate that there are alternative locations for L/UL facilities to the satisfaction of TD
- (c) the site should be at an easily accessible location, e.g. close to the Mass Transit Railway Station or well served by other public transport facilities;
- (d) the proposed office development should not cause congestion and disruption to the traffic flow of the locality;
- (e) the proposed office building should be compatible with the existing and planned land uses of the locality and it should not be located in a predominantly residential area; and
- (f) the proposed office development should be purposely designed for office/commercial uses so that there is no risk of subsequent illegal conversion to substandard domestic units or other uses.

5.2 In general, the Board will give favourable consideration to planning applications for office developments which produce specific environmental and planning gains, for example, if the site is located near to major sources of air and noise pollution such as a major road, and the proposed office development is equipped with central air-conditioning and other noise mitigation measures which make it less susceptible to pollution than a residential development. Other forms of planning gain which the Board would favour in a proposed office development would include public open space and community facilities required in the planning district.

## 6. Previous Application

There is no previous application at the Site.

## 7. Similar Applications

There are 15 similar applications for office developments within the "R(A)" zone of the Sai Ying Pun & Sheung Wan OZP (Plan A-1). All applications except A/H3/402, A/H3/432 and A/H3/438 were processed before 2012. Out of these, 10 applications (i.e. Nos. A/H3/153, A/H3/154, A/H3/177, A/H3/192, A/H3/214, A/H3/221, A/H3/247 and A/H3/328, A/H3/402 and A/H3/432) were approved with conditions and 5 applications (i.e. Nos. A/H3/190, A/H3/207, A/H3/211, A/H3/377 and A/H3/438) were rejected. The applications that were rejected by the Board were mainly due to the reasons that the proposed development was not compatible with the residential nature of the surrounding area; the adverse traffic impacts caused; the proposed development is not in line with the planning intention of the "R(A)" zone; approval of the application would result in a reduction of housing supply; the applicant has failed to demonstrate that the site is not conducive to residential development; and the setting of an undesirable precedent. Details of the applications are provided at **Appendix II**.

## 8. The Site and its Surroundings (Plans A-2, A-5 to A-9)

8.1 The Site is:

- (a) located at Gage Street between Hollywood Road and Wellington Street. It is in the area that is generally known as SOHO;
- (b) occupied by a 5-storey residential building built in the 1960s with a retail shop on G/F. The historic structure of Pak Tsz Lane runs through the south-eastern part of the Site;
- (c) adjoined by the Gage Street Refuse Collection Point; and
- (d) within walking distance to the main public transport facilities including buses and public light bus on Queen's Road Central (about 100m away), the Sheung Wan MTR station (about 300m away), and the Central-Mid-Levels Escalator (about 150m away)(Plan A-1)

8.2 The surrounding area has the following characteristics:

- (a) the street block bounded by Gage Street, Peel Street, Hollywood Road and Aberdeen Street is predominantly a mixed use area with shops and restaurants on the ground floor and mainly residential uses above. The Pak Tsz Lane Park is located at the rear of the existing building;
- (b) predominantly commercial developments are found on both sides of Wellington Street which is about 80m away, to the north-east; and
- (c) the URA Development Scheme of Peel Street/Graham Street (the H18 Scheme) is located to the east of the Site (**Plan A-2**). It comprises of 3 sites where Site A and Site B will be developed for mainly residential use with community/commercial/market facilities on G/F, while Site C will be developed for office and hotel uses. The scheme is scheduled to be completed by 2023/24.

## **9. Planning Intention**

The “R(A)” zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

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

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

### **Land Administration**

10.1.1 Comments of the District Lands Officer/Hong Kong West and South, Lands Department (DLO/HKW&S, LandsD):

- (a) the lease governing the lot is subject to restrictions including non-offensive trades clause. It is noted that “eating places” are proposed within the proposed development. For any building or any part or parts thereof to be used for the purpose of “eating places”, an application for licence to remove several offensive trades from the non-offensive trades clause is required;
- (b) the current proposal does not conflict with the lease conditions governing the Site save and except for the aforesaid non-offensive trade restriction, and so, if the application is approved by the Board, the applicant is not required to seek lease modification from LandsD to implement it except for the aforesaid offensive trade licence. Therefore, any planning conditions, if imposed by the Board, cannot be written into the lease through lease modification;
- (c) there is no lease requirement imposed on the lot owner to provide a public passageway within the Site to connect Pak Tsz Lane and Gage

Street. We therefore have no comment on the proposed re-provisioning of the existing passage within the Site; and

- (d) it is noted that a Grade 1 Historic Building, i.e. Pak Tsz Lane, Sheung Wan Hong Kong (Serial No. N24), is situated within the Site.

#### Traffic Aspect

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

- (a) no comment on the nil provision of parking spaces for the proposed development in view of the site constraints and the justification provided by the applicant;
- (b) as residential development is already permitted at the Site, it is considered that the proposed office use will not generate significant adverse traffic impact; and
- (c) a pedestrian passageway together with a staircase connecting Pak Tsz Lane Park with a clear width not less than the existing provision should be maintained. This requirement should be specified as an approval condition.

#### Building Aspect

##### 10.1.3 Comments of the Chief Building Surveyor/Hong Kong West, Buildings Department (CBS/HKW, BD):

- (a) detailed assessment on the proposal could only be made at formal submissions stage; and
- (b) given the limited information provided in the application document, BD reserves their comment on the following:
  - (i) determination of site areas, including the inclusion of existing right of way into the site area, for the purpose of PR and SC calculations under Building (Planning) Regulations (B(P)R) 20 & 21;
  - (ii) building over the right of way, to which the Buildings Ordinance s.31(1) is applicable;
  - (iii) compliance with Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 and APP-152 in case application(s) for the related GFA concessions and/or modification for SC under PNAP APP-132;
  - (iv) the major façade served by the Emergency Vehicular Access (EVA) being less than one-fourth of the total length of all the perimeter walls of the building, to which B(P)R 41(D) is application; and



- (v) the Means of Escape/ Means of Access arrangement.

Sewerage Aspect

10.1.4 Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD):

- (a) it is noted from Table 1 that the design flow for office is 80 litre/employee/day. In order to ensure that the sewerage system under planning will be sustainable, 280 litre/employee/day (i.e. the sum of the unit flow factor of employee and the unit flow of commercial activities under general – territorial average) shall be used unless otherwise justified. Please review; and
- (b) the SIA for the development needs to meet the full satisfaction of the Sewerage Infrastructure Group (SIG) of the Environmental Protection Department (EPD), the planning authority of sewerage infrastructure. DSD's comments on the SIA are subject to views and agreement of EPD.

Environmental Aspect

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

- (a) as office developments are normally provided with centralized air conditioning system, the applicant/Authorized Persons should be able to select a proper location for fresh-air intake at the detailed design stage to avoid exposing future occupants from unacceptable environmental nuisances/impact; and
- (b) should the Board approve this application, approval conditions requiring the applicant to submit a SIA to the satisfaction of DEP or of the Board; and to implement the local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the Board are recommended to be included in the planning permission.

Fire Safety Aspect

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

- (a) no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of D of FS;
- (b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
- (c) as no details of the EVA have been provided, comments could not be offered at the present stage. Nevertheless, the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of

the Code of Practice for Fire Safety in Building 2011 which is administrated by BD.

Urban Design & Visual Aspect

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

it is noted that the proposed BH of 120mPD at main roof level is within the prevailing BH restriction. The proposal also meets the setback requirement as stated in the Remarks of the "R(A)9" zone of the OZP.

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

- (a) no comment from visual impact point of view; and
- (b) it is noted that the proposed use, development massing and intensity may not be incompatible with the adjacent developments.

Landscape Aspect

10.1.9 Comments of CTP/UD&L, PlanD:

- (a) the proposed development is considered not incompatible with the urban landscape character since medium to high-rise developments are common in the vicinity;
- (b) there are no existing significant landscape resources within the Site, and adverse landscape impact due to the proposed development is not anticipated;
- (c) there is no landscape/greening treatments for the proposed development. The applicant should explore and maximise the provision of greening to improve the landscape and visual amenity in this application as far as practical; and
- (d) the applicant is recommended to improve the walking environment at street level and the passage connecting to No. 1-2 Pak Tsz Lane.

Heritage Aspect

10.1.10 Comments of the Commissioner for Heritage (CHO) and the Antiquities and Monuments Office (AMO), Development Bureau (DEVB)

- (a) no comment on the proposed development as the applicant has committed to do the following:
  - (i) re-provide a free right of way to Pak Tsz Lane taking into account the concerns of AMO;

- (ii) preserve the setting of the entrance passage at No. 36 Gage Street to Pak Tsz Lane (the "Passageway");
  - (iii) fully respect the character of the Passageway, including but not limited to its width, height, location and alignment within the lot;
  - (iv) preserve as far as possible the flight of steps within the Passageway leading to Pak Tsz Lane;
  - (v) not to disturb the integrity of the flight of steps and related structures of Pak Tsz Lane outside the application site; and
  - (vi) to replace the existing plastic plaque with a new plaque with material and style of the English lettering and Chinese characters matching the early 20<sup>th</sup> century signage design;
- (b) for better preservation of Pak Tsz Lane, the building plans for the project should be submitted to AMO for comments;
  - (c) prior to the commencement of any works, the applicant should be required to provide photographic and cartographic records of the existing Passageway to Pak Tsz Lane to AMO for record purpose; and
  - (d) AMO should be allowed to conduct 3D scanning of the existing passageway before commencement of any works.

#### Others

##### 10.1.11 Comments of the Director of Food and Environmental Hygiene (DFEH):

no objection to the application provided that the proposed development will not impede the operation of the Gage Street Refuse Collection Point at all times.

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

the Tourism Commission, in collaboration with LCSD and Central & Western District Council, is taking forward the revitalisation of Dr Sun Yat-sen Historical Trail project as a major initiative for developing cultural and heritage tourism. The revitalised Trail, featuring 16 newly created artworks along the historic spots of the Trail was launched on 26.4.2018 and will become a new tourism attraction to entice visitors looking for in-depth tourist experience in Hong Kong. Two of the new artworks of the revitalised Trail will be located in the Pak Tsz Lane Park which is adjacent to the Site. The applicant/developer should ensure that the construction works as well as the new building would not form any obstruction to visitors' access to the artworks and have any adverse impact on the environment adjacent to the artworks.

##### 10.1.13 The following departments have no objection to/no comment on the application:

- (a) Project Manager (South), Civil Engineering and Development Department;
- (b) Head of Geotechnical Engineering Office, Civil Engineering and Development Department ;
- (c) Chief Highway Engineer/Hong Kong, Highways Department ;
- (d) Chief Engineer/Development (2), Water Supplies Department;
- (e) Senior Inspector of Road Management Office (Traffic Hong Kong Island), Hong Kong Police Force;
- (f) District Operations Officer (Central District), Hong Kong Police Force; and
- (g) District Officer (Central and Western), Home Affairs Department

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

11.1 During the statutory publication period of the application (ended on 3.4.2018) and FI (ended on 8.5.2018), a total of 18 comments were received. Amongst the public comments received, there are 7 supporting comments from individuals; 7 opposing comments from individuals; and 1 opposing comment from the Central & Western Concern Group. The remaining 3 comments from individuals have not indicated whether they support or object to the application. A full set of the public comments received are at **Appendix III** for Members' reference.

11.2 The major grounds of public comments received can be summarised as follows:

### Supporting Comments

- (a) the hygiene and security of the existing passageway are poor. The proposed redevelopment of the existing building can improve the management of the passageway;
- (b) the condition of the existing building is poor and there is a need for redevelopment;
- (c) given the prime location of the Site in the SOHO area, the Site has great potential to be further developed. The proposed office development can meet the pressing demand for office space for SMEs; and
- (d) the proposal can increase the supply of office space, while conserving the historic structure.

### Opposing Comments

- (e) conversion of residential building to commercial use is incompatible with the adjacent residential buildings, and the Site should be retained for residential use, as there is a shortage of residential flats in Hong Kong;
- (f) the surrounding area is already densely developed and the road network is already extremely congested. The neighbourhood cannot support additional retail and commercial development;

- (g) the proposed height and PR of the development are out of context with the character of the area and would create a wall effect and prevent air ventilation;
- (h) the assumption that there is sufficient capacity of lay-bys provided near Site B of URA's H18 project is doubtful, since development at Site B is yet to be completed or occupied. The acceptance of the applicant's argument that there is provision of lay-bys nearby may set an undesirable precedent for other planning applications;
- (i) the proposal will threaten the historical setting, atmosphere and ambiance of the lane running through the existing building. Besides, the applicant provided little information about the conservation approach that the development will adopt; and
- (j) it would set a precedent effect if the application is approved.

## **12. Planning Considerations and Assessment**

- 12.1 The applicant proposes to redevelop the existing 5-storey residential building at the Site into a 21-storey office building with eating place and shop and services on the lowest three floors. The applicant also proposes to re-provide the existing passageway in association with Pak Tsz Lane within the Site. The proposed BH of the development is 120mPD which is within the BH restriction of the OZP and a setback of more than 1m from the lot boundary fronting Gage Street has been proposed to meet the requirement stipulated on the OZP.
- 12.2 The "R(A)9" zone is intended primarily for high-density residential development with commercial uses always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. In view of the planning intention of the "R(A)9" zone and the current shortage of housing land to meet the pressing housing needs of the community, sites planned for residential use should be developed in general for its zoned use upon redevelopment unless with strong justifications.
- 12.3 The Site is located in a mixed-use neighbourhood within the wining and dining area of SOHO. While the proposed office development with shop and services/eating places on the lowest three floors is considered not incompatible with the surrounding developments, it is not fully in line with the planning intention of "R(A)9" zone. Moreover, as the Site is currently used for residential purposes, approval of the application would result in a reduction of housing supply.
- 12.4 The Site has an area of only 88.1m<sup>2</sup>. With the need to provide a setback fronting Gage Street, a lift shaft, staircases and other utilities, the effective area per floor available for office, shop and services/eating place use would be relatively small (ranged from 18m<sup>2</sup> to 32m<sup>2</sup>). In this regard, the proposed development does not comply entirely with assessment criterion (a) of the TPB PG-No.5 in that the site should be sufficiently large to achieve a properly designed office building.
- 12.5 While all relevant government departments have no objection to the proposed office development, the applicant has not demonstrated that the Site is not conducive to residential development. Hence, the application does not warrant special consideration.

- 12.6 While the applicant has cited two similar applications for commercial/office developments with shops on lower floors (A/H3/402 and A/H3/432) that were approved by the Board, it should be noted that the two applications have their unique background and context in that they involved the same site (at 2-4 Shelley Street) which was surrounded on 3 sides by existing commercial buildings, and planning permission was first granted in 2012, before the policy to address the pressing need for housing was in place. Each case should be considered by the Board on its individual merits.
- 12.7 As mentioned in paragraph 4 above, the Site together with its surrounding area along Gage Street were rezoned from "C/R" to "R(A)9" in 2010. Having considered the predominant residential nature of the existing developments in the area, the planning intention at that time was to maintain the area for residential use. Hence approval of the application would set an undesirable precedent for other residential sites in the same "R(A)9" zone.
- 12.8 There are public comments raising concerns on the appropriateness of the proposed development, the adverse impact on the historic structure, the traffic impact caused, the wall effect, the excessive BH and development intensity and the precedent effect of proposed development. There are also public comments in support of the application as the proposal could increase the supply of office floor space and improve the management of the passageway. The views given in paragraphs 12.2 to 12.7 above and the comments of the relevant government departments in paragraph 10 are relevant.

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

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, PlanD does not support the application for the following reasons:
- (a) the proposed office development is not in line with the planning intention of the "R(A)9" zone which is for high-density residential developments. The approval of the application would result in a reduction of housing supply;
  - (b) the applicant has failed to demonstrate that the Site is not conducive to residential development; and
  - (c) approval of the application would set an undesirable precedent for similar applications in the same "R(A)9" zone. The cumulative effect of approving such applications would aggravate the shortfall in the supply of housing land.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 21.9.2022, 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 reprovision of a pedestrian passageway together with a staircase connecting to Pak Tsz Lane Park at the existing location with a clear width not less than that of the existing passageway to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of proposal for the reprovisioned entrance passage at No. 36 Gage Street to Pak Tsz Lane (which runs through the site), as proposed by the applicant, to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board;
- (c) the provision of photographic and cartographic records of the existing passage at No. 36 Gage Street to Pak Tsz Lane to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board;
- (d) the submission of a revised Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (e) the implementation of the local sewerage upgrading/sewerage connection works as identified in the SIA to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (f) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board;

Advisory Clause

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

**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**

<b>Appendix I</b>	Application form received on 2.3.2018
<b>Appendix Ia</b>	Supporting Planning Statement received on 2.3.2018
<b>Appendix Ib</b>	Further Information dated 8.1.2018
<b>Appendix Ic</b>	Further Information dated 6.4.2018
<b>Appendix Id</b>	Further Information dated 13.4.2018
<b>Appendix Ie</b>	Applicant's letter for deferment dated 25.5.2018
<b>Appendix If</b>	Further Information dated 27.7.2018
<b>Appendix II</b>	Similar s.16 planning applications
<b>Appendix III</b>	Public comments

<b>Appendix IV</b>	<b>Advisory Clauses</b>
<b>Drawings A-1 to A-9</b>	Floor plans and section plan submitted by the applicant
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Site Plan for Pak Tsz Lane (Grade 1 Historic Structure)
<b>Plan A-4</b>	Location Plan on previous OZPs
<b>Plans A-5 to A-9</b>	Site Photos

**PLANNING DEPARTMENT  
SEPTEMBER 2018**



**Similar s.16 Applications for Commercial Development  
within the “R(A)” zone on the Sai Ying Pun & Sheung Wan OZP**

**Approved Applications**

<b>Application No.</b>	<b>Location</b>	<b>Date of Consideration (MPC/TPB)</b>	<b>Approval Conditions</b>
A/H3/153	32-36 Hollywood Road, 1-7 Shelley Street & 4 Tsun Wing Lane, Central	23.2.1990	(1)
A/H3/154	98-104A Hollywood Road, 15 Shing Wong Street & 1-27 Bridges Street	20.4.1990	(2) to (4)
A/H3/177	32-36 Hollywood Road, 1-7 Shelley Street & 1-4 Tsun Wing Lane	21.2.1992	(5)
A/H3/192	32-36 Hollywood Road, 1-7 Shelley Street & 1-4 Tsun Wing Lane	17.11.1992	(5)
A/H3/214	348-356 Queen's Road West, Sai Ying Pun	13.1.1995	(6)
A/H3/221	96-116 Hollywood Road, 1-27 Bridges Street & 15 Shing Wong Street	24.11.1995 (Review)	(7) to (11)
A/H3/247	348-356 Queen's Road West,	6.9.1996	(6)
A/H3/328	3/F to 7/F Kinwick Centre, 32-36 Hollywood Road Central	26.4.2002	(12)
A/H3/402	2-4 Shelley Street, Sheung Wan	13.7.2012	(9), (13) to (17)
A/H3/432	2-4 Shelley Street, Sheung Wan	7.4.2017	(13) to (17)

**Approval Conditions**

- (1) the south-western boundary of 7 Shelley Street and 4 Tsun Wing Lane should be set back by 1.5m for widening the eastern end of Tsun Wing Lane
- (2) the provision, management, maintenance and dedication for public use of a plaza/open space/amenity area; and an escalator, staircase and a supplementary disabled person lift, as proposed in the application

- (3) the landscaping of the slope as proposed in the application
- (4) the 6 loading/unloading bays proposed to serve the development should be relocated and laid out
- (5) the designed, constructed, managed and maintained of the proposed open space
- (6) the provision of vehicular ingress/egress arrangement
- (7) the diversion of the underground drainage system within the site
- (8) the submission of a sewage disposal proposal
- (9) the submission and implementation of a landscape plan
- (10) the provision, management and maintenance of the pedestrian escalator, the adjacent staircases and the lift for the disabled, as proposed by the applicant
- (11) the provision of stabilisation measure to slopes affected by the proposed development
- (12) the provision of loading/unloading facilities
- (13) the submission of a Sewerage Impact Assessment
- (14) the implementation of the local sewerage upgrading/sewerage connection works
- (15) the implementation of the mitigation measures for loading/unloading activities
- (16) the provision of setback of not less than 1.75m at the lower portion of the building along Shelley Street
- (17) the provision of water supplies for fire-fighting and fire service installations

**Rejected Applications**

<b>Application No.</b>	<b>Location</b>	<b>Date of Consideration (MPC/TPB)</b>	<b>Reasons for Rejection</b>
A/H3/190	106-116 Hollywood Road	6.11.1992	(1) to (4)

<b>Application No.</b>	<b>Location</b>	<b>Date of Consideration (MPC/TPB)</b>	<b>Reasons for Rejection</b>
A/H3/207	348-356 Queen's Road West, Sheung Wan	9.9.1994 (Review)	(1) & (5)
A/H3/211	96-116 Hollywood Road, 1-27 Bridges Street, 15 Shing Wong Street	16.12.1994	(1), (2), (4), (6) & (7)
A/H3/377	20-26 Staunton Street, Central 20-26 Staunton Street, Central	14.3.2008 (Review)	(4), (8) to (10)
A/H3/438	3 – 6 Glenealy, Central	7.9.2018	(4), (11) & (12)

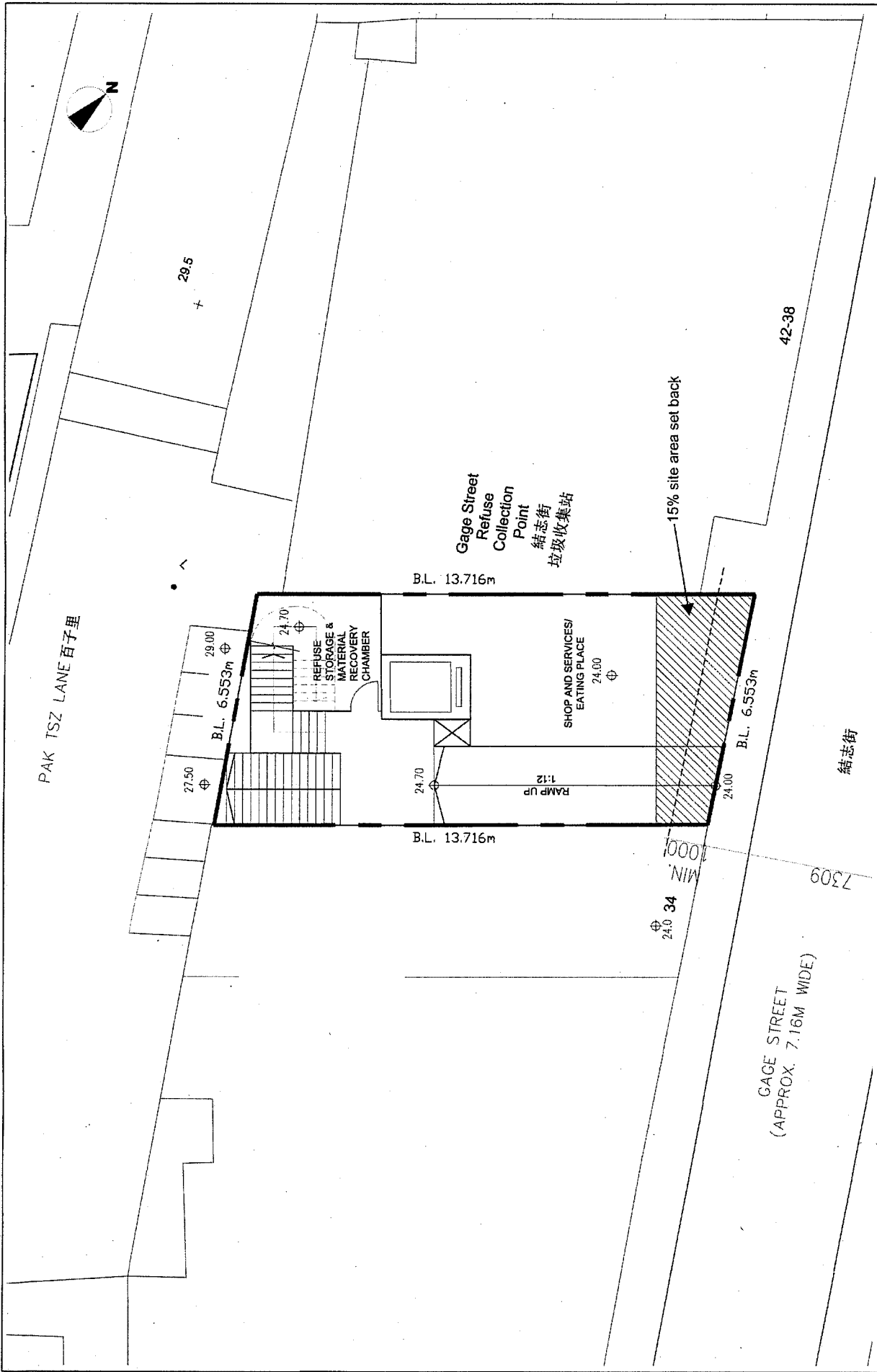
Reasons for Rejections:

- (1) the Proposed development would result in adverse traffic impacts
- (2) the proposed office development is not compatible with the predominantly residential character of the area
- (3) there are no strong justifications for nor significant public planning gains from the proposed development
- (4) approval of the proposed development will set an undesirable precedent for similar office developments in the area
- (5) no suitable alternative loading/unloading facilities is proposed in the submission
- (6) the site is not easily accessible by public transport and is far from existing Mass Transit Railway Stations. The location is considered not convenient for office development
- (7) the traffic impact assessment has not satisfactorily addressed the traffic impact generated by the proposed office development on the local road system
- (8) the proposed development was not in line with the planning intention of the “Residential (Group A)” zone. There was no strong justification in the submission to merit a departure from the planning intention
- (9) the proposed development was considered not compatible with the residential nature of the surrounding area. A plot ratio of 15 was also not compatible with the adjoining residential developments in terms of building bulk and development intensity

- (10) the proposed run-in/out and turntable arrangements were unsatisfactory and were not acceptable from the traffic safety and operational points of view
- (11) the proposed development was not in line with the planning intention of the “Residential (Group A)” zone. The approval of the application would result in reduction of housing supply
- (12) the applicant has failed to demonstrate that the site is not conducive to residential development

**Advisory Clauses**

- (a) to note the comments of DLO/HKW&S, LandsD regarding the application for licence to remove the non-offensive trades;
- (b) to note the comments of CBS/HKW, BD regarding the compliance of the proposed development with the Buildings Ordinance and practice notes;
- (c) to note the comments of D of FS regarding the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011;
- (d) to note the comments of CTP/UD&L, PlanD regarding the provision of greening;
- (e) to note the comments of AMO regarding the submission of building plans for AMO's comments; allowing AMO to conduct 3D scanning of the existing entrance passage at No.36 Gage Street to Pak Tsz Lane before commencement of any works;
- (f) to note the comments of DFEH regarding the proposed development should not impede the operation of the Gage Street Refuse Collection Point; and
- (g) to note the comments of C for Tourism regarding the artworks to be placed along the revitalised Dr Sun Yat-sen Historical Trail.



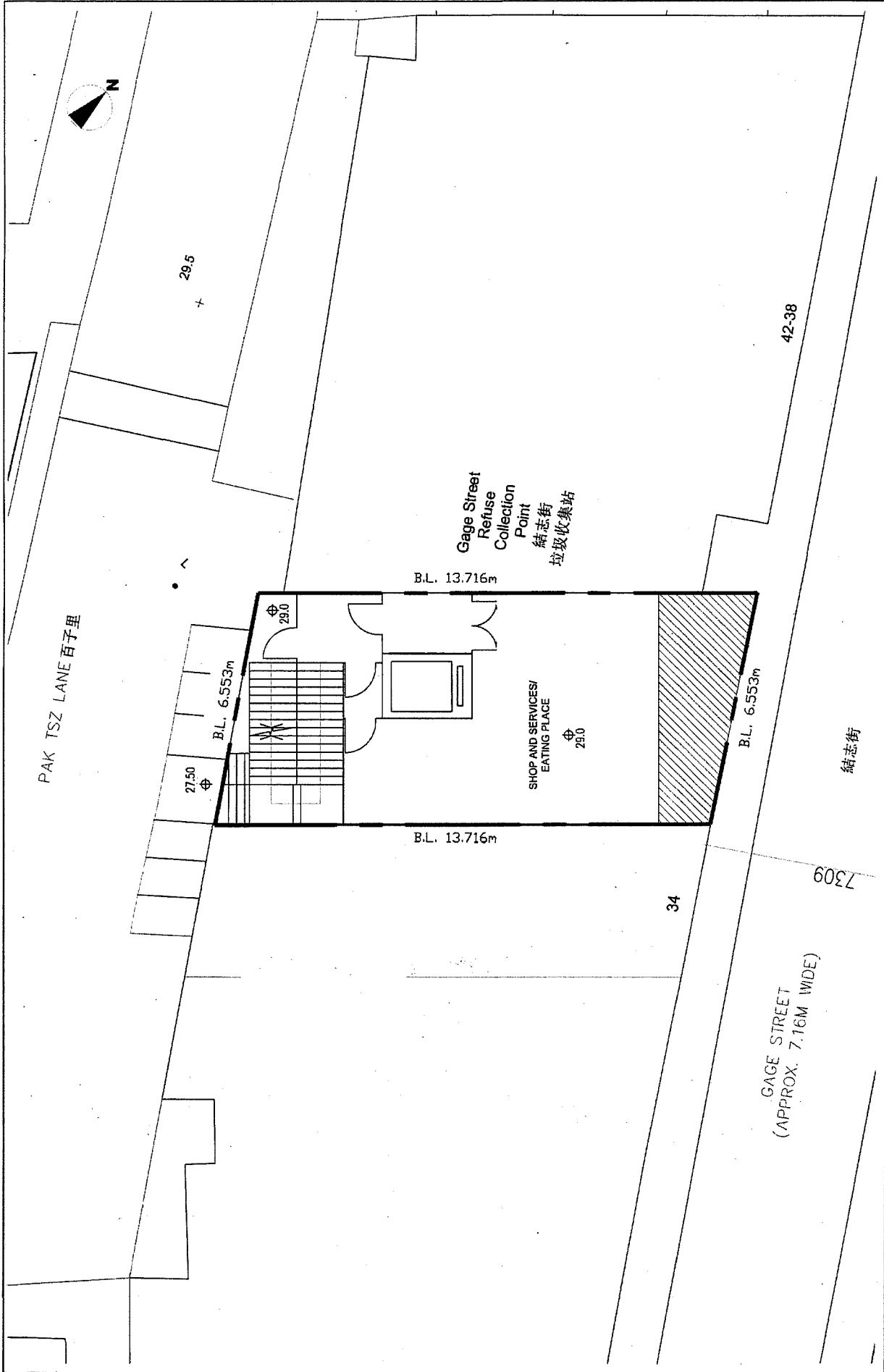

**CHAU LAM ARCHITECTS & ASSOCIATES**  
 ARCHITECTS & ENGINEERS (IN X.) LTD.  
 周林達建築師事務所 (香港) 有限公司

**Indicative Ground Floor Plan**

Checked	DH	Drawn	PW
Rev	0	Date	Feb 2018
Scale	NA	Figure	3.1

繪圖  
**DRAWING**  
 A - 1  
 參考編號  
**REFERENCE No.**  
**A/H3/436**

(資料來源：由申請人提供)  
 (SOURCE : SUBMITTED BY THE APPLICANT)



Checked	DH	Drawn	PW
Rev	0	Date	Feb 2018
Scale	NA	Figure	3.2

Indicative First Floor Plan

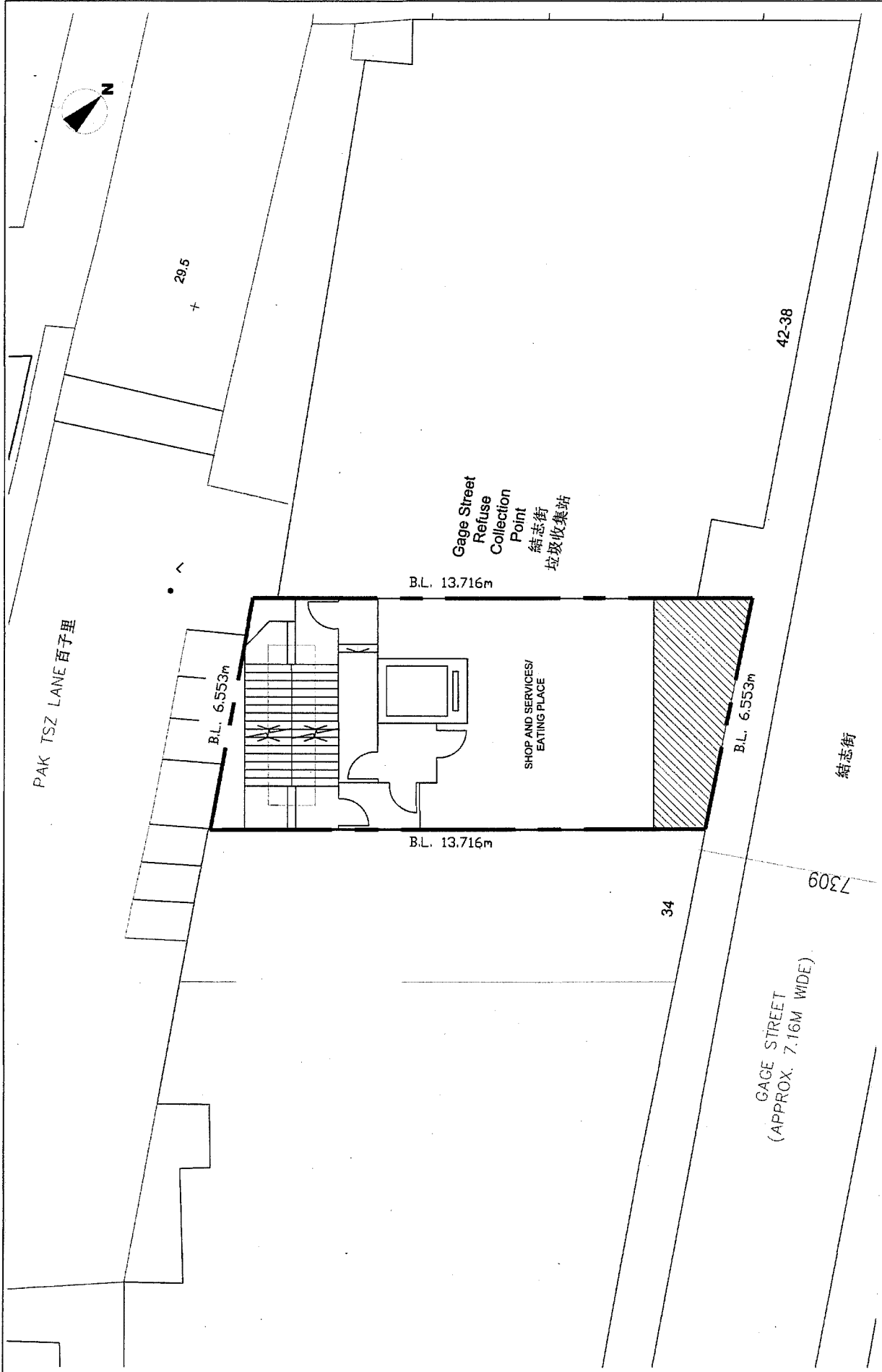
Title

CHAU LAM ARCHITECTS & ASSOCIATES  
 CHAU LAM ARCHITECTS & ASSOCIATES (香港) 有限公司  
 周林建築師事務所 (香港) 有限公司

繪圖  
**DRAWING**  
 A - 2

參考編號  
 REFERENCE No.  
 A/H3/436

(資料來源：由申請人提供)  
 (SOURCE: SUBMITTED BY THE APPLICANT)



Checked	DH	Drawn	PW
Rev	0	Date	Feb 2018
Scale	NA	Figure	3.3

Indicative Second Floor Plan

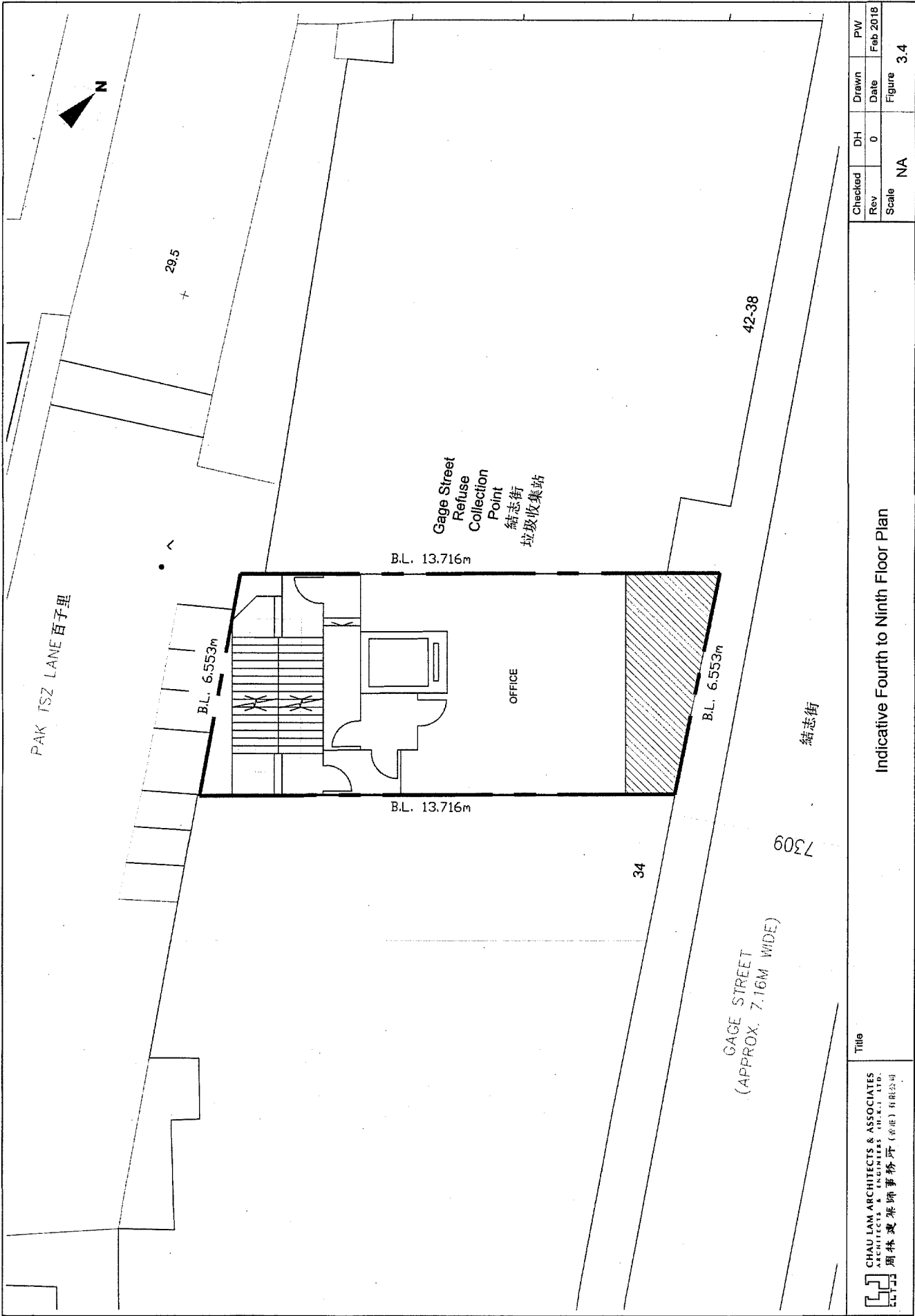
**CHAU LAM ARCHITECTS & ASSOCIATES**  
 ARCHITECTS & ENGINEERS (H.K.) LTD.  
 周林建築師事務所 (香港) 有限公司

繪圖  
**DRAWING**  
 A - 3

參考編號  
**REFERENCE No.**  
 A/H3/436

(資料來源：由申請人提供)  
 (SOURCE : SUBMITTED BY THE APPLICANT)





Checked	DH	Drawn	PW
Rev	0	Date	Feb 2018
Scale	NA	Figure	3.4

Title

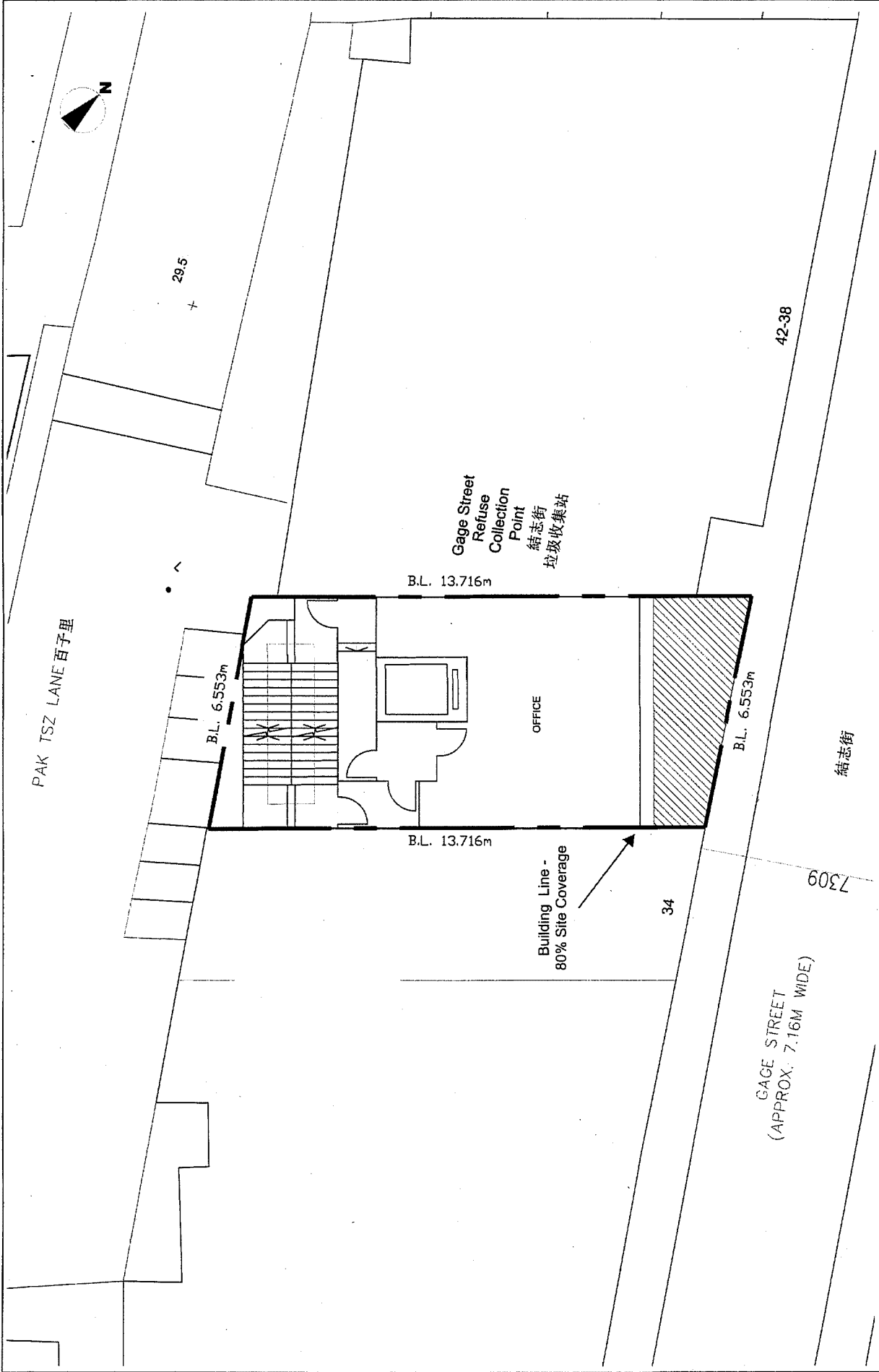
Indicative Fourth to Ninth Floor Plan

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ARCHITECTS & ENGINEERS (H.K.) LTD.  
周林寬建築師事務所 (香港) 有限公司

繪圖  
DRAWING  
A - 4

參考編號  
REFERENCE No.  
A/H3/436

(資料來源：由申請人提供)  
(SOURCE : SUBMITTED BY THE APPLICANT)



Checked	DH	Drawn	PW
Rev	0	Date	Feb 2018
Scale	NA	Figure	3.5

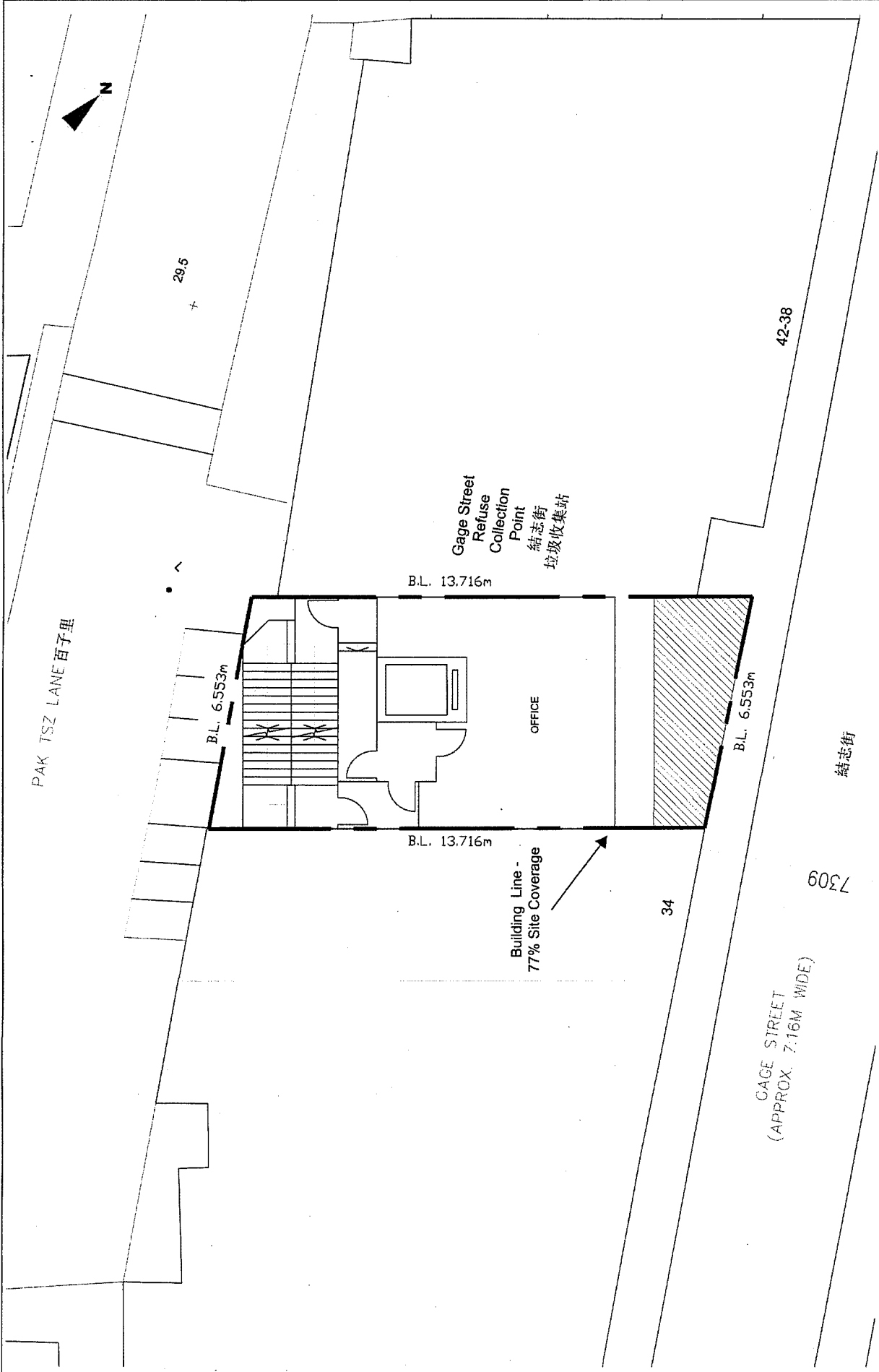
Indicative Tenth Floor Plan

**CHAU LAM ARCHITECTS & ASSOCIATES**  
 ARCHITECTS & ENGINEERS (H.K.) LTD.  
 周林建築師事務所 (香港) 有限公司

繪圖  
**DRAWING**  
 A - 5

參考編號  
**REFERENCE No.**  
 A/H3/436

(資料來源：由申請人提供)  
 (SOURCE : SUBMITTED BY THE APPLICANT)



Checked	DH	Drawn	PW
Rev	0	Date	Feb. 2018
Scale	NA	Figure	3.6

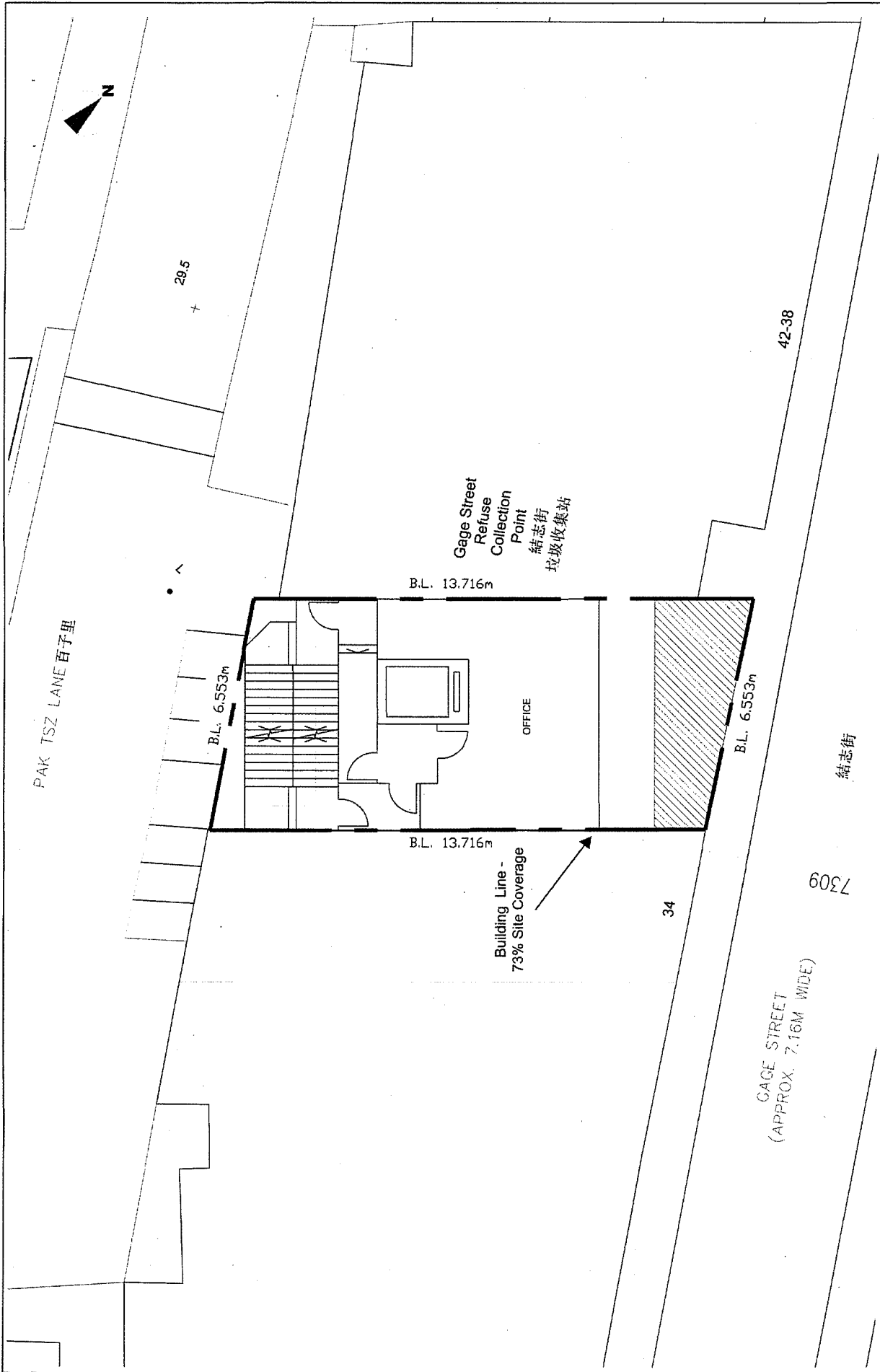
Indicative Eleventh Floor Plan

Title  
 CHAU LAM ARCHITECTS & ASSOCIATES  
 ARCHITECTS & ENGINEERS (H.K.) LTD.  
 周林建築師事務所 (香港) 有限公司

繪圖  
**DRAWING**  
**A - 6**

參考編號  
**REFERENCE No.**  
**A/H3/436**

(資料來源：由申請人提供)  
 (SOURCE: SUBMITTED BY THE APPLICANT)



Checked	DH	Drawn	PW
Rev	0	Date	Feb 2018
Scale	NA	Figure	3.7

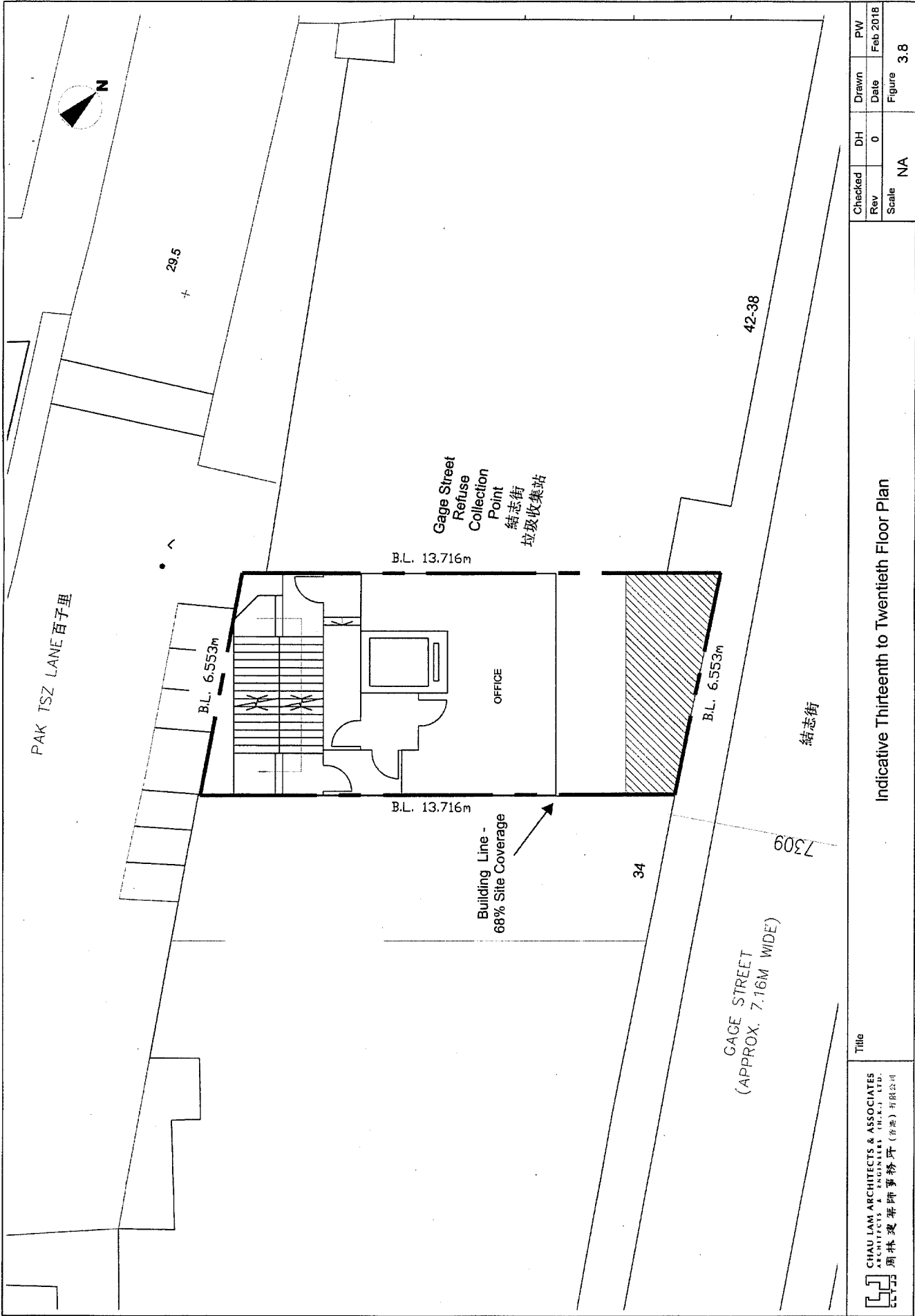
Indicative Twelfth Floor Plan

Title  
 CHAU LAM ARCHITECTS & ASSOCIATES  
 ARCHITECTS & ENGINEERS (I.H.K.) LTD.  
 周林建築師事務所 (香港) 有限公司

繪圖  
**DRAWING**  
 A - 7

參考編號  
**REFERENCE No.**  
 A/H3/436

(資料來源：由申請人提供)  
 (SOURCE: SUBMITTED BY THE APPLICANT)



Title

CHAU LAM ARCHITECTS & ASSOCIATES  
ARCHITECTS & ENGINEERS (H.K.) LTD.  
周林梁建築師事務所 (香港) 有限公司

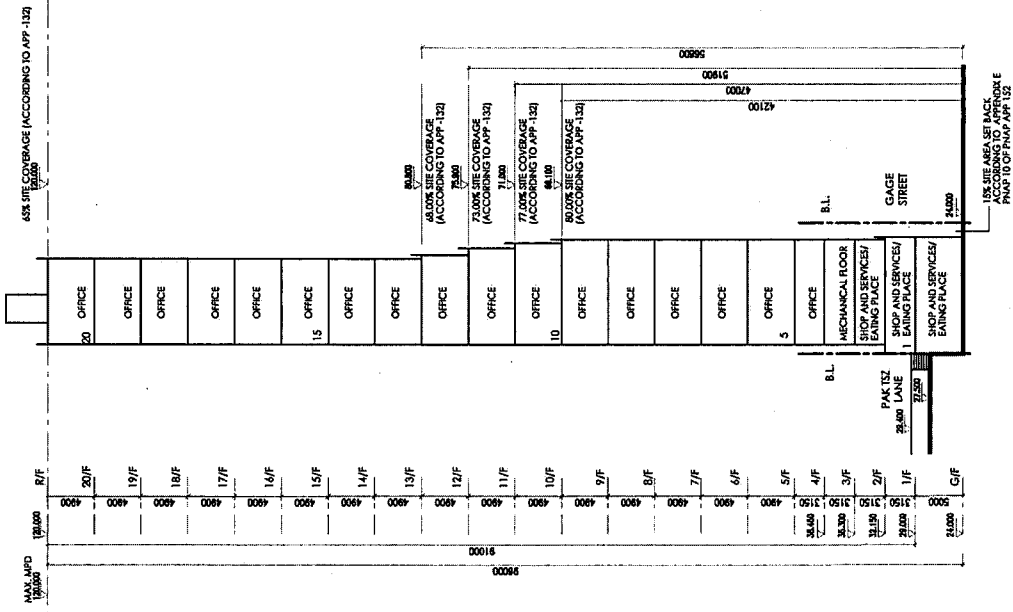
Indicative Thirteenth to Twentieth Floor Plan

Checked	DH	Drawn	PW
Rev	0	Date	Feb 2018
Scale	NA	Figure	3.8

繪圖  
DRAWING  
A - 8

參考編號  
REFERENCE No.  
A/H3/436

(資料來源：由申請人提供)  
(SOURCE : SUBMITTED BY THE APPLICANT)



Title

CHAU LAM ARCHITECTS & ASSOCIATES  
 ARCHITECTS & ENGINEERS (H.K.) LTD.  
 周林建築師事務所 (香港) 有限公司

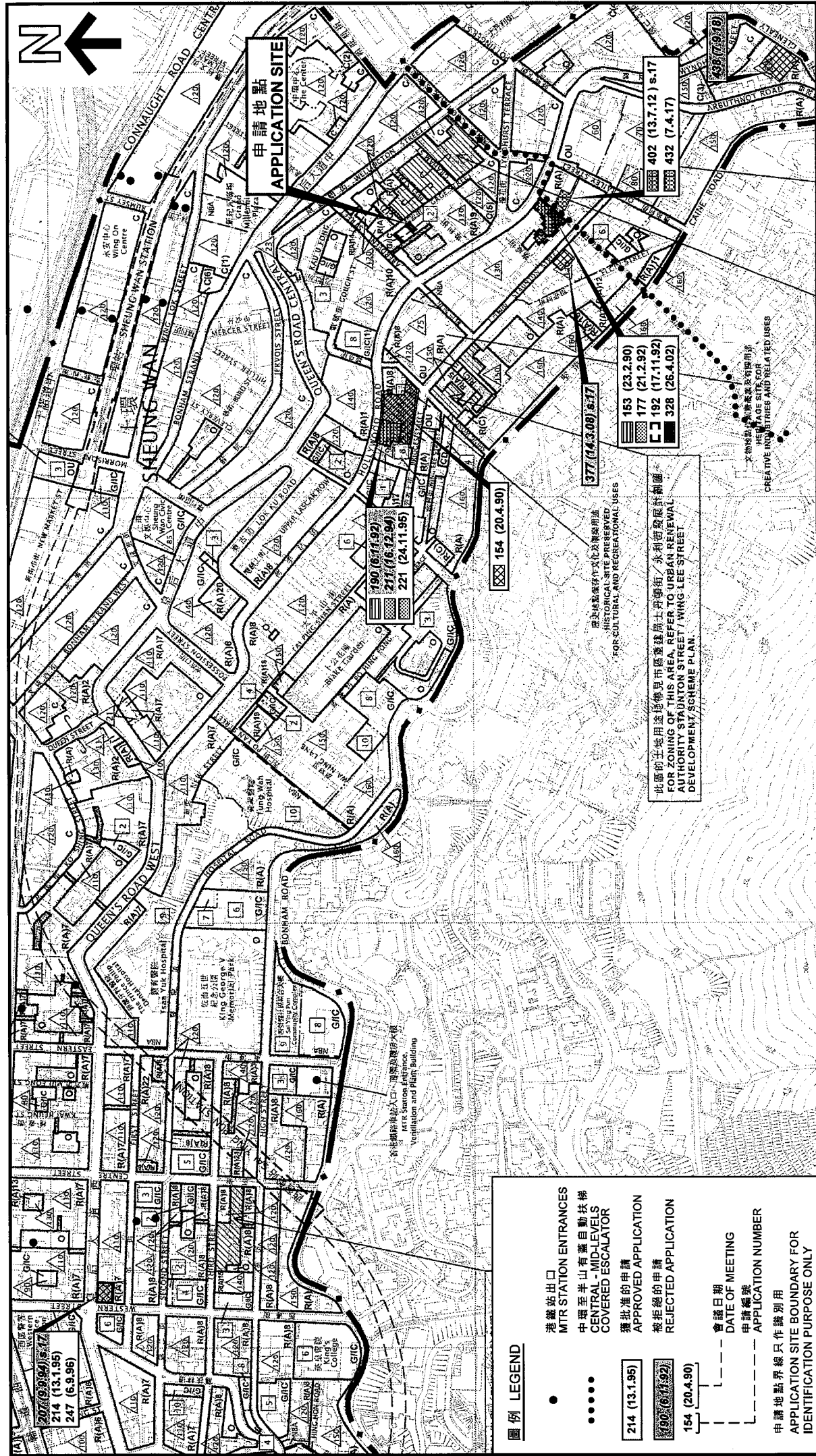
Indicative Section Plan

Checked	Rev	Scale	NA
Drawn	Date	Figure	3-9
PW	Date	Figure	3-9
Feb 2018			

參考編號  
 REFERENCE No.  
 A/H3/436

繪圖  
 DRAWING  
 A - 9

(資料來源：由申請人提供)  
 (SOURCE : SUBMITTED BY THE APPLICANT)



申請地點  
APPLICATION SITE



規劃署  
PLANNING  
DEPARTMENT

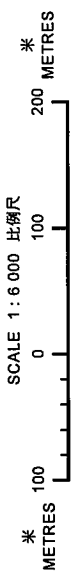
參考編號  
REFERENCE No.  
A/H3/436

圖  
PLAN

位置圖 LOCATION PLAN

擬議辦公室、商店及服務行業、食肆  
香港上環結志街36號

PROPOSED OFFICE,  
SHOP AND SERVICES, EATING PLACE  
36 GAGE STREET, SHEUNG WAN, HONG KONG



圖例 LEGEND

- 港鐵站出口  
MTR STATION ENTRANCES
- 中環至半山有蓋自動扶梯  
CENTRAL - MID-LEVELS  
COVERED ESCALATOR
- 獲批准的申請  
APPROVED APPLICATION
- 被拒絕的申請  
REJECTED APPLICATION
- 會議日期  
DATE OF MEETING
- 申請編號  
APPLICATION NUMBER
- 申請地點界線只作識別用  
APPLICATION SITE BOUNDARY FOR  
IDENTIFICATION PURPOSE ONLY

214 (13.1.95)

190 (6.11.92)

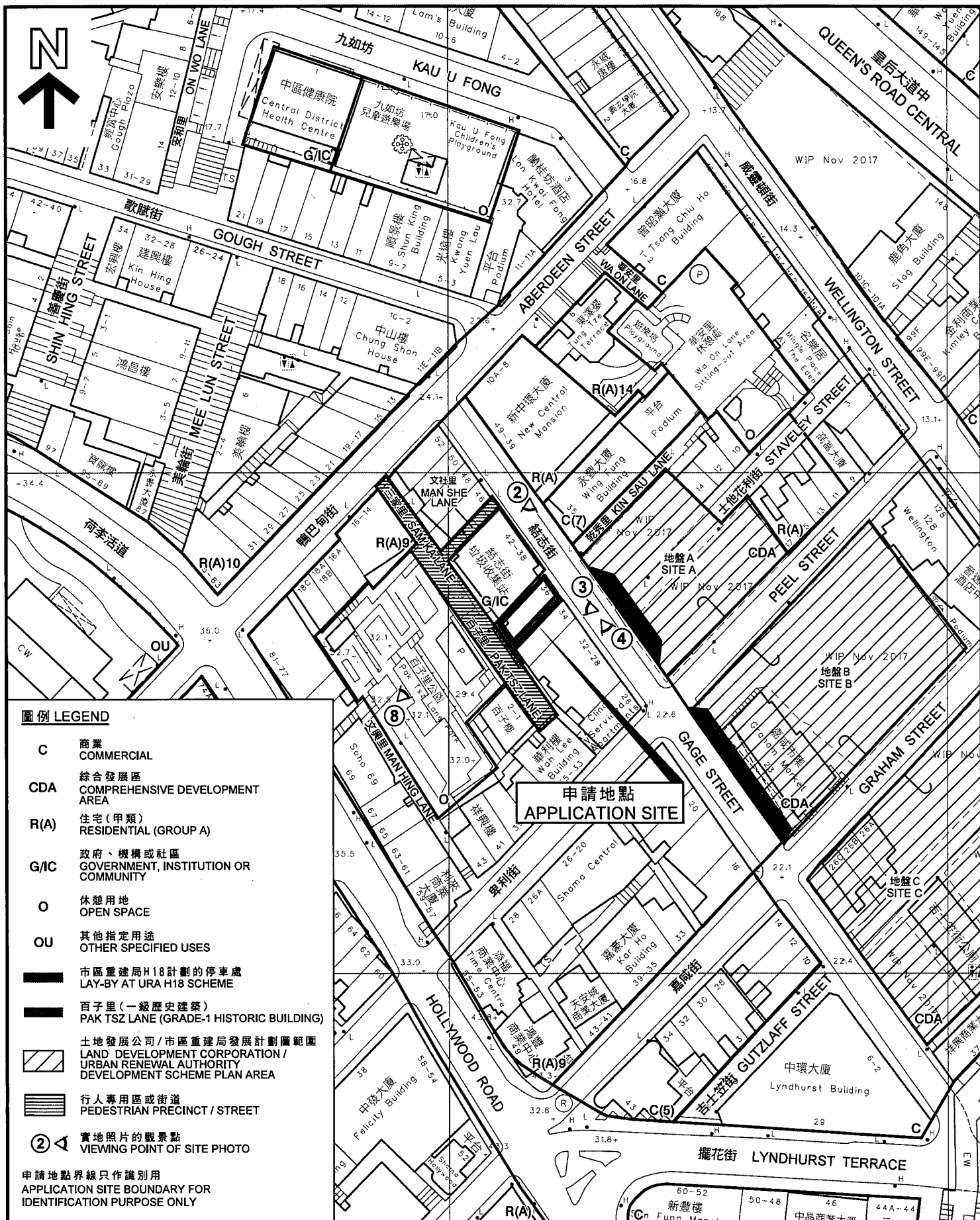
154 (20.4.90)

此區的土地用途為歷史及康樂用途  
HISTORICAL SITE PRESERVED  
FOR CULTURAL AND RECREATIONAL USES

此區的土地用途為商業、零售、康樂及發展計劃  
FOR ZONING OF THIS AREA, REFER TO URBAN RENAISSANCE  
AUTHORITY STAUNTON STREET / WING LEE STREET  
DEVELOPMENT SCHEME PLAN.

文物地帶內有歷史建築及有關的  
HISTORICAL BUILDINGS AND RELATED USES  
CREATIVE INDUSTRIES AND RELATED USES

本摘要圖於2018年9月7日擬備，  
所根據的資料為於2017年12月5日  
核准的分區計劃大綱圖編號S/H3/31  
EXTRACT PLAN PREPARED ON 7.9.2018  
BASED ON OUTLINE ZONING PLAN  
No. S/H3/31 APPROVED ON 5.12.2017



**圖例 LEGEND**

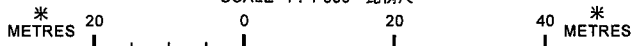
- C** 商業  
COMMERCIAL
  - CDA** 綜合發展區  
COMPREHENSIVE DEVELOPMENT AREA
  - R(A)** 住宅(甲類)  
RESIDENTIAL (GROUP A)
  - G/I/C** 政府、機構或社區  
GOVERNMENT, INSTITUTION OR COMMUNITY
  - O** 休憩用地  
OPEN SPACE
  - OU** 其他指定用途  
OTHER SPECIFIED USES
  -  市區重建局H18計劃的停車處  
LAY-BY AT URA H18 SCHEME
  -  百子裏(一級歷史建築)  
PAK TSZ LANE (GRADE-1 HISTORIC BUILDING)
  -  土地發展公司/市區重建局發展計劃範圍  
LAND DEVELOPMENT CORPORATION /  
URBAN RENEWAL AUTHORITY  
DEVELOPMENT SCHEME PLAN AREA
  -  行人專用區或街道  
PEDESTRIAN PRECINCT / STREET
  -  實地照片的觀景點  
VIEWING POINT OF SITE PHOTO
- 申請地點界線只作識別用  
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

**申請地點  
APPLICATION SITE**

**平面圖 SITE PLAN**

擬議辦公室、商店及服務行業、食肆  
香港上環志志街36號  
PROPOSED OFFICE,  
SHOP AND SERVICES, EATING PLACE  
36 GAGE STREET, SHEUNG WAN, HONG KONG

SCALE 1:1 000 比例尺



規劃署  
**PLANNING  
DEPARTMENT**



參考編號  
REFERENCE No.

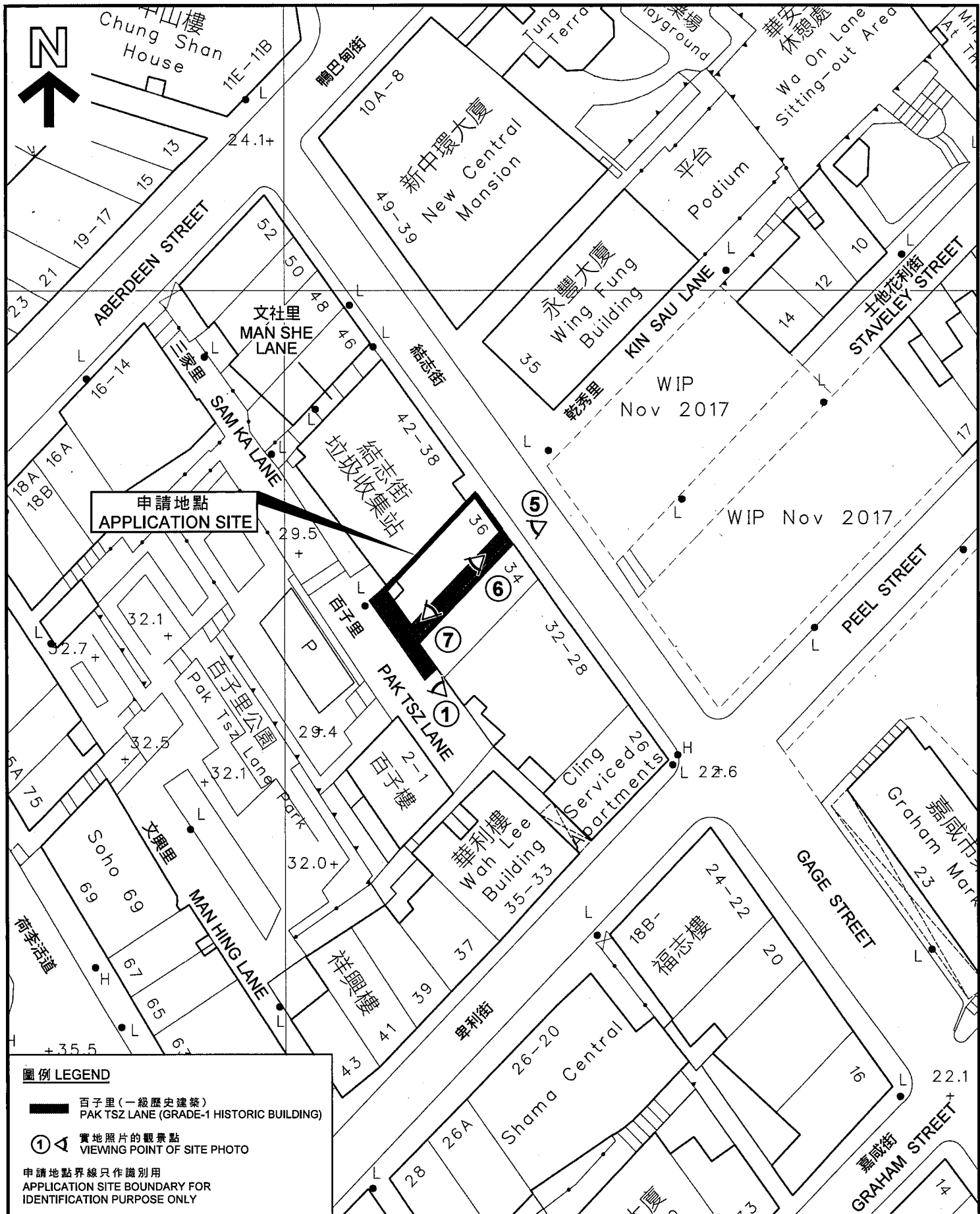
A/H3/436

圖 PLAN



A - 2

本摘要圖於2018年9月12日擬備，  
所根據的資料為測量圖編號  
11-SW-8C及8D  
EXTRACT PLAN PREPARED ON 12.9.2018  
BASED ON SURVEY SHEETS No.  
11-SW-8C & 8D





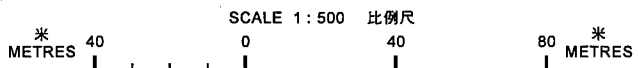
**圖例 LEGEND**

-  百子里 (一級歷史建築)  
PAK TSZ LANE (GRADE-1 HISTORIC BUILDING)
-  實地照片的觀景點  
VIEWING POINT OF SITE PHOTO
- 申請地點界線只作識別用  
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本摘要圖於2018年9月12日擬備，  
所根據的資料為測量圖編號  
11-SW-8C及8D  
EXTRACT PLAN PREPARED ON 12.9.2018  
BASED ON SURVEY SHEETS No.  
11-SW-8C & 8D

**平面圖 SITE PLAN**

擬議辦公室、商店及服務行業、食肆  
香港上環結志街36號  
PROPOSED OFFICE,  
SHOP AND SERVICES, EATING PLACE  
36 GAGE STREET, SHEUNG WAN, HONG KONG

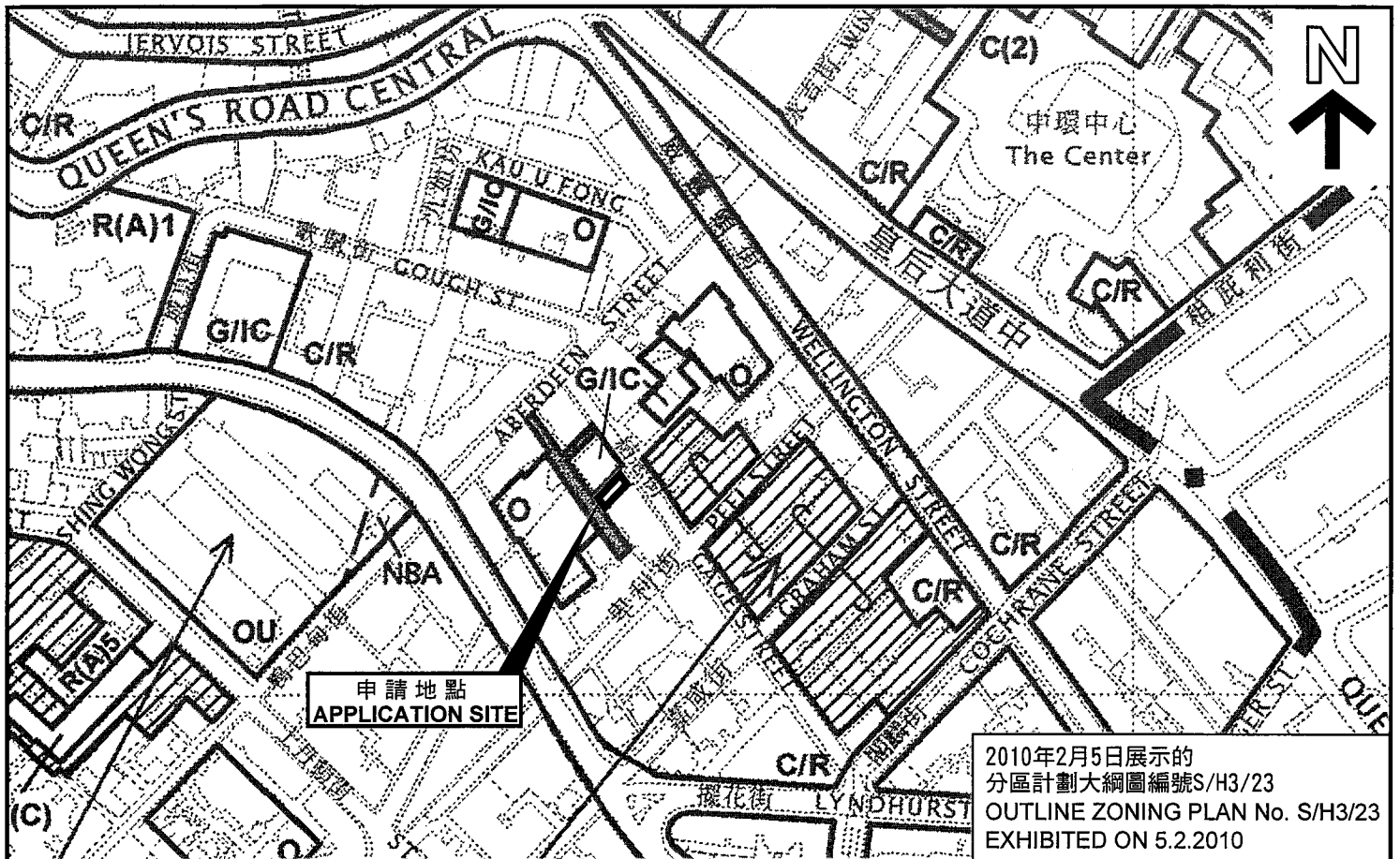


規劃署  
**PLANNING  
DEPARTMENT**

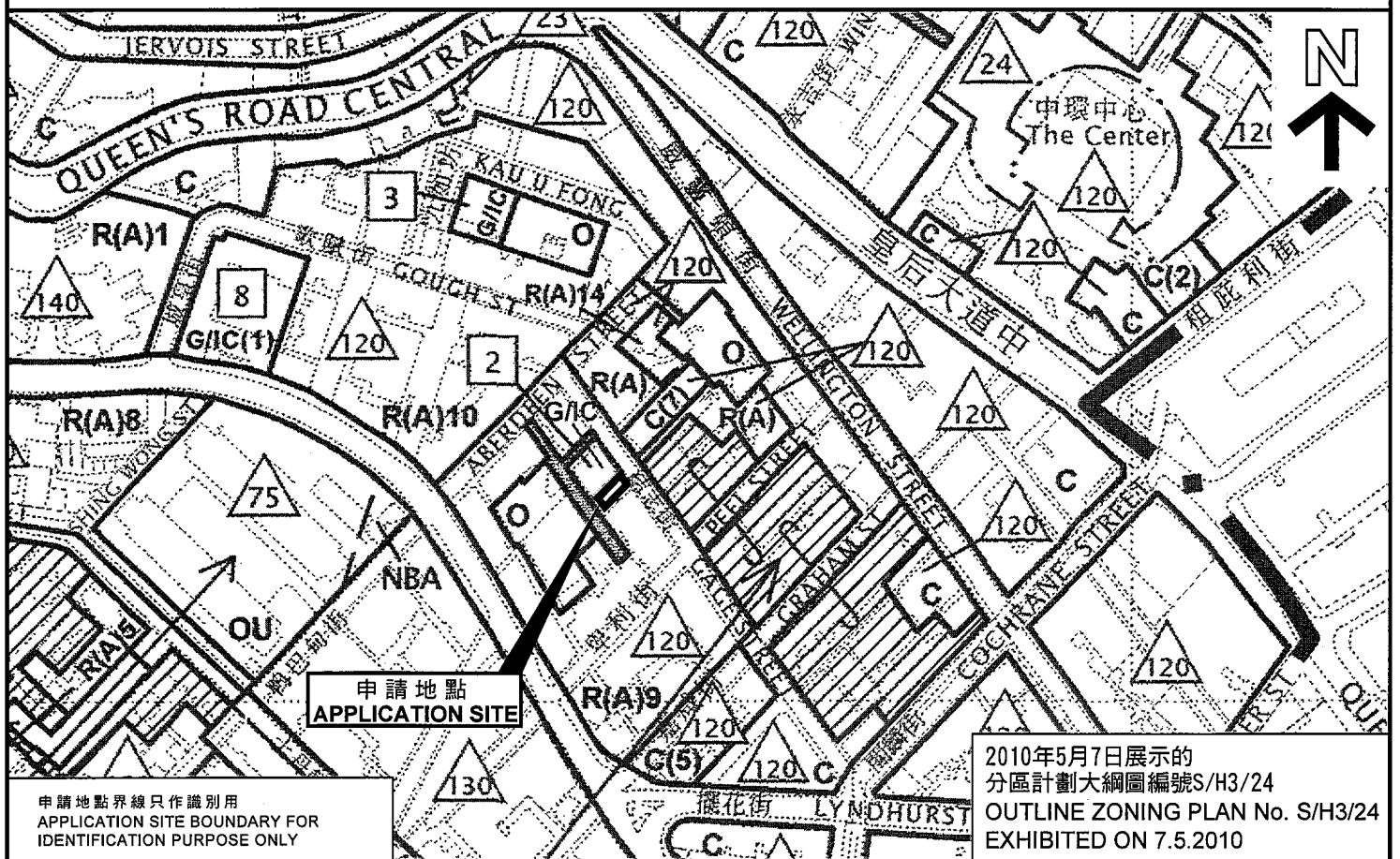


參考編號  
REFERENCE No.  
A/H3/436

圖 PLAN  
A - 3



2010年2月5日展示的分區計劃大綱圖編號S/H3/23  
 OUTLINE ZONING PLAN No. S/H3/23  
 EXHIBITED ON 5.2.2010



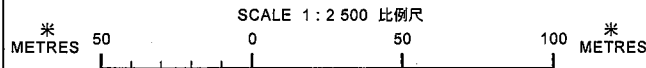
2010年5月7日展示的分區計劃大綱圖編號S/H3/24  
 OUTLINE ZONING PLAN No. S/H3/24  
 EXHIBITED ON 7.5.2010

申請地點界線只作識別用  
 APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本摘要圖於2018年9月12日擬備，  
 所根據的資料為：  
 於2010年2月5日展示的分區計劃大綱圖  
 編號S/H3/23，以及  
 於2010年5月7日展示的分區計劃大綱圖  
 編號S/H3/24  
 EXTRACT PLAN PREPARED ON 12.9.2018  
 BASED ON OUTLINE ZONING PLAN Nos.  
 S/H3/23 EXHIBITED ON 5.2.2010 AND  
 S/H3/24 EXHIBITED ON 7.5.2010

**位置圖 LOCATION PLAN**

擬議辦公室、商店及服務行業、食肆  
 香港上環結志街36號  
 PROPOSED OFFICE,  
 SHOP AND SERVICES, EATING PLACE  
 36 GAGE STREET, SHEUNG WAN, HONG KONG



規劃署  
 PLANNING  
 DEPARTMENT



參考編號  
 REFERENCE No.  
 A/H3/436

圖 PLAN  
 A - 4



實地照片 SITE PHOTO

本圖於2018年9月14日擬備，所根據的資料為攝於2018年4月10日的實地照片  
EXTRACT PLAN PREPARED ON 14.9.2018  
BASED ON SITE PHOTO  
TAKEN ON 10.4.2018

擬議辦公室、商店及服務行業、食肆  
香港上環結志街36號  
PROPOSED OFFICE,  
SHOP AND SERVICES, EATING PLACE  
36 GAGE STREET, SHEUNG WAN, HONG KONG

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.

A/H3/436

圖 PLAN

A - 5

2



申請地點  
APPLICATION SITE

結志街垃圾收集站  
GAGE STREET REFUSE  
COLLECTION POINT

結志街  
GAGE STREET

申請地點界線只作識別用  
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTO

本圖於2018年9月12日擬備，所根據的資料為攝於2018年3月9日的實地照片  
EXTRACT PLAN PREPARED ON 12.9.2018  
BASED ON SITE PHOTO  
TAKEN ON 9.3.2018

擬議辦公室、商店及服務行業、食肆  
香港上環結志街36號  
PROPOSED OFFICE,  
SHOP AND SERVICES, EATING PLACE  
36 GAGE STREET, SHEUNG WAN, HONG KONG

規劃署  
PLANNING  
DEPARTMENT

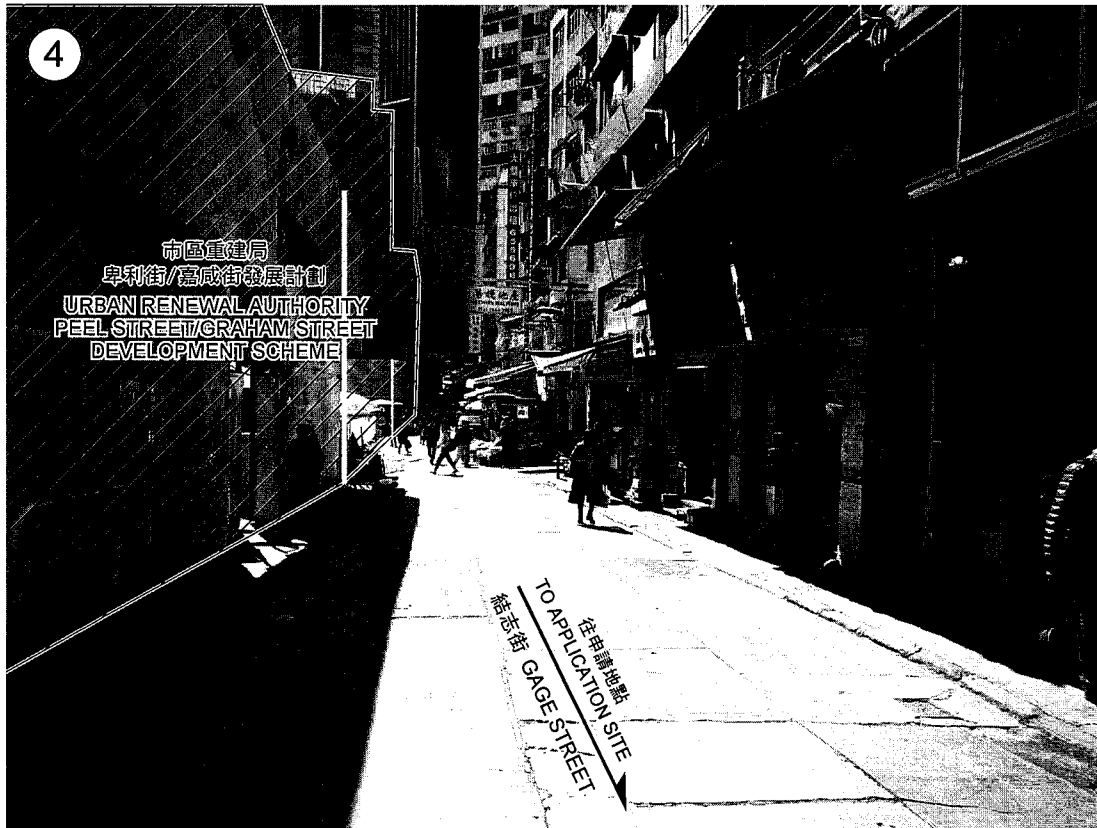


參考編號  
REFERENCE No.

A/H3/436

圖 PLAN

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申請地點界線只作識別用  
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

**實地照片 SITE PHOTOS**

本圖於2018年9月12日擬備，所根據的資料為攝於2018年3月9日的實地照片  
EXTRACT PLAN PREPARED ON 12.9.2018  
BASED ON SITE PHOTO  
TAKEN ON 9.3.2018

擬議辦公室、商店及服務行業、食肆  
香港上環結志街36號  
PROPOSED OFFICE,  
SHOP AND SERVICES, EATING PLACE  
36 GAGE STREET, SHEUNG WAN, HONG KONG

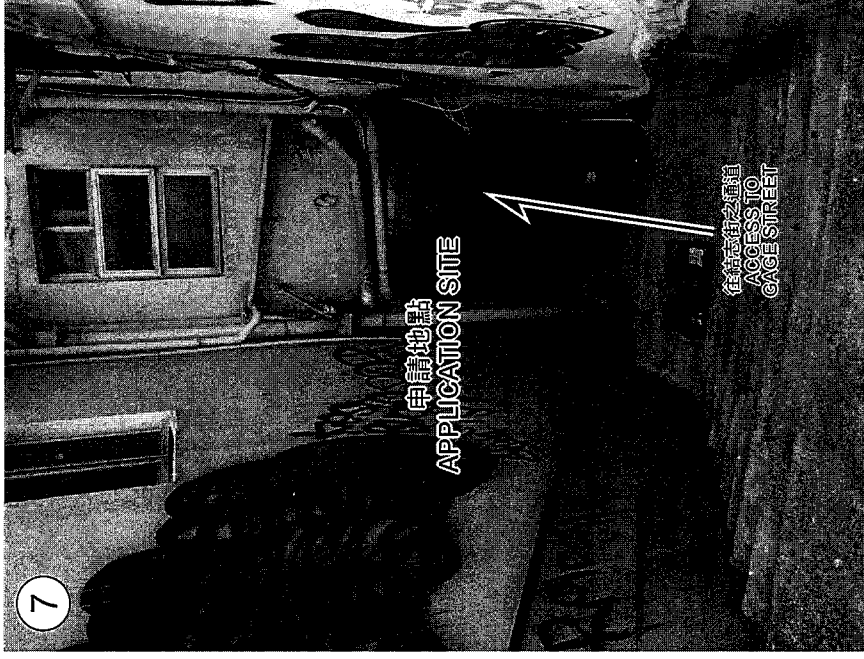
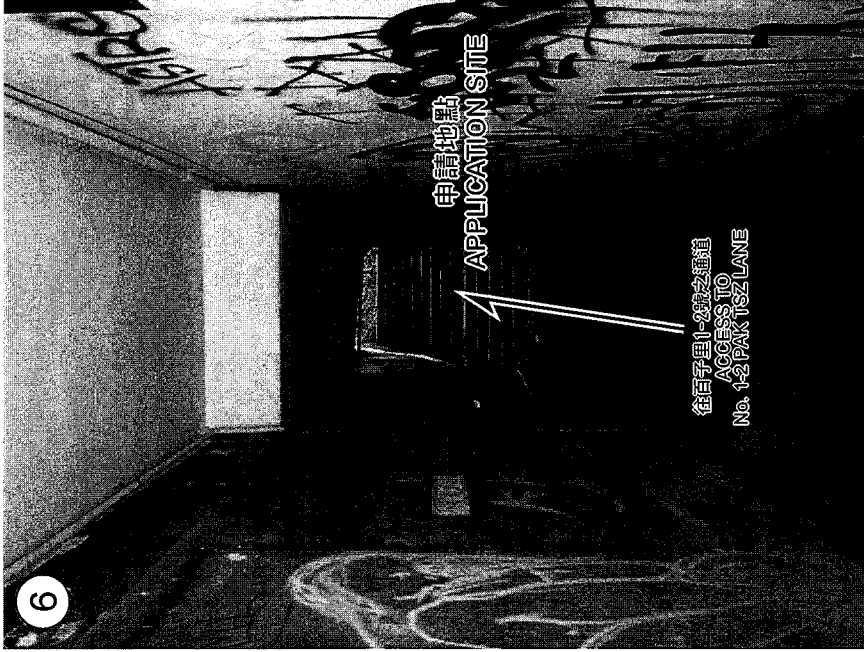
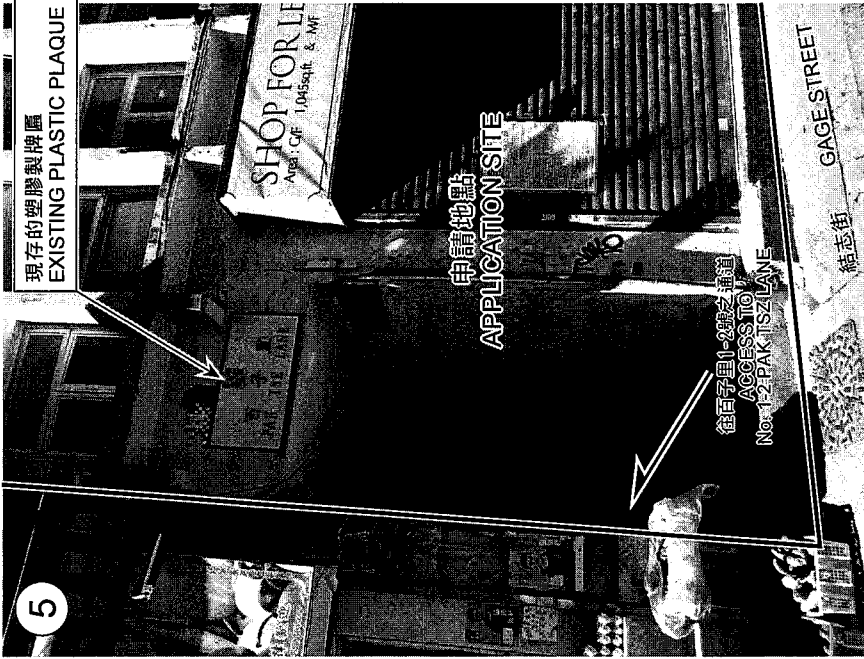
規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/H3/436

圖 PLAN  
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申請地點界線只作識別用  
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本圖於2018年9月12日擬備，所根據的資料為攝於2018年9月3日(左)、2018年3月9日(中)及(右)的實地照片  
EXTRACT PLAN PREPARED ON 12.9.2018  
BASED ON SITE PHOTOS TAKEN ON 3.9.2018 (LEFT), 9.3.2018 (MIDDLE) & (RIGHT)

實地照片 SITE PHOTOS

擬議辦公室、商店及服務行業、食肆  
香港上環結志街36號

PROPOSED OFFICE,  
SHOP AND SERVICES, EATING PLACE  
36 GAGE STREET, SHEUNG WAN, HONG KONG

規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
A/H3/436

圖 PLAN  
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申請地點線只作識別用  
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本圖於2018年9月12日製備，所根據的資料為攝於2018年3月9日的實地照片  
EXTRACT PLAN PREPARED ON 12.9.2018  
BASED ON SITE PHOTO TAKEN ON 9.3.2018

實地照片 SITE PHOTO

擬議辦公室、商店及服務行業、食肆  
香港上環結志街36號  
PROPOSED OFFICE,  
SHOP AND SERVICES, EATING PLACE  
36 GAGE STREET, SHEUNG WAN, HONG KONG

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.

A/H3/436

圖 PLAN

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- (b) the proposed office, shop and services and eating place;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of 18 public comments were received. Among which, eight commenters, including the Central & Western Concern Group, opposed the application, seven commenters supported the application and the remaining three commenters had not indicated whether they supported or objected to the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. Although the proposed office development with shop and services/eating place uses was not incompatible with the surrounding developments, it was not fully in line with the planning intention of the “Residential (Group A)9” (“R(A)9”) zone. In view of the current shortage of housing land, sites planned for residential use should be developed in general for its zoned use upon redevelopment unless with strong justifications. The applicant had not demonstrated that the site was not conducive to residential development, and warranted special consideration. Furthermore, the application did not comply with the Town Planning Board Guidelines No. 5 in that the effective area per floor available for the proposed uses would be relatively small. With regard to the two similar applications for commercial/office developments quoted by the applicant, these two applications which involved the same site had their unique background and context in that they were surrounded by existing commercial buildings, and the planning permission was first granted in 2012. Approval of the current application would set an undesirable precedent for other residential sites in the same “R(A)9” zone. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

41. Some Members raised the following questions:

- (a) the relationship between the graded historic structure within the site (i.e. the passageway leading to Pak Tsz Lane) and the Dr Sun Yat-Sen Historical Trail;
- (b) whether the concerned passageway was under private ownership, whether right-of-way was reserved for the general public, and whether lease modification would be required, should the application be approved;
- (c) whether there were any mechanism to ensure the reprovision of the passageway and any requirement for the landowner to properly maintain the graded historic structure; and
- (d) what the key elements of the passageway should be preserved and whether the length of the passageway would be affected by the setback of the proposed development.

42. Mr. J.J. Austin, STP/HK, made the following responses:

- (a) the Grade 1 historic structure of Pak Taz Lane comprised the passageway within the existing building, and the granite steps and adjoining wall located at the rear part of the existing building. Pak Tsz Lane could be considered as a cradle for the 1911 Chinese Revolution as it led to Foo Yan Man Ser (輔仁文社) located at No. 1 Pak Tsz Lane, which was a meeting place for Chinese revolutionaries. While the original building at No.1 Pak Tsz Lane had been demolished, the granite steps and the adjoining wall capped by coping concrete were believed to be the original structures of Pak Tsz Lane. The existing Pak Tsz Lane Park to the southwest of the site formed part of the Dr Sun Yat-Sen Historical Trail;
- (b) the passageway was under private ownership and there was no right-of-way requirement in the lease. According to the comments of the Lands

Department, lease modification would not be required if the current application was approved;

- (c) the Grade 1 historic building status referred to buildings with outstanding merit, and every effort should be made to preserve it if possible. However, the grading system was an administrative measure and did not offer statutory protection to the graded buildings/structures unless they were declared as monuments in accordance with the Antiquities and Monuments Ordinance. Since the re-provided passageway would remain under private ownership, the management and maintenance responsibilities would fall on the land owner; and
- (d) according to the applicant's proposal, the existing passageway would be re-provided in the proposed development and the Antiquities and Monuments Office (AMO) had no adverse comment on the proposal. Since the applicant proposed to provide a setback of more than 1m from the lot boundary along Gage Street, the length of the re-provided passageway would be inevitably affected.

#### Deliberation Session

43. Members generally considered that the application was not acceptable mainly on land use planning and compatibility considerations. Nonetheless, some Members had the following comments on preserving the existing passageway within the site:

- (a) current maintenance of the existing passageway was very poor;
- (b) there would be technical difficulties in preserving the passageway with existing construction materials (i.e. column and beam structural frame, floor slabs and brick walls) of the building; and
- (c) the atmosphere and ambiance of the concerned Grade 1 structure would be affected upon redevelopment of the existing building.

44. The Committee agreed to convey the above Members' views for AMO's consideration.

45. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed office development is not in line with the planning intention of the “Residential (Group A)9” (“R(A)9”) zone which is for high-density residential developments. The approval of the application would result in a reduction of housing supply;
- (b) the applicant fails to demonstrate that the site is not conducive to residential development; and
- (c) approval of the application would set an undesirable precedent for similar applications in the same “R(A)9” zone. The cumulative effect of approving such applications would aggravate the shortfall in the supply of housing land.”

[The Chairman thanked Mr. J.J. Austin, STP/HK for his attendance to answer Members' enquiries. He left the meeting at this point.]

城市規劃委員會

香港北角渣華道三百三十三號  
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices  
333 Java Road, North Point,  
Hong Kong.

傳真 Fax: 2877 0245 / 2522 8426

電話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/H3/436

By Hand & Fax (2526 3281)

5 October 2018

Llewelyn-Davies Hong Kong Ltd.  
10/F, Cheung Wah Industrial Building  
10-12 Shipyard Lane  
Quarry Bay, Hong Kong  
(Attn: Man Ho / Frankie Tsang)

Dear Sir/Madam,

**Proposed Office, Shop and Services and Eating Place in  
“Residential (Group A) 9” Zone, 36 Gage Street, Sheung Wan, Hong Kong**

I refer to my letter to you dated 8.8.2018.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reasons are :

- (a) the proposed office development is not in line with the planning intention of the “Residential (Group A)9” (“R(A)9”) zone which is for high-density residential developments. The approval of the application will result in a reduction of housing supply;
- (b) you fail to demonstrate that the site is not conducive to residential development; and
- (c) approval of the application will set an undesirable precedent for similar applications in the same “R(A)9” zone. The cumulative effect of approving such applications will aggravate the shortfall in the supply of housing land.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 21.9.2018 are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 26.10.2018). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a

review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

Under the Town Planning Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal should be submitted to the TPB in the form of a fresh application under section 16 of the Town Planning Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Mr. J. J. Austin of Hong Kong District Planning Office at 2231 4932.

Yours faithfully,



( Raymond KAN )  
for Secretary, Town Planning Board

b.c.c.

DLO/HKW&S, LandsD  
CBS/HKW, BD  
CHE/HK, Hyd  
DEP  
D of FS

CA/CMD2, ArchSD  
PM(South), CEDD  
CHO, DevB  
DFEH  
C for Tourism  
URU, DevB  
(Attn: Mr. Michael CHEUNG)  
SSO/TPB  
SSO/NTHQ

CES/UR, LandsD  
AC for T/U, TD  
CE/C, WSD  
CE/HK&I, DSD  
C of P  
RMO E&C T HKI  
OSSUC WDIV  
H(GEO), CEDD  
DLCS  
AMO, LCSD  
DO(C&W), HAD  
CTP/UD&L  
DPO/HK

PSO/TA

RK/CC/syl

DPO/HK	STP/HK( )	TP/HK( )	TP/HK( )