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Section 16 Planning Application for Proposed Shop and Services  
in "Residential (Group B)" Zone at 128 Waterloo Road, Kowloon  
(G/F (Part) of a Residential Development)

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## **EXECUTIVE SUMMARY**

### **1. INTRODUCTION**

This planning application is submitted to seek permission from the Town Planning Board (the “Board”) in support of the proposed ‘Shop and Services’ use (hereafter referred to as the “Proposed Use”) at 128 Waterloo Road, Kowloon (G/F (Part) of a Residential Development) (hereafter referred to as the “Application Premises”). The Application Premises falls within an area zoned “Residential (Group B)” (“R(B)”) on the approved Ho Man Tin Outline Zoning Plan (the OZP) No. S/K7/24. According to the Notes of the OZP for the subject “R(B)” zone, ‘Shop and Services’ use is a Column 2 use which requires planning permission from the Board.

With a total site area of about 37.044 m<sup>2</sup>, the Application Premises is located at part of the G/F of an existing 19-storeys residential development at 128 Waterloo Road, Kowloon (hereafter referred to as the “subject building”). The subject building is mainly surrounded by other low to medium-density residential developments with commercial uses such as tutorial schools and learning centers on the lower floors.

The Application Premises is currently vacant and can be directly accessed from Waterloo Road via an exclusive entrance and pedestrian walkway separated from the main access of the residential portion of the subject building, which minimises any possible commercial/residential interface problems.

The Application Premises is subject to a previous planning application (No. A/K7/119) for proposed ‘School (Tutorial School)’ use, which was approved by the Board on 2.8.2019.

Major justifications in support of the Proposed Use are listed as follows:

- In Line with the Planning Intention of “Residential (Group B)” Zone
- Compatible with Surrounding Land Uses
- Self-contained Design to Minimize Disturbance
- Previous Case for Proposed non-domestic Use
- No Adverse Traffic, Environment, Fire Safety and Infrastructural Impacts

In light of the supporting justifications presented in this Planning Statement, the Board is cordially invited to favourably consider this application.

## 行政摘要

(聲明：此中文譯本僅供參考，如中文譯本和英文原文有歧異時，應以英文原文為準。)

### 1. 簡介

申請人現根據城市規劃條例第 16 條，向城市規劃委員會(下稱城規會)遞交規劃申請，於九龍窩打老道 128 號(現有住宅發展地面層(部分))(下稱申請範圍)，擬議「商店及服務行業」(下稱擬議用途)。申請範圍於何文田分區計畫大綱核准圖(下稱大綱圖)編號 S/K7/24 劃作「住宅(乙類)」地帶。根據大綱圖對「住宅(乙類)」地帶的註釋，「商店及服務行業」用途屬於第二欄用途，需要獲得城規會的規劃許可。

申請範圍的總建築面積約為 37.044 平方米，並位於九龍窩打老道 128 號一棟樓高 19 層的現有住宅發展(下稱現有建築物)的部分地面層。現有建築物附近主要為其他低層用作商業用途(例如補習學校和學習中心)的中低密度住宅發展。

申請範圍目前空置，並可透過由窩打老道的專用入口及人行道直接進入。此入口與現有建築物住宅部分的主要入口分開，因此能夠最大限度減少任何可能的商業/住宅協調問題。

申請範圍先前涉及一宗擬議學校(補習學校)用途的規劃申請編號 A/K7/119，該申請已於 2019 年 8 月 2 日獲城規會批准。

以下為支持是次規劃申請的發展理據：

- 符合「住宅(乙類)」地帶的規劃意向
- 與附近土地用途兼容
- 獨立設計以盡量減少干擾
- 先前擬議非住宅用途的案例
- 不會對交通、環境、消防安全和基礎設施造成負面影響

基於以上的發展理據，現懇請城規會能對是次規劃申請予以贊同。

## **1 INTRODUCTION**

### **1.1 Background**

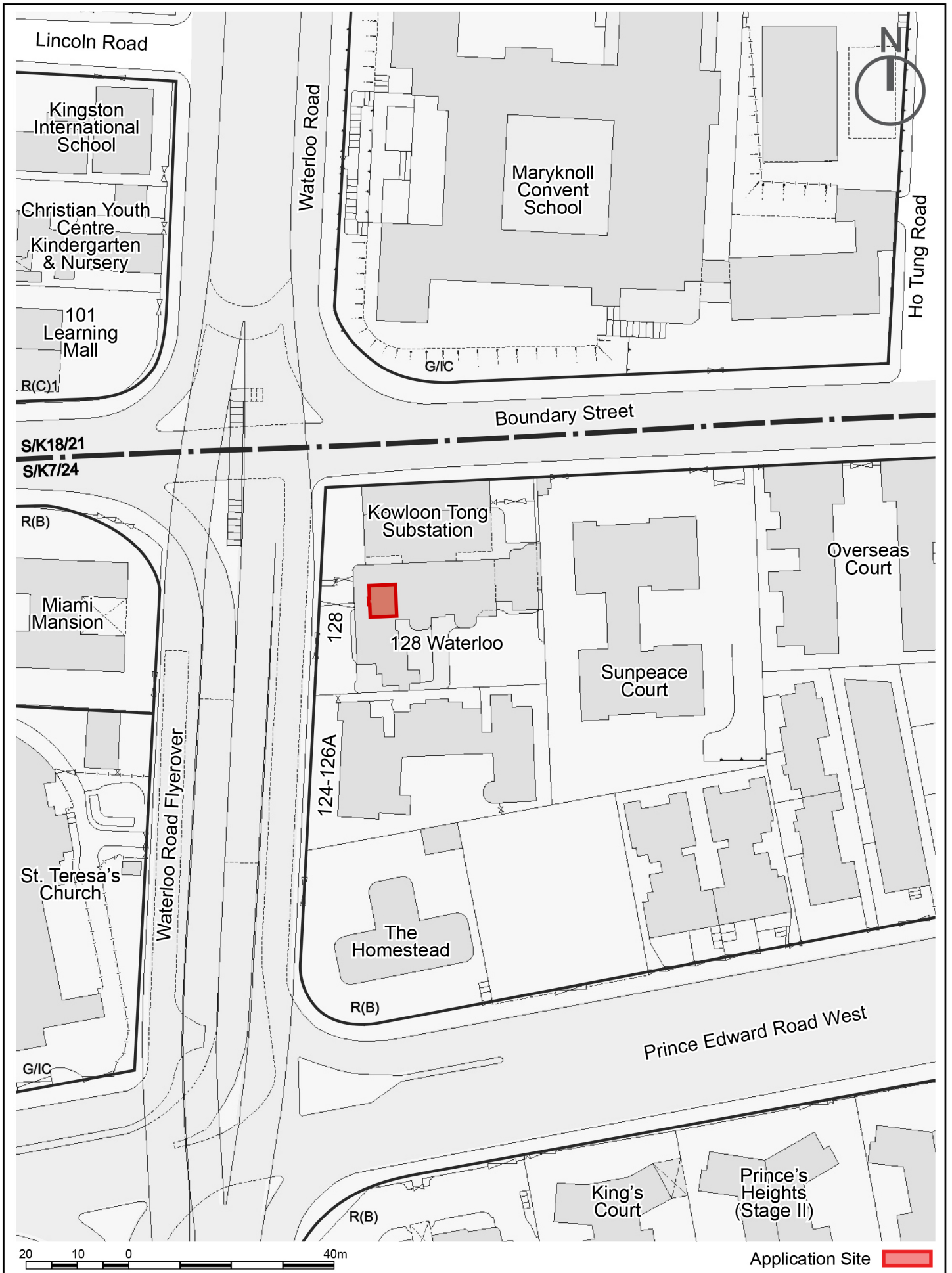
1.1.1 This planning statement is submitted to the Town Planning Board (the Board) under Section 16 of the Town Planning Ordinance to seek permission for proposed ‘Shop and Services’ use (hereafter referred to as “the Proposed Use”) at 128 Waterloo Road, Kowloon (G/F (Part) of a Residential Development) (hereafter referred to as “the Application Premises”).

1.1.2 The Application Premises falls within an area zoned “Residential (Group B)” (“R(B)”) on the approved Ho Man Tin Outline Zoning Plan No. S/K7/24 (**Figure 1.1** refers). The subject “R(B)” zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board. According to the Notes of the OZP for the subject “R(B)” zone, ‘Shop and Services’ use is a Column 2 use which requires planning permission from the Board.

### **1.2 Report Structure**

1.2.1 This planning statement includes the following sections:

- Section 2: describes and analyses the Application Site, its surrounding and planning context, and reports the land status of the Application Site;
- Section 3: depicts the proposed shop and services use;
- Section 4: highlights the justifications and planning merits; and
- Section 5: concludes the planning statement.



Application Site ■



Title  
 Extract of the Approved Ho Man Tin Outline Zoning  
 Plan No. S/K7/24

|         |        |       |          |
|---------|--------|-------|----------|
| Checked | DH     | Drawn | PW       |
| Rev     | 0      | Date  | Mar 2024 |
| Scale   | Figure |       |          |
| NA      | 1.1    |       |          |

## **2 SITE AND PLANNING CONTEXTS**

### **2.1 Site and Surrounding Context**

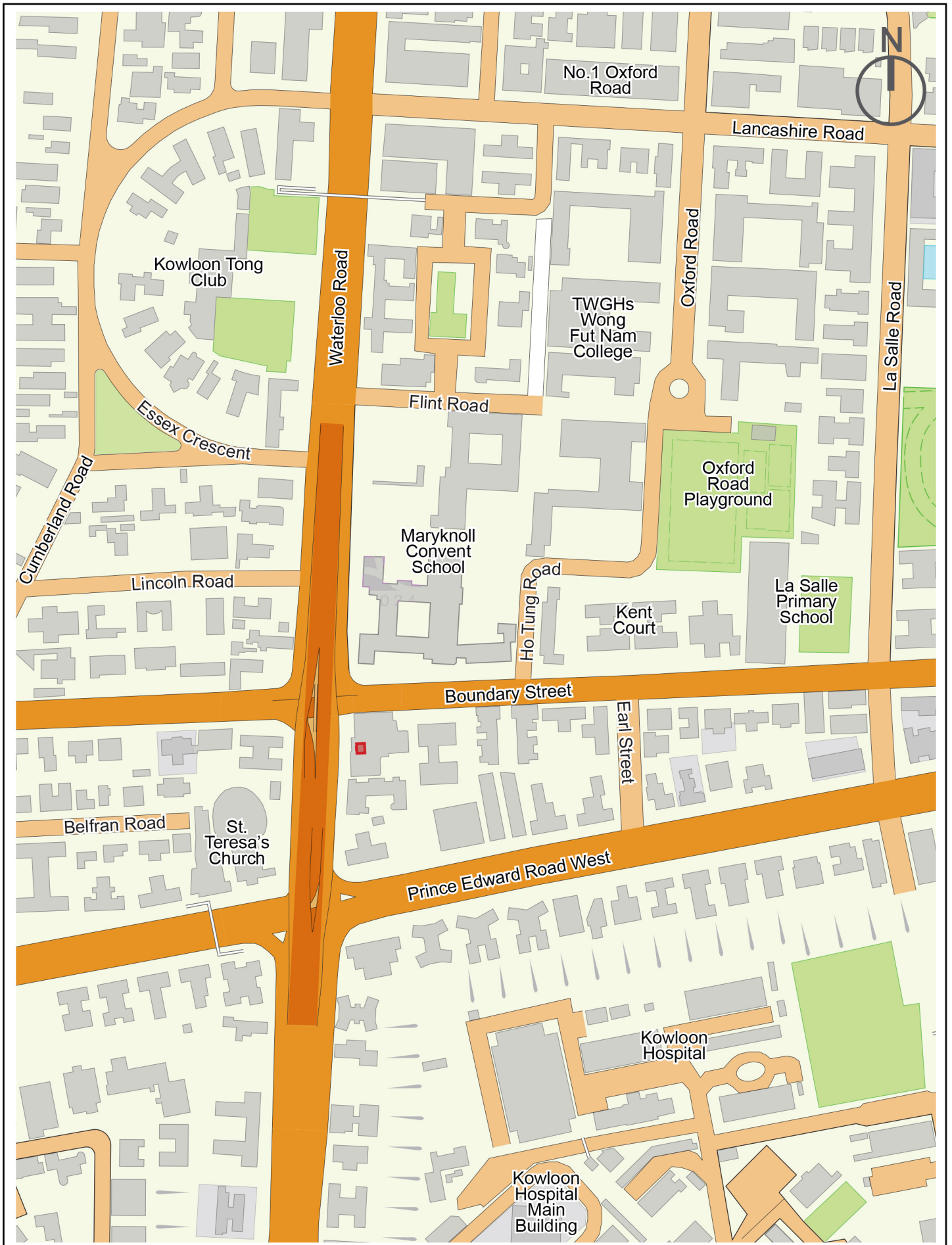
2.1.1 According to the Record Plan of the subject premises (i.e. 128 Waterloo) dated 30 Sept 2021, the subject area for the proposed shop and services has an area of about 37.044m<sup>2</sup>. It is located at part of the G/F of an existing 19-storeys residential development at 128 Waterloo Road, Kowloon (hereafter referred to as the “subject building”).

2.1.2 The subject building is bounded by Waterloo Road to the West and Boundary Street to the North, it is situated within a residential neighborhood mainly occupied by low to medium-density residential developments with commercial uses such as tutorial schools and learning centers on the lower floors. **Figure 2.1** shows the strategic location of the Application Site in relation to the Kowloon Tong and Ho Man Tin areas.

### **2.2 Access**

2.2.1 The location of the proposed shop and services can be directly accessed from Waterloo Road via an exclusive entrance and pedestrian walkway. The entrance and walkway are separated from the main access of the residential portion of the subject building, which minimises any possible commercial / residential interface problems.

2.2.2 Please find some illustrative photos at the pages below showing the site and surrounding context of the Application Premises.



Application Site ■



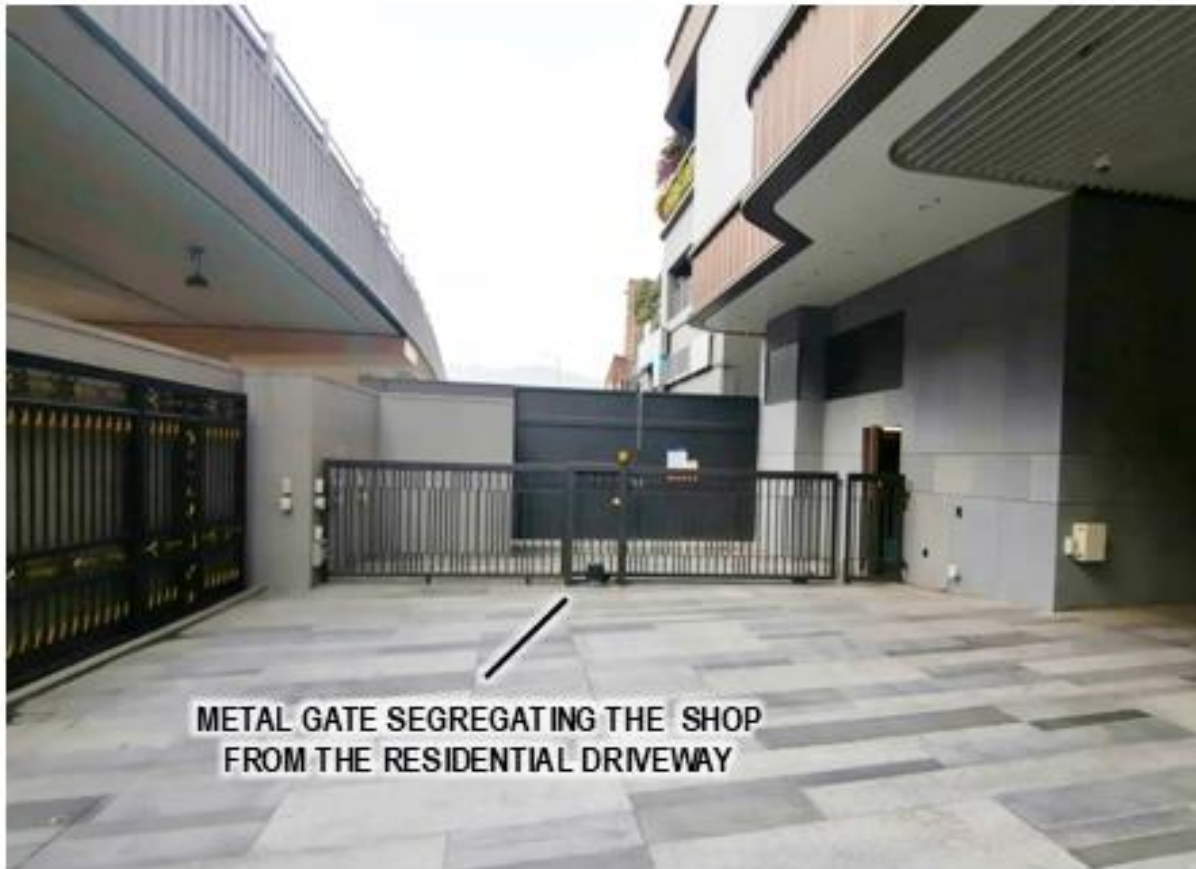
Title  
Location Plan

|         |        |       |          |
|---------|--------|-------|----------|
| Checked | DH     | Drawn | PW       |
| Rev     | 0      | Date  | Mar 2024 |
| Scale   | Figure |       |          |
| NA      | 2.1    |       |          |





Accesses to the Residential Portion and the Proposed Shops at 128 Waterloo Road



Location of the Proposed Shop at G/F with Metal Gate Segregating it from the Driveway of the Residential Portion

## 2.3 Planning Context

2.3.1 The Application Premises, as indicated in **Figure 1.1**, falls within the Approved Ho Man Tin OZP No. S/K7/24 and zoned “R(B)”. The subject “R(B)” zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

2.3.2 According to the Notes of the OZP for the subject “R(B)” zone, ‘Shop and Services’ use is a Column 2 use which requires planning permission from the Board. Below please find the extract of Notes of the subject “R(B)” zone under the Approved Ho Man Tin Outline Zoning Plan No. S/K7/24 for reference.

- 6 -

S/K7/24

### RESIDENTIAL (GROUP B)

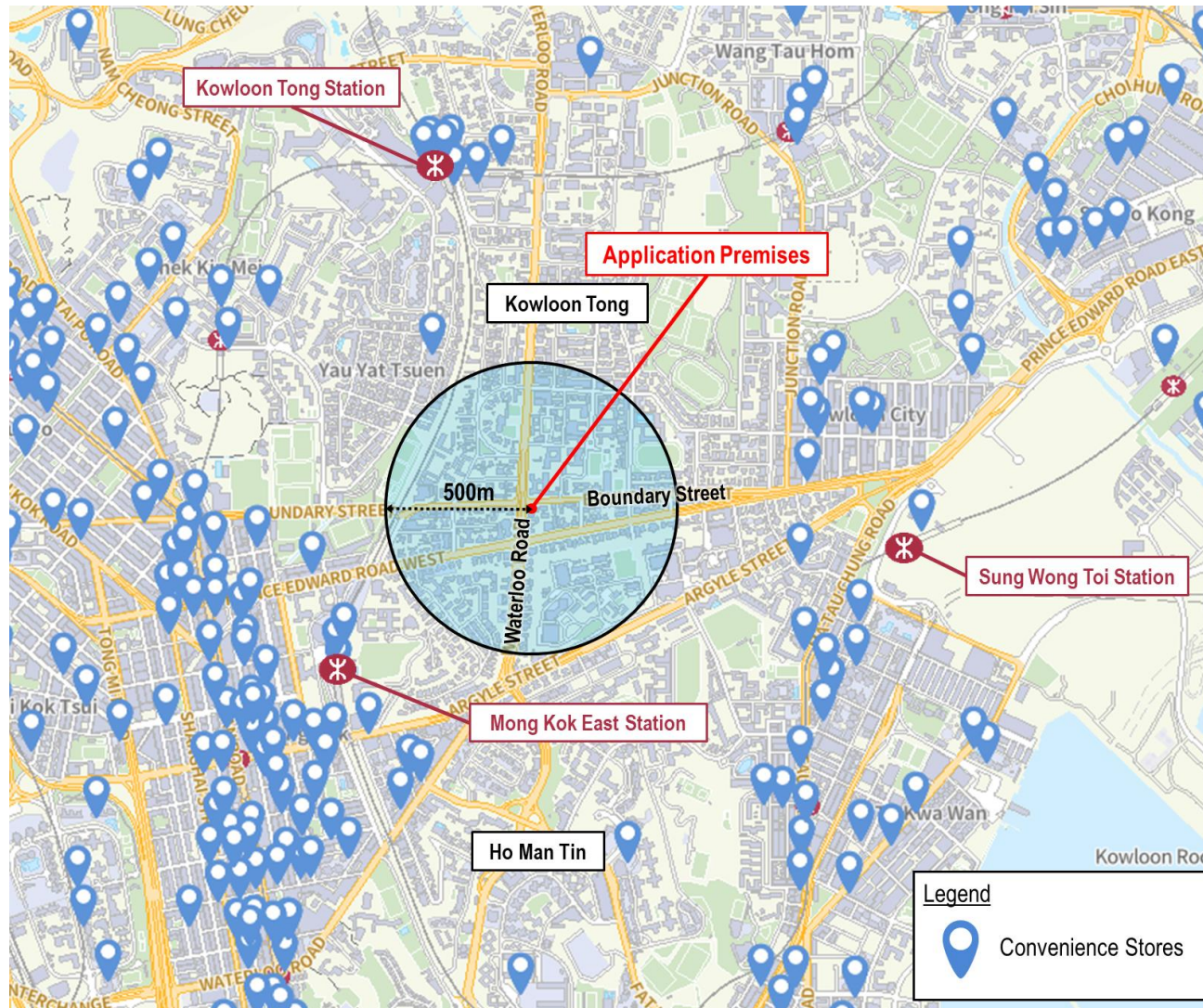
| Column 1<br>Uses always permitted                          | Column 2<br>Uses that may be permitted with or without conditions on application to the Town Planning Board |
|--|---|
| Flat   | Ambulance Depot   |
| Government Use (Police Reporting Centre, Post Office only) | Eating Place  |
| House  | Educational Institution   |
| Library  | Government Refuse Collection Point  |
| Residential Institution                                    | Government Use (not elsewhere specified)  |
| School (in free-standing purpose-designed building only)   | Hospital  |
| Utility Installation for Private Project                   | Hotel   |
|  | Institutional Use (not elsewhere specified)   |
|  | Market  |
|  | Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances              |
|  | Off-course Betting Centre   |
|  | Office  |
|  | Petrol Filling Station  |
|  | Place of Entertainment  |
|  | Place of Recreation, Sports or Culture  |
|  | Private Club  |
|  | Public Clinic   |
|  | Public Convenience  |
|  | Public Transport Terminus or Station  |
|  | Public Utility Installation   |
|  | Public Vehicle Park<br>(excluding container vehicle)  |
|  | Recyclable Collection Centre  |
|  | Religious Institution   |
|  | School (not elsewhere specified)  |
|  | <b>Shop and Services</b>  |
|  | Social Welfare Facility   |
|  | Training Centre   |

#### Planning Intention

This zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.

- 2.3.3 The application premises is subject to a previous planning application (No. A/K7/119) for a proposed ‘School (Tutorial School)’ use, which was approved by the Board on 2.8.2019. As per the previous planning approval, the tutorial school was planned to accommodate no more than 7 students and 1 teacher / staff.
- 2.3.4 The Applicant would like to change the nature of the business of the Application Premises into a local convenient store / retail shop due to the change of market and with review of the needs of the local neighbourhood. As shown in the figure below, there is no convenience store within 500m from the Application Premises (i.e. a reasonable walking distance of about 5 to 10 minutes), which shows the insufficiency of retail facilities in the local neighbourhood. According to the Town Planning Board’s Definition of Terms, any premises where goods are sold or where services are provided to visiting members of the public are subsumed under “Shop and Services”, which is a Column 2 use in the “R(B)” zone and requires planning permission from the Town Planning Board.





Location of Convenience Stores in Central Kowloon (Source: GeolInfo Map)

## **2.4 Land Status**

- 2.4.1 The Application Site falls within a private lot (i.e. Kowloon Inland Lot No. 1900), which is owned solely by the Applicant.

### **3 PROPOSED SHOP AND SERVICES USE**

#### **3.1 Nature and Operation of the Proposed Use**

- 3.1.1 According to the Record Plan of the subject premises (i.e. 128 Waterloo) dated 30 Sept 2021, the proposed ‘Shop and Services’ use at the Application Premises has a GFA of about 37.044m<sup>2</sup>. It will be a local convenient store that provides retail services mainly for the residents of the subject building and the surrounding residential neighborhood. Due to the nature of the proposed shops is to mainly serve the daily needs of the residents of the local neighbourhood, the proposed uses is considered to be totally compatible with the same building as well as the surrounding developments.
- 3.1.2 Although there will be no parking space and loading / unloading facility, the proposed shop will be exclusively served by a stand-alone pedestrian walkway with a separated entrance / exist at Waterloo Road. Due to the small scale of the proposed shop, there will be no disturbance nor nuisance to the local residents in the same building. Since the access to the proposed shop solely relies on the stand-alone pedestrian walkway but not the common area of the residential development, the subject proposal would not affect the existing means of escape provision of the buildings. Approvals from Fire Services Department and the Buildings Department will be sought at subsequent Building Plan amendment stage to comply with the fire and building safety requirements for the proposed shops and services.
- 3.1.3 The local convenient store will be equipped with air-conditioning system and does not rely on opened windows for air ventilations. Besides, water supply and power supply system as well as independent toilet will be equipped by the local convenient store.
- 3.1.4 The layout plan of the proposed shop and services on the G/F of the residential development is enclosed as **Figure 3.1**.

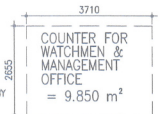


BOUNDARY STREET  
(18.72M WIDE APP)



**EXEMPTED G.F.A CALCULATION  
FOR COUNTER FOR WATCHMEN  
(GROUND FLOOR)**

PNAP APP-42 APPENDIX A ITEMS REFER  
= 5m<sup>2</sup> FOR EVERY 50 FLATS  
TOTAL NO. OF FLAT = 110 FLATS  
PERMITTED AREA FOR COUNTER  
FOR WATCHMEN = 10 m<sup>2</sup>  
PROVIDED AREA FOR COUNTER  
FOR WATCHMEN  
= 9.850 m<sup>2</sup> < 10 m<sup>2</sup>  
TOTAL GFA = 7928.917 m<sup>2</sup> x 0.2% = 15.858 m<sup>2</sup>



**NOTE FOR METAL GATE AT  
EVA ENTRANCE**  
THE ENTRANCE GATE TO BE ATTENDED  
24 HOURS IN ORDER TO ALLOW SAFE &  
UNOBSTRUCTED ACCESS OF FIRE  
APPLIANCE & TO BE READILY OPENABLE  
FOR ACCESS IN CASE OF EMERGENCY

**RECORD PLAN**  
The plans are intended to be approved  
by the Building Authority on the terms  
specified.  
Dated: 30/09/2021  
BD Ref: 2/4612/17  
Wai Ching Pang  
Authorized Person

**REFUSE STORAGE &  
MATERIAL RECOVERY  
CHAMBER CAL. DIAGRAM**

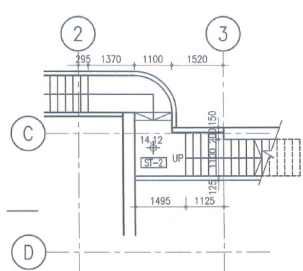


**REFUSE STORAGE  
& MATERIAL RECOVERY  
CHAMBER CALCULATION:**

| REFUSE STORAGE & MATERIAL RECOVERY CHAMBER (RSMRC) AREA CALCULATION: |                             |
|--|-----------------------------|
| TOTAL DOMESTIC U.F.S.  | = 5198.904 s.m.             |
| RSMRC AREA REQUIRED  | 5198.904/347 = 14.982 s.m.  |
| RSMRC AREA PROVIDED  | 14.999 s.m.                 |
|  | 14.999 > 14.982 (Permitted) |

- ⊖ N.P.S. : NO PARKING SIGN
- ⊕ E.V.A.S. : E.V.A. SIGN
- E.V.A.S. : E.V.A. LAYOUT SIGN
- ⊕ F.L.S. : FIREMAN'S LIFT SIGN

**Separate Entrance  
to Proposed  
Shop & Services**



PART PLAN OF ST-2  
AT LEVEL 14.12

**GROUND FLOOR PLAN**

- SUPERIMPOSED LOAD 5.0 KPa
- SPRINKLER SYSTEM TO BE PROVIDED FOR CARPARK / LOADING & UNLOADING AREA
- 4, 13, 14, 24 OMITTED FROM CARPARK NUMBERING SYSTEM
- SMOKE OUTLET (S.O. 1, 2, 3 & 4) : 1.0m x 1.0m
- L/UL BAY : 7.0m x 3.5m x 3.6m HEADROOM
- CARPARK SPACE : 2.5m x 5.0m x 2.4m HEADROOM
- MOTOR CYCLE : 2.4m x 1.0m x 2.4m HEADROOM
- 10 NOS. OF CAR PARKING SPACES
- 1 NO. OF ACCESSIBLE CAR PARKING SPACE
- 2 NOS. OF MOTORCYCLE SPACE

**TYPE II WORKS:**  
THE WORKS SHOWN ON THESE PLANS ARE TYPE II WORKS (GENERAL BUILDING WORKS) IN RESPECT OF WHICH CONSENT IS APPLIED FOR THE PURPOSE OF FAST TRACK CONSENT APPLICATION UNDER REGULATION 33 OF THE BUILDING (ADMINISTRATION) REGULATIONS.

**LEGEND :**

- : VERTICAL GREEN WALL
- : PLANTER
- : EXISTING CLP SUBSTATION
- : EXISTING BUILDING WORKS
- : MAINTENANCE ACCESS FOR CLP
- : 13A SOCKET WEATHERPROOF OUTLET FOR FOR ELECTRIC VEHICLE (EV) CHARGING FACILITIES
- : FSAP : FIRE SERVICE ACCESS POINT

Application Site



Title

Location of Proposed Shop and Services at G/F

|         |    |        |          |
|---------|----|--------|----------|
| Checked | DH | Drawn  | PW       |
| Rev     | 0  | Date   | Mar 2024 |
| Scale   |    | Figure | 3.1      |



## **4 JUSTIFICATIONS AND PLANNING MERITS**

### **4.1 In Line with the Planning Intention of “Residential (Group B)” Zone**

4.1.1 The proposed shop and services use is in line with the planning intention of the subject “R(B)” zone, which is intended for medium-density residential developments where commercial uses serving the residential neighborhood may be permitted. Since the nature of the Proposed Use is community-based and small scale, it will not result in any unacceptable consequential adverse effect on the local area or the planning intention of the area. The GFA of the proposed use has already been included in the PR calculation for the site of the subject building, and is in compliance with the PR restriction of 5.0 for the subject “R(B)” zone as well as the approved GFA under the Record Plan.

### **4.2 Compatible with Surrounding Land Uses**

4.2.1 The Proposed Use is not incompatible with the surrounding land uses, which comprises mainly low to medium-density residential development with non-domestic uses, such as tutorial schools and learning centers on the lower floors.

4.2.2 As illustrated in paragraph 2.3.4 above, there is no convenience store within 500m from the Application Premises, which shows the insufficiency of retail facilities in the local neighbourhood. The current change of nature of the business of the Applicant Premises into a local convenient store / retail shop can contribute to address the needs of the local neighbourhood with no disturbance to the existing residents on-site.

### **4.3 Self-contained Design Arrangement with no Disturbance to the Residents**

4.3.1 The Application Premises can be accessed directly from the Waterloo Road via an exclusive entrance gate and access separated from the run-in/out serving the subject residential building. The proposed shop will have independent water supply, power supply system and toilet serving the staff. There would be no disturbance nor nuisance to the residential portion of the subject building.

4.3.2 Although there will be no parking space and loading / unloading facility, due to the small scale of operation of this community-based local shop, the proposed use is

intended mainly to serve the local residents in its immediate surrounding neighbourhood. While the majority of users will access to Application Premises via walking, additional traffic and parking demand is therefore not anticipated.

#### **4.4 Previous Case for Proposed Non-domestic Use**

- 4.4.1 The Application Premises is subject to a previous approved planning application for proposed ‘School (Tutorial School)’ use (No. A/K7/119), which demonstrate that it is technically feasible for non-domestic uses at the Application Premises and is not incompatible with other residential uses within the same building.

#### **4.5 No Adverse Fire Safety and Building Impacts**

- 4.5.1 The proposed shop is confined to the non-domestic portion of the previous approved tutorial school at G/F of the subject residential building under the Record Plan of the subject premises (i.e. 128 Waterloo) dated 30 Sept 2021. Approvals from Fire Services Department and the Buildings Department will be sought at subsequent Building Plan amendment stage to comply with the fire and building safety requirements for the proposed shops and services.

## **5 CONCLUSION**

- 5.1 The Application Premises falls within an area zoned “Residential (Group B)” on the approved Ho Man Tin Outline Zoning Plan No. S/K7/24. According to the Notes of the OZP for the subject “R(B)” zone, ‘Shop and Services’ use is a Column 2 use which requires planning permission from the Town Planning Board.
- 5.2 With a total site area of about 37.044m<sup>2</sup>, the Application Premises is located at part of the G/F of an existing 19-storeys residential development at 128 Waterloo Road, Kowloon. The subject building is mainly surrounded by other low to medium-density residential developments with commercial uses on the lower floors. The subject proposed uses provides retail services mainly for the residents of the subject building and the surrounding residential neighborhood. Due to the nature of the proposed shops is to mainly serve the daily needs of the residents of the local neighbourhood, the proposed uses is considered to be totally compatible with the same building as well as the surrounding developments.
- 5.3 The proposed shop will be exclusively served by a stand-alone pedestrian walkway with a separated entrance / exist at Waterloo Road. Since the access to the proposed shop solely relies on the stand-alone pedestrian walkway but not the common area of the residential development, the subject proposal would not affect the existing means of escape provision of the buildings. There will be no disturbance nor nuisance to the local residents in the same building.
- 5.4 In light of the supporting justifications presented in this Planning Statement, the Board is cordially invited to consider this application favourably.