

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

**APPLICATION NO. A/K2/218**

<b><u>Applicants</u></b>	Surplus King Centre Limited and Surplus King Hotel Enterprises Limited represented by Kenneth To and Associates Limited
<b><u>Site</u></b>	No. 348 Nathan Road, Jordan, Kowloon (Kowloon Inland Lot (K.I.L.) No. 6733)
<b><u>Site Area</u></b>	About 1,969m <sup>2</sup>
<b><u>Lease</u></b>	(a) 150 years commencing from 25.12.1888 (b) Restricted to non-industrial uses (c) To provide adequate parking spaces for motor vehicles to the satisfaction of the former Director of Public Works
<b><u>Plan</u></b>	Draft Yau Ma Tei Outline Zoning Plan (OZP) No. S/K2/22
<b><u>Zoning</u></b>	“Commercial” (“C”)  [Restricted to a maximum plot ratio (PR) of 12.0 and a maximum building height (BH) of 100mPD, or the PR/BH of the existing building, whichever is the greater.]
<b><u>Application</u></b>	Proposed Composite Development with Shop and Services/Eating Place, Office and Flat Uses

**1. The Proposal**

- 1.1 The applicants seek planning permission for proposed composite development comprising one residential block above a common podium of retail, restaurant and office uses at the Site with a total PR of 12 (comprising a domestic PR of 6 and a non-domestic PR of 6) and BH of 100mPD (at main roof) (**Plan A-1**). According to the Notes of the OZP for “C” zone, ‘Flat’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board), whereas ‘shop and services’, ‘eating place’ and ‘office’ uses are always permitted.
- 1.2 The Site is currently occupied by a 17-storey hotel (Novotel Nathan Road) over three basement levels. The lower floors (i.e. B2/F to 3/F) are occupied by retail/restaurant/commercial uses (**Plans A-3 to A-5**). The hotel entrance is located at Saigon Street.

- 1.3 The Site is the subject of a previous application (No. A/K2/207) submitted by the same applicants for proposed residential, hotel and retail development with total PR of 12 (PR 6 for domestic and PR 6 for non-domestic) and BH of 100mPD. The application was approved with conditions by the Committee on 19.7.2013. The approved application comprised one 18-storey hotel block fronting Nathan Road and one 23-storey residential block at the rear part of the Site, both standing on a 3-storey retail podium, providing not more than 299 hotel rooms and 150 residential units (**Appendix II**). The general building plans (GBPs) for the approved scheme were approved by the Buildings Department (BD) and the latest approval of the GBPs was on 13.12.2019. The approved scheme has yet to be implemented.
- 1.4 The proposed retail, restaurant and office uses are located at the 8-storey podium (i.e. G/F to 8/F) of the Site fronting Nathan Road. Residents' clubhouse and podium garden will be located on 9/F while residential floors are on 10/F to 24/F (**Drawing A-11**) providing a total of 285 units. Separated access will be provided for commercial uses at Nathan Road and the residential uses at Saigon Street (**Drawings A-4 and A-5**), while vehicular access for the whole development is at Saigon Street (**Drawing A-4**).
- 1.5 According to the applicants, the proposed scheme will provide a setback at G/F and 1/F at the corner of Nathan Road and Saigon Street with landscape treatment at street level (**Drawings A-4, A-5 and A-12**). Besides, lower level setback from Mau Lam Street with landscape treatment (**Drawing A-4**), and a building gap of not less than 3m (upper zone) and 10m (lower zone) between the Site and the adjoining building (i.e. Chi Wo Commercial Building) to the east (**Drawing A-11**) will be provided. Residential floors (i.e. 10/F to 24/F) above the podium levels will be setback about 20m away from Nathan Road (or 16m from the lot boundary) (**Drawings A-10 and A-11**). A canopy structure along Nathan Road (about 3m wide) and Saigon Street (about 1.5m wide) will be provided to enhance streetscape environment and walking experience (**Drawing A-6**). Greening and landscaping will be provided on G/F, 1/F and 9/F to enhance local greenery (**Drawings A-4, A-5 and A-9**). The existing basement structure will also be retained to minimise construction waste and construction nuisance.
- 1.6 The floor and sectional plans of the proposed development are shown in **Drawings A-1 to A-11**. The key development parameters of the proposed development are as follows:

Site Area (about)	1,969m <sup>2</sup>
Maximum GFA (about)	23,628m <sup>2</sup>
• Domestic GFA	11,814m <sup>2</sup> (50%)
• Non-domestic GFA	11,814m <sup>2</sup> (50%)
	• Retail: 3,849m <sup>2</sup> (32.6%)
	• Office: 7,965m <sup>2</sup> (67.4%)
No. of flat	285 (Average unit size: 41.45m <sup>2</sup> )
Maximum PR	Total: 12
	• Domestic PR: 6
	• Non-domestic PR: 6 (Retail: 1.95) (Office: 4.05)
Building height (main roof)	100mPD
Site Coverage (about)	Office floors: 83%
	Residential floors: Not more than 40%
Greening Ratio	22.16% (about 436.5m <sup>2</sup> )
Communal Open Space (for residential)	Not less than 660m <sup>2</sup> (9/F)

<b>Internal Parking Provision</b>	
Car parking space	Total: 95 spaces • Residential: 21 spaces • Commercial: 74 spaces
Motorcycle parking space	Total: 11 spaces • Residential: 3 spaces • Commercial: 8 spaces
Goods vehicle parking	Total: 6 spaces • Residential: 1 space • Commercial: 5 spaces
Loading/unloading bays	Total: 4 spaces for commercial
<b>Main Floor Use</b>	
B1/F to B3/F	• Carpark and loading/unloading bays
G/F	• Residential lobby • Retail
1/F	• Office lobby • Retail and restaurant
2/F	• Retail and restaurant
3/F to 8/F	• Offices
9/F	• Residents' clubhouse, podium garden and covered landscape area
10/F to 24/F	• Residential flats

- 1.7 In support of the application, the applicants have submitted the following documents:
- (a) Application Form received on 18.9.2020 **(Appendix I)**
  - (b) Supplementary Planning Statement (including traffic impact assessment (TIA) and environmental assessment (EA)) **(Appendix Ia)**
  - (c) Further information (FI) received on 28.10.2020 providing responses to departmental comments (R to C), a revised TIA and an Air Quality Impact Assessment (AQIA)<sup>@</sup> **(Appendix Ib)**
  - (d) FI received on 20.11.2020 providing R-to-C, revised TIA and revised layout of basement floors<sup>@</sup> **(Appendix Ic)**
  - (e) FI received on 30.12.2020 providing R-to-C, updated TIA and a revised EA of chapters on AQIA<sup>@</sup> **(Appendix Id)**
  - (f) FI received on 10.2.2021 providing R-to-C and a revised EA of chapters on AQIA\* **(Appendix Ie)**
  - (g) FI received on 18.2.2021 providing a new section plan\* **(Appendix If)**

<sup>@</sup> accepted but not exempted from publication and recounting requirement

\* accepted and exempted from publication and recounting requirement

## 2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are summarized as follows:

- (a) The OZP does not reflect the current mixed use character of the area while maintaining the 'street block zoning pattern' with "C" zoning for the entire street block abutting Nathan Road. Despite being covered by a blanket-like "C" zoning all over the street blocks along Nathan Road, existing buildings abutting local streets such as Mau Lam Street, Saigon Street, etc. are not necessarily built for commercial uses. Commercial/residential buildings are scattered in the area, and thus creates a good mixture of uses in the surrounding area.
- (b) When viewing from Nathan Road, the image of commercial spine will remain unchanged as the commercial component of the proposed development faces Nathan Road. The residential portion of the composite building will be set back from Nathan Road and faces the local streets, where existing residential buildings can be found. The proposed composite retail, office and residential development will completely tie in with the existing mixed use character of the area.
- (c) The proposed composite development is compatible with its immediate surrounding area in a way that majority of the ground floor frontage (as well as the lower floors) will be designated for retail use. This arrangement helps to maintain the mixed-use neighbourhood character right at street level and will not jeopardize any opportunity for street level activities hence sustaining the vibrancy along both Nathan Road and Saigon Street. The introduction of flats at the quieter side of the street block will not undermine the planning intention of the "C" zone at the Site.
- (d) According to Town Planning Board Guidelines for Designation of "Other Specified Uses" annotated "Mixed Uses" ("OU(MU)") Zone and Application for Development within "OU(MU)" Zone Under Section 16 of the Town Planning Ordinance (TPB PG-No. 42), the Board recognises that there are merits in functionally and physically integrating different types of compatible uses within a building or over a spatial area, in particular when it helps create vitality and diversity in an area (see example in para.5.3 of **Appendix Ia**). The proposed composite building is very similar to the example, where different land uses stacking on top of each other, and various activities take place vertically within the Site to bring vitality and diversity.
- (e) Both the Policy Addresses since 2013 and Long Term Housing Strategy (LTHS) have emphasised the need to increase land supply. The Government has been and will continue to implement measures to expedite/increase overall housing land supply. These measures include, among others, making optimal use of the developed areas in the existing urban areas and new towns. The proposed development provides opportunity to contribute the flat production targets under the Policy Addresses and the LTHS.
- (f) The PR of the proposed composite development is in line with the OZP. The building bulk of the proposed development is less bulky than a pure commercial building with a smaller site coverage at the residential portion (not more than 40%) and it is considered to be compatible with the adjacent buildings. Not least, the proposed building height also conforms to the latest height control stipulated in the OZP.

- (g) The Site has good accessibility, is well served by buses and is 200m from MTR Jordan Station. Potential needs arising from the small residential population of the proposed development will be met by existing community facilities and services in the district.
- (h) Technical assessments such as TIA and EA are submitted to prove that the proposed composite development will not bring adverse impact to the sensitive uses within the Site. Interface problem and the possible disturbance to the residents have been fully addressed by physically separating the residential use from the commercial uses, including having separate entrances from Saigon Street and Nathan Road respectively.
- (i) The TIA results revealed that the proposed development would not induce adverse traffic impact on the adjacent road networks. The EA Report concluded that there will be no unacceptable road traffic noise impact on the proposed development. The residential portion of the proposed development is elevated at over 46m aboveground so that air quality impact from vehicular emission at grade is unlikely significant. The existing sewerage system serving the area would be sufficient to cater for the sewage generation from the proposed development. The basement structure of the existing building will be retained to minimise construction waste and nuisance.
- (j) TPB approved a previous application at the Site for a composite development with retail, hotel and residential components on 19.7.2013 (Application No. A/K2/207). GBPs for the approved application was subsequently approved by the Buildings Department (BD) on 11.4.2016, 3.1.2018 and 13.12.2019. There is no major change in planning circumstances comparing to the setting of the approved application.
- (k) The surrounding area has basically remained unchanged and the mixed use nature remains and the residential buildings also remain intact. Having said that there has been no change in planning circumstances since 2013, the constantly increasing demand for residential units is undisputable. Therefore, the planning considerations given in 2013 should still be applicable in the current application for the proposed composite development which shall produce 135 additional residential units (current: 285 units; approved: 150 units).
- (l) The demolition work will only involve above ground structures. No demolition work will be carried within the basement. Therefore, settlement to adjacent ground is minimal. For new building works, a team of technical competent persons as required by the BD will supervise all building works to ensure the works being carried out are safe.
- (m) A set of monitoring system shall be submitted to BD for agreement prior to commencement of building works on site. Such monitoring system shall follow relevant Code of Practice/Practice Note for Authorized Persons (PNAP) under Building Ordinance (BO), particularly, Appendix B of PNAP, Registered Structural Engineers and Registered Geotechnical Engineers PNAP-APP-137 on Ground-borne Vibrations and Ground Settlements Arising from Pile Driving and Similar Operations.

3. **Compliance with the Owner's "Consent/Notification" Requirement**

The applicants are the sole "current land owners". Detailed information would be deposited at the meeting for Members' inspection.

4. **Background**

The Site is located within an area of Jordan with a mixture of residential, hotel and office developments, and commercial uses like shops and restaurants are commonly found on ground/lower floors of buildings. Such development pattern is largely inherited from the former "Commercial/Residential" ("C/R") zoning of the Site and its neighbouring area before 1993. Upon the recommendation of the Kowloon Density Study, the "C/R" zones in Mong Kok and Yau Ma Tei areas along Nathan Road were rezoned to "C" with a PR restriction of 12 for commercial developments to reflect the Nathan Road spine as a major business and commercial/shopping centre of Hong Kong and to phase out the existing residential buildings along Nathan Road which are subject to significant noise impact. The BH restriction of 100mPD was imposed for "C" zone in 2010. The zoning of the Site remains unchanged since then.

5. **Previous Application**

The Site is the subject of a previous application (No. A/K2/207) submitted by the same applicants for proposed residential, hotel and retail development with a total PR of 12 (comprising a domestic PR of 6 and a non-domestic PR of 6) and BH of 100mPD. The application was approved with conditions by the Committee on 19.7.2013 mainly on the grounds that the proposed development was considered in line with the planning intention of the area and compatible with the character of the surrounding area which was mixed uses in nature, and relevant departments had no adverse comment. The GBPs for the approved application were approved by the BD on 11.4.2016, 3.1.2018 and 13.12.2019. The approved scheme has yet to be implemented. Details of the previous application are at **Appendix II**.

6. **Similar Application**

There is one similar application for 'Flat' use within "C" zone in Yau Ma Tei area since 2000 (**Plan A-1**). The application (No. A/K2/196) involved a 29-storey residential development with retail use on G/F and basement and a total PR of 8.438 (7.499 for domestic PR and 0.939 for non-domestic PR) at Portland Street, Yau Ma Tei. The application was approved with conditions by the Board upon review on 3.2.2012 on the grounds that the proposed residential development was not in contravention with the planning intention of the "C" zone; the proposed residential development could increase flat supply; and the approval of the application would not set an undesirable precedent. Details of the application are at **Appendix III**. The GBPs for the approved application was approved by the BD on 6.7.2012.

**7. The Site and Its Surrounding Areas (Plans A-1 to A-5)**

7.1 The Site is (**Plans A-1 to A-2**):

- (a) bounded by Mau Lam Street and a residential building on the north, Saigon Street on the south, Nathan Road on the west, and one commercial building and one residential building on the east; and
- (b) currently occupied by a 17-storey hotel (Novotel Nathan Road) over 3 levels of basement. Part of the lower floors (including B2/F to 3/F) are occupied by retail/restaurant/commercial uses (**Plans A-3 to A-5**). The hotel entrance is located at Saigon Street.

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

- (a) mixed with residential developments with commercial uses on lower floors, commercial/office developments and hotel buildings;
- (b) to the further east is the Diocesan Girls' Junior School, and to the further west across Nathan Road is a strip of "C" zone occupied by a mix of residential developments with commercial uses on lower floors and commercial/office developments; and
- (c) well served by various modes of public transport including buses, public light buses and taxis. The MTR Jordon Station is located about 200m to the south of the Site.

**8. Planning Intention**

The planning intention of the "C" zone is primarily for commercial developments, which may include shop, services, place of entertainment and eating place, functioning mainly as local shopping centres serving the immediate neighbourhood.

**9. Comments from Relevant Government Departments**

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

**Land Administration**

9.1.1 Comments of the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD):

- (a) she has no objection to the application; and
- (b) the Site falls within K.I.L No. 6733 which is held under Conditions of Re-grant No. 5465 for a term of 150 years from 25.12.1888. The lease restricts that the lot shall not be used for industrial purposes and no

factory building shall be erected thereon. The lease also requires, inter alia, that adequate parking spaces for motor vehicles shall be provided within the lot to the satisfaction of Transport Department.

### **Traffic**

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

- (a) he has no adverse comment to the application from traffic engineering perspective. Detailed comments are at **Appendix IV**; and
- (b) should the application be approved, it is recommended to impose the following approval conditions:
  - (i) the provision of appropriate internal traffic control measures to provide sufficient queuing space for vehicles and control access of heavy goods vehicle for loading/ unloading activity to the satisfaction of the C for T or of the Board; and
  - (ii) the design and provision of internal transport facilities and vehicular access arrangement for the proposed development to the satisfaction of the C for T or of the Board.

### **Environment**

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

##### Noise

- (a) the revised EA has demonstrated that adverse fixed noise impact arising from the proposed development is not anticipated and traffic noise compliance rate can reach 100% with implementation of the recommended noise mitigation measures. Hence, adverse noise impact associated with the proposed development is not anticipated;

##### Sewerage Aspect

- (b) insurmountable sewerage impact arising from the proposed development is not anticipated;
- (c) the following approval conditions should be imposed should the Board decides to approve the application and the applicants should address her comments at **Appendix IV** when submitting the revised Sewerage Impact Assessment (SIA) under approval conditions:
  - (i) the submission of a revised SIA to the satisfaction of the DEP or of the Board; and



- (ii) the implementation of the local sewerage upgrading/sewerage connection works identified in the revised SIA to the satisfaction of the Director of Drainage Services or of the Board.

#### Air Quality Aspect

- (d) having reviewed the revised AQIA (**Appendix Ie**), adverse air quality impact associated with the proposed development is not anticipated; and

#### Waste Management

- (e) since the existing buildings at the Site will be demolished for the proposed development, an advisory clause on waste management as detailed in **Appendix IV** should be included.

### **Urban Design and Landscape**

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

##### Urban Design

- (a) the Site constitutes a majority of the street block bounded by Nathan Road, Mau Lam Street and Saigon Street to the west, north, east and south respectively. Its surrounding area is generally characterized by a mix of residential and commercial developments with lower levels shops and restaurants. The proposed development with a plot ratio of about 12 and building height of about 100mPD have not exceeded the OZP restrictions stipulated for the Site. It is unlikely that the proposed development will induce any significant visual impact;
- (b) according to the proposal, retail/eating place uses are provided at G/F, 1/F and 2/F fronting Nathan Road and Saigon Street. Landscape treatments in the form of planters are provided at G/F, 1/F and 9/F. Glass canopy has been incorporated along Nathan Road and Saigon Street providing weather protection. These measures may together promote visual interest and conducive to a comfortable and vibrant pedestrian realm;

##### Landscape

- (c) the Site is situated in an area of city grid mixed urban landscape character dominated by commercial buildings, and there is no existing landscape resource within the site. The proposed use is not incompatible with the surrounding environment. Hence, she has no objection to the application from landscape planning perspective; and
- (d) the applicants are reminded that approval of the application does not imply approval of the site coverage of greenery requirements under APP PNAP-152. The site coverage of greenery calculation should be submitted separately to BD for approval, as appropriate.

### **Building Matters**

9.1.5 Comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD):

- (a) the proposed works under the captioned application should comply with the BO and the allied regulations.
- (b) the maximum site coverage permitted under Building (Planning) Regulations for building on a Class C site (Building Height over 61m) for domestic building is 40% and for non-domestic building is 65%; and
- (c) detailed comments will be given at building plan submission stage.

### **Fire Safety**

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

- (a) he has no objection in principle to the application subject to fire service installations and water supplies for fire fighting being provided to his satisfaction. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and
- (b) the applicants are advised to observe the requirements of emergency vehicular access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by BD.

9.2 The following Government bureau/departments have no objection to/ comment on the application:

- (a) Commissioner for Tourism;
- (b) District Officer (Yau Tsim Mong), Home Affairs Department;
- (c) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (d) Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD); and
- (e) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD).

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

During the statutory public inspection periods, a total of 52 public comments were received, including 50 supporting comments from members of the general public; one objecting comment from a member of the general public; and another one comment from the Owners' Corporations of No. 19-21 Mau Lam Street enquired about the structural impact arising from the application. Details of the public comments are at **Appendix V** and their views are summarized as follows:

### **Supporting views (50)**

- (a) the proposed development improves the environment of the surrounding area and provides convenience to the nearby residents;

- (b) in order to optimize the scarce land resource, this hotel cluster is very suitable to change gradually to residential and commercial uses;
- (c) whilst the provision of additional residential units in the district is fully supported, the change of use could distort the character of the district;

Objecting view (1)

- (d) the proposed development will cause the possible waste of resources in converting the relatively young building into a new one;
- (e) adding more flats will adversely affect the traffic in the area;

Comment (1)

- (f) whether the structure of the adjacent existing building will be affected during demolition and construction stage of proposed development; and
- (g) how to avoid the erosion of soil underneath the foundation of existing development and ensure the structural safety of the existing building.

**11. Planning Considerations and Assessments**

11.1 The applicants seek planning permission for proposed composite development comprising a residential block above a common podium of retail, restaurant and office uses at the Site with a total PR of 12 (comprising a domestic PR of 6 and a non-domestic PR of 6) and BH of 100mPD. The proposed retail, restaurant and office uses are located in the 8-storey podium (i.e. G/F to 8/F) of the Site fronting Nathan Road. Residents' clubhouse and podium garden will be located on 9/F while residential floors are on 10/F to 24/F providing a total of 285 units. Separated access will be provided for commercial and residential uses of the proposed development.

Planning Intention

11.2 The Site falls within the "C" zone which is intended for commercial developments, which may include shop, services, place of entertainment and eating place, functioning mainly as local shopping centres serving the immediate neighbourhood. While the proposed retail, restaurant and office are Column 1 uses which are always permitted under the "C" zone, the proposed flat development is not fully in line with the planning intention of "C" zone. However, the proposed composite development for residential, office and retail uses is considered not incompatible with the surrounding developments in land use perspective, which is mainly mixed residential and commercial in nature.

Housing and Land Supply

11.3 The proposed development will provide a total of 285 flats. As compared with the previously approved application (No. A/K2/207) (i.e. 150 flats), there is an increase of 135 flats (+90%). The proposed development would increase the supply of the much needed residential units in the main urban areas.

### Urban Design and Visual Aspects

- 11.4 According to the applicants, the proposed scheme has incorporated a setback at G/F and 1/F at corner of Nathan Road and Saigon Street with landscape treatment at G/F to improve streetscape environment (**Drawings A-4, A-5 and A-12**). Besides, provision of lower level setback from Mau Lam Street (**Drawings A-4 to A-9**) and a building gap of not less than 3m (upper zone) and 10m (lower zone) between the Site and the adjoining building to the east will reduce the perceived bulk and scale of the development and enhance visual permeability (**Drawing A-11**). Residential floors (i.e. 10/F to 24/F) above podium levels will be setback about 20m away from Nathan Road to enhance the visual openness and maintain a commercial spine character along Nathan Road (**Drawings A-10 and A-11**). The proposed development with a maximum BH of 100mPD does not exceed the BH restriction of the “C” zone stipulated in the OZP. In this regard, CTP/UD&L, PlanD considers that it is unlikely that the proposed development will induce any significant visual impact and she has no objection to the application from urban design and visual perspective.
- 11.5 A glass canopy has been incorporated along Nathan Road and Saigon Street providing weather protection to pedestrian (**Drawing A-6**). Meanwhile, greening and landscaping are provided on G/F, 1/F and 9/F to enhance local greenery and visual amenity (**Drawings A-4, A-5 and A-9**). CTP/UD&L, PlanD considers that these measures will promote visual interest and conducive to a comfortable and vibrant pedestrian realm.

### Technical Aspects

- 11.6 The layout of the proposed development with office and retail uses facing Nathan Road and the residential flats being setback to the inner streets helps to minimize traffic noise impact of Nathan Road on the flats. Separated entrances for the retail/office and residential uses are provided to prevent nuisance to the residents (**Drawings A-4 and A-5**). The existing basement structure will be retained to minimise waste and nuisance during the construction stage. Taking into account the FIs submitted by the applicants at **Appendices Ib and Ie**, the EA submitted by the applicants demonstrated that the proposed development complies with the HKPSG road traffic noise standard and no unacceptable air quality impact on the proposed development is anticipated. In this regard, DEP has no objection to the application from the environmental aspect.
- 11.7 The TIA submitted demonstrated that the proposed composite development will not cause adverse traffic impact to the surrounding areas. C for T has no adverse comment on the application subject to the incorporation of an approval condition as set out in paragraphs 12.2(a) and (b) below. Other relevant government departments consulted including DSD, FSD, and HyD have no objection to or no adverse comments on the application. To address the technical concerns on sewerage and fire safety, approval conditions under paragraphs 12.2(c) to (e) below are recommended.

### Previous and Similar Applications

- 11.8 The Site is the subject of a previous application (No. A/K2/207) submitted by the same applicants for composite residential, hotel and retail development, which was approved with conditions by the Committee on 19.7.2013. The GBPs for the approved previous

application were approved by BD in 2016, 2018 and 2019, and the approved GBP has yet to be implemented. Furthermore, a similar application (No. A/K2/196) for proposed 'Flat' in "C" zone at Portland Street, Yau Ma Tei was also approved with conditions upon review by the Board on 3.2.2012. There is no major change in the planning circumstances since the approval of the two applications and the approval of the application is consistent with the previous decisions of the Committee on previous/similar applications.

#### Public Comments

- 11.9 Regarding the concerns raised in the public comments, the planning assessments above and the departmental comments in paragraph 9 above are relevant.
- 11.10 For the concerns on structural safety of the existing building, the applicants advised that no demolition work will be carried within the basement and therefore settlement to adjacent ground is minimal. For new building works, the applicants will submit a set of monitoring system to BD for agreement prior to commencement of building works on site. The applicants will also comply with the regulations stipulated in BD's relevant guidelines during the demolition and construction stage of the proposed development.

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

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10, 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 26.2.2025, 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 provision of appropriate internal traffic control measures to provide sufficient queuing space for vehicles and control access of heavy goods vehicle for loading/unloading activity to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the design and provision of internal transport facilities and vehicular access arrangement for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the revised Sewerage Impact Assessment in condition (c) above to

the satisfaction of the Director of Drainage Services or of the Town Planning Board; and

- (e) the provision of fire service installations and water supplies for firefighting 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 VI**.

12.3 There is no strong reason to recommend rejection of the application.

**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 applicants.

**14. Attachments**

<b>Appendix I</b>	Application Form received on 18.9.2020
<b>Appendix Ia</b>	Supplementary Planning Statement
<b>Appendix Ib</b>	FI received on 28.10.2020
<b>Appendix Ic</b>	FI received on 20.11.2020
<b>Appendix Id</b>	FI received on 30.12.2020
<b>Appendix Ie</b>	FI received on 10.2.2021
<b>Appendix If</b>	FI received on 18.2.2021
<b>Appendix II</b>	Previous Application
<b>Appendix III</b>	Similar Application
<b>Appendix IV</b>	Detailed Departmental Comments
<b>Appendix V</b>	Public Comments
<b>Appendix VI</b>	Recommended Advisory Clauses
<b>Drawings A-1 to A-12</b>	Floor Plans and Section Plans
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plans A-3 to A-5</b>	Site Photos