

### **Site Coverage and Open Space Provision**

This practice note describes the factors that the Building Authority (BA) may take into account in considering applications for flexibility in determining site coverage and open space provision to facilitate innovative design.

2. From time to time, the Buildings Department (BD) receives enquiries from the building industry regarding the application of the site coverage and open space provisions under the Building (Planning) Regulations (B(P)R) to allow for greater flexibility in the design of buildings. To facilitate innovative building designs, the BA is in principle prepared to consider applications for more flexible application of the requirements under Regulations 20 and 25 of the B(P)R and modify the provisions thereof, on a case by case basis.

#### **Set Back Approach**

3. In considering such applications on the ground of setting back a building for its full height from a site boundary abutting on a street, the BA will take into account the following criteria:

- (a) the setback of the building is of an area not less than 8% of the site area for non-domestic buildings and not less than 18% of the site area for domestic buildings. For a composite building, the non-domestic and domestic portions of the building should illustrate the required setback of 8% and 18% respectively;
- (b) the building is set back at a length of not less than half of the frontage and not less than 10m long or the full frontage for site with frontage less than 10m in length;
- (c) there will be satisfactory arrangements for the control and maintenance of the setback area and any resultant flat roofs and covered areas;
- (d) the setback area is properly landscaped and/or paved and open, uncovered and without any permanent building structures other than the landscaped features and perforated boundary walls;
- (e) the setback will contribute to improving the street environment; and
- (f) the setback area excludes areas dedicated or surrendered for public passage under Regulation 22 of the B(P)R.

4. If the criteria in paragraph 3(a) to (f) are fully met, the BA is prepared to consider allowing the site coverage of a building at different levels to vary according to the height of the level within the percentages set out in the tables at Appendix A (for domestic buildings<sup>1</sup>) and Appendix B (for non-domestic buildings<sup>2</sup>). For this purpose, provided that the total covered area<sup>3</sup> of the buildings on the site does not exceed 63% of the site area (for a domestic building<sup>1</sup>) and 80% of the site area or the percentage shown at Appendix B whichever is the greater (for a non-domestic building<sup>2</sup>), the following areas may be excluded from the assessment:

- (a) unexcavated or backfilled area at a particular level underneath the footprint of a non-domestic or domestic building on a sloping site (example at Appendix C); and
- (b) open-sided covered areas of non-domestic buildings qualified as green features under Joint Practice Notes 1 and 2, designated as common areas, accessible by all occupants of the buildings and without any commercial activities.

### **Open Space Approach**

5. To encourage the transformation of our existing cityscape into that of an attractive and vibrant city, the BA is also prepared to consider the relaxation of the site coverage and open space requirements as stipulated in Regulations 20 and 25 (if applicable) of the B(P)R to allow greater flexibility in the design of innovative and sustainable buildings for creating pleasant and aesthetic city skyline. Modification of or exemption from the relevant regulations may be granted subject to the merits of individual cases fulfilling the following criteria and the satisfactory demonstration that the buildings are of innovative design<sup>4</sup> with vibrant configuration and are compatible with the surrounding environment:

- (a) the volume of the un-built open space<sup>5</sup> of the proposed building within the site would not be less than that of a viable notional scheme<sup>6</sup>;
- (b) the gross floor area (GFA) of the proposed building would not exceed that of the viable notional scheme;

/(c) .....

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<sup>1</sup> Domestic building includes the domestic part of a composite building.

<sup>2</sup> Non-domestic building includes the non-domestic part of a composite building.

<sup>3</sup> The 'total covered area' is the portion of the site covered by building(s) or in simple terms, the footprint of the shadow cast vertically down onto a site. It shall include the features exempted from site coverage calculation under Joint Practice Notes 1 and 2 but exclude the projections under Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-19.

<sup>4</sup> A building design adopting the maximum permitted site coverage as stipulated in paragraph 5(c) and/or (d) on every floor of the building may not be regarded as an innovative design.

<sup>5</sup> The volume of the un-built open space of both the proposed building and the viable notional scheme should be measured from the mean level of the lowest street on which the subject site abuts to the mean height of the roof over the highest usable floor space in the building of the viable notional scheme.

<sup>6</sup> In this context, the viable notional scheme should comply with the Buildings Ordinance and allied regulations and the requirements as stipulated in the Outline Zoning Plan.

- (c) the maximum site coverage at any level for a domestic building or the domestic part of a composite building would not exceed 63%; and
- (d) the maximum site coverage for a non-domestic building or the non-domestic part of a composite building at any level not exceeding 24 m from the street level would not exceed 92%, and at any level exceeding 24 m from the street level would not exceed 80%.

6. The granting of site coverage concessions as set out in paragraphs 3 to 5 above is subject to the compliance with the same pre-requisites as those for granting GFA concession stipulated in PNAP APP-151.

7. Notwithstanding the above, the specific site coverage control as specified in the statutory town plans, if any, must be observed in the design of building development. Where lease modification is required for the implementation of any approved building design in pursuance of the flexibility provided above, premium may be payable upon the granting of such modification. In this regard, the Practice Note No. 1/2004 on this subject issued by the Lands Administration Office of the Lands Department (which can be downloaded from its website <http://www.landsd.gov.hk>) is relevant and the procedures set out therein should be followed.

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Building Authority

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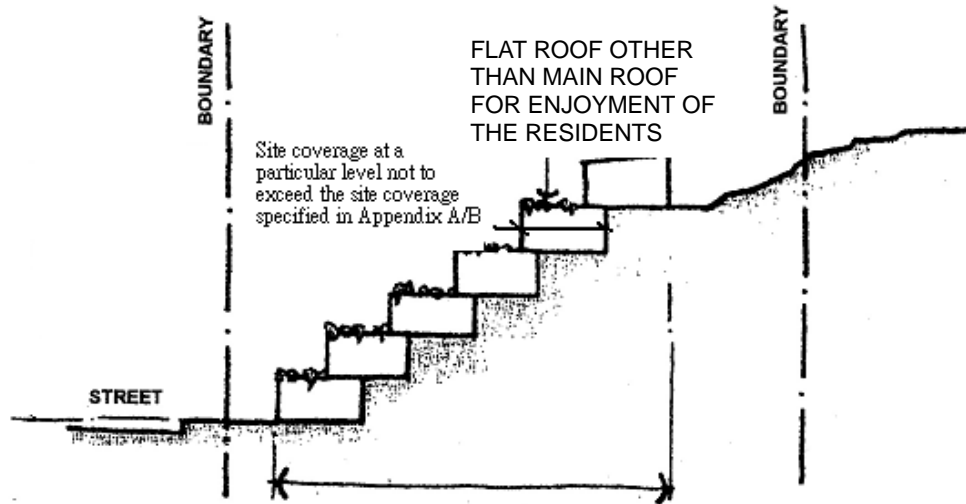
**Permitted site coverage for domestic buildings at specific height**

<b>Height of a level of a building in metres from street level</b>	<b>Percentage site coverage</b>
Not exceeding 24	63
25	62
26	60
27	59
28	58
29	56
30	55
31	54
32	53
33	53
34	52
35	51
36	50
37	50
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48	45
49	44
50	44
51	43
52	43
53	43
54	42
55	42
56	42
57	42
58	42
59	41
60	41
61	41
over 61	40

**Permitted site coverage for non-domestic buildings at specific height**

<b>Height of a level of a building in metres from street level</b>	<b>Percentage site coverage</b>
Not exceeding 24	92
25	91
26	91
27	90
28	90
29	89
30	88
31	88
32	87
33	86
34	86
35	85
36	85
37	84
38	83
39	83
40	82
41	81
42	80
43	80
44	79
45	78
46	77
47	77
48	76
49	75
50	74
51	73
52	73
53	72
54	71
55	70
56	69
57	68
58	68
59	67
60	66
61	65
over 61	65

**Example illustrating assessment of site coverage  
at a particular level of a building on a sloping site**



Unexcavated or backfilled area at a particular level excluded from site coverage assessment

Total covered area not to exceed :  
- domestic building : 63% of site area; or  
- non-domestic building : 80% of the site area or the percentage shown at Appendix B whichever is the greater