

Summary of Decisions of the Building Committee
Building Committee I 30/2005 held on 9.8.2005

(a) MAI 1 30/2005

Issue : Formal appeal against BA's decision to refuse building plans on the excessive provision of carparking and the contravention of OZP in term of permissible PR.

Decision : Having reviewed the case, the committee agreed to contest the appeal.

(b) MAI 2 30/2005

Issue : Proposed change in use from shop to place of worship and office.

Decision : Having studied the proposed layout, the committee agreed to accept the proposed change in use subject to the completion of A&A works on the upgrading of the MOE.

(c) MAI 3 30/2005

Issue : Proposed composite development with bridge built over a private lane.

Decision : Having considered the views of the relevant departments and the justifications made by the AP, the committee accepted the proposal.

(d) MAI 4 30/2005

Issue : Vehicular access run-in/run-out likely to be dangerous or prejudicial to the safety or convenience of the traffic.

Decision : Taking into account TD's advice that the vehicular arrangement of the proposed redevelopment would create potential hazard to the safety of the pedestrians, the committee agreed to invoke Section 16(1)(h) of the BO to disapprove the plan.

(e) BCI 1 30/2005

Issue : Exclusion of a void in a proposed 4-storey institutional building.

Decision : Accepting the void a genuine feature, the committee agreed to exclude the void from GFA calculation via the granting of modification.

(f) BCI 2 30/2005

Issue : Exclusion of architectural fins projecting from bay windows of a proposed hotel/service apartment from GFA calculation.

Decision : The committee did not accept the AP's justifications. The committee ruled that bay windows with additional architectural fins projections, did not comply with the criteria set out in PNAP 68 for exemption from GFA calculation.

(g) BCI 3 30/2005

Issue : Proposed single-storey temple building at a site accessible via an existing footpath less than 4.5m wide.

Decision : Having considered the nature and the intensity of development as well as comment from other relevant departments, the committee accepted the proposal under B(P)Reg 19(2).

(h) BCI 4 30/2005

Issue : 1. Existing building approved under "volume" Regulation to be redeveloped and the determination of the PR of the existing building under OZP.

2. Excessive site coverage in according to PNAP 280.

Decision : (i) The plot ratio of the existing building in question for the purpose of OZP, should be the accountable GFA under current B(P)Reg 23(3)(a) less those non-accountable GFA allowed under B(P)Reg 23(3)(b). To avoid double counting of benefit and to reflect the intention of town plan control, the Chairman was of the view that modification for exclusion from GFA calculation for features that had been allowed in the assessment of the existing bulk should not be entertained in the new development.

(ii) The committee accepted the proposed excessive site coverage after noting that the proposal was in compliance with the requirements set out in PNAP 280.