

Summary of Decisions of the Building Committee
Building Committee I 33/2009 held on 25.8.2009

(a) MAI 1 33/2009

- Issue : (i) Application for excessive non-domestic site coverage in accordance with PNAP 280.
- (ii) Application for exemption of Covered Planters on 2/F to 3/F, 6/F and 8/F from GFA calculation.
- Decision : (i) Noting that the proposal was in compliance with the requirements set out in PNAP 280, the committee agreed to granting a modification to permit excessive non-domestic site coverage subject to approval of planning application for minor amendment.
- (ii) Having noted the plans and the genuine design, the committee agreed to the exclusion of planters from GFA calculation.

(b) MAI 2 33/2009

- Issue : Application for hotel concession under B(P)Reg 23A for a hotel conversion at 1/F.
- Decision : The committee, having noted the proposal was generally in compliance with the criteria set out in PNAP 111, agreed to granting hotel concession under B(P)Reg 23A.

(c) BCI 1 33/2009

- Issue : Application for re-aligned public passageway to be excluded from GFA calculation.
- Decision : Having noted the proposal was rejected under the lease, the committee did not agree to granting exemption of the public passageway from GFA calculation.

(d) BCI 2 33/2009

- Issue : Determination on the width of a street to be less than 4.5m wide.
- Decision : Having studied the plans and considered the advice of Lands Department, the committee agreed to reject the building plans as further particulars from the AP on the land status of the street was required.

(e) BCI 3 33/2009

- Issue : (i) Disapproval of plan under BO s16(1)(g).
- (ii) Exclusion of sky gardens from GFA calculation.
- (iii) Inclusion in site area and building over the existing lane with ROW.
- Decision : (i) The committee noted that the proposed exceptional tall development would result in a building substantially different in height from the buildings within the immediate neighbourhood. Noting the recent decision made in another similar case by the BA and taking into all relevant factors into account, the committee agreed to invoke s16(1)(g) to disapprove the plans.
- (ii) The committee noted the concern raised by a department on the excessive building height of the proposed development. The committee therefore did not agree to the granting of exemption for the exclusion of the sky garden from GFA calculation.
- (iii) As the lane was not a required lane under the BO, the committee accepted the inclusion of such lane in site area. The committee however, did not accept such lane to be built over in order to maintain the ROW for the adjoining lots.

(f) BCI 4 33/2009

- Issue : Shop Extension to the rear yard of the building approved under “Volume Regulation”.
- Decision : Having noted that the PR would not exceed the permissible under the First Schedule, the committee agreed to grant a technical modification to permit the existing domestic site coverage on upper floors to exceed the permissible under the B(P)Reg.

(g) BCI 5 33/2009

- Issue : Exclusion of voids over main entrance lobby, exhibition spaces and the voids housing spiral staircase and solarscope for a Solar Tower from GFA calculation.
- Decision : The committee, having studied the design, agreed to the exclusion of the voids from GFA calculation.

(h) BCI 6 33/2009

Issue : Proposed residential development not abutting on a street.

Decision : The committee noted the access to the site was via an existing open stairway/footpath. Having considered the comments of the relevant departments, the committee accepted the proposed development under B(P)Regs 5 and 19(3).