

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K14/836

- Applicant** : Chesson International (Holdings) Limited represented by Cheung Wing Architects & Engineers Limited
- Premises** : Unit 1 (Part), G/F, Wah Shing Centre, 11 Shing Yip Street, Kwun Tong, Kowloon
- Floor Area** : About 905.23m²
- Lease** : Kun Tong Inland Lot (KTIL) No. 90
(a) To expire on 30.6.2047
(b) Restricted for industrial purposes excluding offensive trades
- Plan** : Draft Kwun Tong (South) Outline Zoning Plan (OZP) No. S/K14S/27 (currently in force)
Approved Kwun Tong (South) Outline Zoning Plan (OZP) No. S/K14S/26 (at the time of submission)
- Zoning** : “Other Specified Uses” annotated “Business” (“OU(B)”) *[Restricted to a maximum plot ratio (PR) of 12 and a maximum building height of 130 metres above Principal Datum (mPD), or the PR and height of the existing building, whichever is the greater]*
- Application** : Proposed Shop and Services (about 440.23m²)
Proposed Shop and Services (Bank, Fast Food Counter, Electrical Shop, Local Provisions Store and/or Showroom) (about 465m²)

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application premises (the Premises) for proposed ‘Shop and Services’ use (about 440.23m²) and for proposed ‘Shop and Services (Bank, Fast Food Counter, Electrical Shop, Local Provisions Store and/or Showroom)’ use (about 465m²). The Premises occupy part of Unit 1 on the G/F of Wah Shing Centre, which is an existing 16 storey industrial building (IB) (hereafter refers as the subject IB) fronting Shing Yip Street (**Drawing A-1 and Plans A-2**). The subject IB falls within an area zoned “OU(B)” on the draft Kwun Tong (South) Outline Zoning Plan No. S/K14S/27 (**Plan A-1**). According to Schedule II of the Notes of the OZP for the “OU(B)” zone applicable to industrial or industrial-office (I-O) building, ‘Shop and Services (G/F only except ancillary showroom which may be permitted on any floor)’ is a Column 2 use, which requires planning permission from the Town Planning Board (the Board)^[1].

^[1] Schedule II of the Notes of the OZP for the “OU(B)” zone also stipulates that ‘Shop and Services’ use is a

- 1.2 According to the layout plan, the applicant proposes to subdivide the Premises which is currently under renovation into three shops (**Drawing A-1**). Shops 1 and 2, with direct entrances fronting Shing Yip Street with a combined floor area of about 440.23m², are proposed for shops and services use. Shop 3, with a floor area of about 465m² and an entrance to Shing Yip Street via a corridor, is proposed for shop and services (bank, fast food counter, electrical shop, local provisions store and/or showroom) use. According to a recent site inspection and our office records, the other unit (i.e. Unit 2) on the same floor is operating as a canteen. Parking, loading/unloading (L/UL) facilities are provided at the basement floor of the subject IB.
- 1.3 In support of the application, the applicant has submitted an application form with a revised layout plan received on 22.9.2025 and 2.10.2025 respectively (**Appendix I** and **Drawing A-1**).

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are set out in the application form at **Appendix I** and summarised as follows:

The proposed uses will meet the demand in Kwun Tong and is compatible with the activities at the adjoining buildings. The proposed uses conform with the planning intention of “OU(B)” zone and the Town Planning Board Guidelines No. 22D. No traffic and environmental impacts are anticipated from the proposed shop and service uses. Fire services installations and equipment would be provided at the Premises in accordance to relevant standards. Similar applications for shop and services uses on the OZP have been approved by the Board.

3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is the sole “current land owner” of the Premises. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Town Planning Board Guidelines**

4.1 The TPB Guidelines for Development within “OU(B)” Zone (TPB PG-No. 22D) promulgated in September 2007 is relevant in the following aspects:

- (a) the “OU(B)” zone has been introduced to allow maximum flexibility in the use of existing industrial and I-O buildings as well as in the development of new buildings for both commercial and clean industrial uses. The planning intention of the “OU(B)” zone is primarily for general employment uses;

Column 1 use for industrial or I-O building if it is located in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, L/UL bays and/or plant room) of an existing building, and provided that the use is separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion. However, such provision is not applicable to the subject IB.

- (b) whilst it is the intention to provide greater flexibility in the use of the existing industrial or I-O buildings before such buildings are redeveloped, it is necessary to ensure that the fire safety and environmental concerns are properly addressed. In view of the possible presence of existing polluting and hazardous industrial uses, it is necessary to ensure compatibility of the uses within the same building until the whole building is modified/converted to accommodate the new non-polluting and less fire hazard-prone uses;
 - (c) Fire Services Department (FSD) should be satisfied on the risks likely to arise or increase from the proposed commercial use under application. Owing to fire safety concern, the aggregate commercial floor areas (CFA) on G/F of an existing industrial/I-O building with and without sprinkler systems should not exceed 460m² and 230m² respectively. For any application which would result in a slight exceedance of the relevant floor area limit, the applicant has to demonstrate that the fire safety concern can be satisfactorily addressed, and each case will be considered by the Board on its own merits. The above limits on commercial floor area do not apply to uses which are ancillary to or for the purposes of supporting the industrial activities and the routine activities of the workers in the industrial or I-O building. These uses include bank, fast food counter, electrical shop, local provisions store and showroom in connection with the main industrial use. In all cases, separate means of escape should be available for the commercial portion; and
 - (d) for all new development, redevelopment, conversion and material change of use, adequate parking and L/UL spaces should be provided in accordance with the requirements of the Hong Kong Planning Standards and Guidelines, and all other statutory or non-statutory requirements of relevant Government departments must also be met.
- 4.2 The subject IB is equipped with a sprinkler system and hence is subject to an aggregate CFA of 460m² on G/F. While such limit is not applicable to the shop and services (bank, fast food counter, electrical shop, local provisions store and/or showroom) use proposed at Shop 3, the proposed shop and services use at Shops 1 and 2 (about 440.23m²) is subject to this permissible CFA limit. Should the current application be approved, the aggregate CFA on G/F of the subject IB would be 440.23m² and is within the maximum permissible limit.

5. **Previous Applications**

- 5.1 The Premises are the subject of 14 previous planning applications submitted by the applicant and other applicants for proposed shop and services, arts gallery and private club uses (**Plan A-4 and Appendix II**). Four applications for proposed shop and services uses were approved with conditions by the Metro Planning Committee (the Committee) of the Board between 2005 and 2007 on the grounds that the proposed use was generally in line with the planning intention of “OU(B)” zone and TPB PG-No. 22D; it would not induce adverse traffic, environmental and infrastructural impacts; and relevant government departments had no in-principle objection to the application. The proposed uses had not commenced, and all planning permissions had lapsed. The Committee rejected the remaining eight applications for proposed shop and services uses from 2006 to 2009 on the grounds

that they did not comply with the TPB Guidelines No. 22D for exceeding the maximum permissible limit of the total aggregate CFA on the G/F of the subject IB with objection from D of FS on fire safety ground. Separately, two applications for proposed arts gallery and private club uses were rejected in 2009 because these uses were considered not compatible with uses in an IB from the fire safety perspective.

6. Similar Applications

- 6.1 The Committee has considered four applications at Unit 2 on G/F of the subject IB for proposed shop and services uses (**Plan A-4** and **Appendix III**). Applications No. A/K14/551^[2] and 552^[2] were approved with conditions while applications No. A/K14/526 and 527 were rejected by the Committee on similar grounds as mentioned in paragraph 5.1 above.
- 6.2 In the past three years, the Committee considered six similar applications for shop and services uses on G/F of other industrial or I-O buildings under the “OU(B)” zone in Kwun Tong Business Area (KTBA), and all of them were approved with conditions on similar approval grounds as mentioned in paragraph 5.1 above. Details of the aforementioned applications are summarised at **Appendix III**.

7. The Premises and its Surrounding Areas (Drawing A-1, Plans A-1 to A-6)

7.1 The Premises:

- (a) occupy part of Unit 1 on G/F of the subject IB;
- (b) renovation works in subdividing Unit 1 into three smaller units (Shops 1 to 3) are currently underway; and
- (c) the entrances of Shops 1 and 2 are proposed on Shing Yip Street separated from the entrance to other floors of the subject IB while Shop 3 would be accessed by a corridor opening up to Shing Yip Street (**Drawing A-1**).

7.2 The subject IB:

- (a) is a 16-storey IB with occupation permit issued in 1990; and
- (b) is equipped with a sprinkler system and has the following main uses:

Floor	Main Uses
Basement	carpark, L/UL bays
G/F	Unit 1 (the Premises which is vacant and under renovation), Unit 2 (a canteen) and a lift lobby (Plan A-4)
1/F to 14/F	offices, warehouses, locked units, showrooms*, retail shops [#] , schools [#] , religious institutions [#] and institutional use [#] (workshop units according to the approved general building plans)

* use without valid planning permission.

[#] uses not allowed in statutory planning terms.

^[2] Applications No. A/K14/551 and 552 were replaced by application No. A/K14/555 which has lapsed.

7.3 The surrounding areas have the following characteristics (**Plans A-1 to A-3**):

- (a) the neighbouring buildings at Shing Yip Street are intermixed with commercial/office, industrial or I-O buildings which are zoned “OU(B)”;
- (b) the G/F units of the nearby buildings are mainly occupied by retail shops, restaurants, canteens, and local provision stores; and
- (c) MTR Kwun Tong Station is located at about 200m to the north.

8. Planning Intention

The planning intention of “OU(B)” zone is primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new business buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or I-O buildings.

9. Comments from Relevant Government Departments

9.1 The following Government departments have been consulted and their views on the application are summarized as follows:

Land Administration

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

- (a) the Premises falls within KTEL No. 90 (the Lot), which is restricted for industrial purposes excluding offensive trade. The proposed uses of the Premises are in contravention to the lease conditions under which the Lot is held; and
- (b) if the planning application is approved by the Board, the owner of the Premises shall apply to his department for a lease modification or temporary waiver to implement the proposal. The applicant should also note his comments at **Appendix V**.

Fire Safety

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

- (a) he has no objection to the application subject to fire service installations and equipment being provided to his satisfaction and means of escape at the premises being completely separated from the industrial portion is available for the premises;
- (b) the subject premises are protected with a sprinklers system so that the maximum permissible aggregate CFA allowed on G/F is 460m² in

accordance to TPB PG-No. 22D. The proposed shop and services use at shops 1 and 2 (440.23m²) should be counted up to the aggregate CFA; and

- (c) the applicant should note his comments at **Appendix V**.

Building Matters

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

he has no objection to the application and the applicant should note his comments at **Appendix V**.

Traffic Matters

- 9.1.4 Comments of the Commissioner for Transport (C for T):

he has no objection in principle to the application from a traffic engineering viewpoint given the premises are conveniently located near mass transport and public transport services. Besides, parking and L/UL facilities are available at the basement of the subject IB. The applicant should also note his comments at **Appendix V**.

District Officer's Comments

- 9.1.5 Local views/comments conveyed by the District Officer (Kwun Tong), Home Affairs Department (DO(KT), HAD) are as follows:

the Kwun Tong and Kowloon Bay Business Area Committee has no comment on the application.

- 9.2 The following Government departments have no objection to/no comments on the application:

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Chief Engineer/Mainland South, Drainage Services Department;
- (c) Chief Highway Engineer/Kowloon, Highways Department;
- (d) Commissioner of Police; and
- (e) Director of Food and Environmental Hygiene.

10. Public Comments Received During Statutory Publication Period

During the statutory publication period, four objecting public comments from individuals were received, mainly on the grounds that the approval of shop and services uses at the Premises will reduce industrial floor spaces which remains in demand in Kwun Tong. Additionally, the proposed uses would generate extra L/UL activities and attract customers to an already congested Shing Yip Street, which would worsen traffic congestion and endanger pedestrian safety (**Appendix IV**).

11. Planning Considerations and Assessments

- 11.1 The application seeks planning permission for proposed shop and services in Shop 1 and 2 and shop and services (bank, fast food counter, electrical shop, local provisions store and/or showroom) uses in Shop 3 of the Premises, which is located on the G/F of an existing IB falling within an area zoned “OU(B)” in the Kwun Tong Business Area. The planning intention of the “OU(B)” zone is for general business uses. It allows greater flexibility in the use of the existing industrial or I-O buildings provided that the proposed uses would not induce adverse fire safety and environmental impacts. The proposed uses are intended to address the district demand, and is considered generally in line with the planning intention.
- 11.2 The KTBA is being transformed into a business district. A range of shop and services uses at the G/F units of this IB and other industrial and I-O buildings in its vicinity have been approved by the Committee. The proposed use is compatible with the changing land use character of the area. Moreover, the proposed use with entrances separated from the industrial portion is considered not incompatible with other uses in the same building.
- 11.3 As advised by D of FS, the subject premises are fully protected by sprinklers and therefore subject to a maximum permissible limit of 460m² for aggregate CFA on G/F in accordance with TPB PG-No. 22D. The proposed shop and services use at Shops 1 and 2 of the Premises, with a total CFA of about 440.23m², is subject to the aforementioned limit. However, such limit does not apply to the proposed shop and services (bank, fast food counter, electrical shop, local provisions store and/or showroom) use at Shop 3. Should the Committee approve the application, the aggregate CFA on G/F of the building will be 440.23m² and is within the maximum permissible limit of 460m². The proposed layout complies with the means of escape requirement. In this regard, D of FS has no objection to the application subject to the imposition of an approval condition as detailed in paragraph 12.2(a) below.
- 11.4 The proposed shop and services use at the Premises complies with the TPB PG-No. 22D in that it would not induce adverse fire safety, traffic, and environmental impacts on the development within the subject building and adjacent areas. Relevant Government departments including D of FS, C for T and CBS/K, BD have no adverse comment on the application subject to the imposition of relevant approval condition and advisory comments.
- 11.5 The Premises were the subject of four previous applications approved for various shop and services uses while two similar applications in Unit 2 on G/F of the subject IB were also approved by the Committee. Besides, the Committee has also approved six similar applications in other IBs within KTBA in the past three years. As there is no change in planning circumstances and D of FS has no objection to the current application, the approval of the current application is consistent with the Committee’s previous approvals as detailed in paragraph 5.1 above.
- 11.6 Regarding the objecting public comments, the considerations and assessments in paragraphs 11.1, 11.2 and 11.4 above are relevant. Besides, the traffic impact would be insignificant as the L/UL activities would be carried out at the basement of the subject IB and C for T has no adverse comment on the application.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11, and having taken into account the public comments mentioned in paragraph 10 above, 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 21.11.2027, 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 suggested for Members' reference:

Approval conditions

- (a) the submission and implementation of a proposal for fire safety measures and means of escape being separated from the industrial portion before operation of the approved uses to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (b) if the above planning condition (a) is not complied with before the operation of the approved uses, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory clauses

The recommended advisory clauses are attached at **Appendix V**.

- 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 to 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 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 applicant.

14. Attachments

Appendix I	Application form and revised layout plan received on 22.9.2025 and 2.10.2025
Appendix II	Previous applications
Appendix III	Similar applications
Appendix IV	Public comments
Appendix V	Recommended advisory clauses

Drawing A-1	Layout plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Existing uses and similar applications on the G/F of subject IB
Plans A-5 to A-6	Site photos

**PLANNING DEPARTMENT
NOVEMBER 2025**