

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/ST/1047

Applicant : Koon Ngai Company Limited represented by Townland Consultants Limited

Premises : G/F (Part), Koon Wah Building, 2 Yuen Shun Circuit, Yuen Chau Kok, Sha Tin

Site Area : About 771.48m²

Lease : Sha Tin Town Lot No. 275
(a) to be expired on 30.6.2047; and
(b) restricted to industrial and/or godown purposes excluding offensive trades

Plan : Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/39
(*currently in force*)

Approved Sha Tin OZP No. S/ST/38
(*at the time of submission*)

Zoning : “Industrial (1)” (“I(1)”)
(*no change on the current OZP*)

Application : Proposed Shop and Services (not more than 460m²) and Proposed Shop and Services (Bank, Fast Food Counter, Local Provisions Store, Electrical Shop and/or Showroom only) (about 311.48m²)

1. The Proposal

1.1 The applicant seeks planning permission to use the application premises (the Premises) for proposed shop and services. The Premises is located on the G/F of an existing industrial building, known as Koon Wah Building (the Building), falling within an area zoned “I(1)” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “I” zone, ‘Shop and Services (not elsewhere specified) (ground floor only, except in wholesale conversion of an existing building and ancillary showroom which may be permitted on any floor)’¹ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Premises is currently used partly as shop and services, some of which are not covered by valid planning permission, and partly vacant.

¹ ‘Shop and Services (Motor-vehicle Showroom on ground floor, Service Trades only)’ is always permitted within the “I” zone.

1.2 The Premises, with a total floor area of about 771.48m², covers 36 existing units (i.e. Units 1 to 3, A3, A5 to A13, A15 to A17, A19 to A23, A25 to A33, A35 to A39 and B1). According to the applicant, the Premises will be demarcated into two portions, namely (i) a floor area of about 460m² (about 60% of the Premises) for proposed shop and services (as detailed in paragraph 5.4 below), and (ii) the remaining floor area of about 311.48m² (about 40% of the Premises) for proposed shop and services (bank, fast food counter, local provisions store, electrical shop and/or showroom only). An indicative layout plan submitted by the applicant is at **Drawing A-1**.

1.3 The Premises is the subject of two previous applications (No. A/ST/988 and 1035) submitted by the same applicant as the current application, which were approved with conditions by the Rural and New Town Planning Committee (the Committee) in 2022 and 2025 respectively. Details of the previous applications are set out in paragraph 5 below.

1.4 In support of the application, the applicant submitted the following documents:

- (a) Application Form received on 1.12.2025 **(Appendix I)**
- (b) Supplementary Planning Statement (SPS) **(Appendix Ia)**

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and SPS at **Appendices I** and **Ia**, as summarised below:

- (a) the application accords with relevant government policies. The 2020 Area Assessment of Industrial Land in the Territory recognised that the Siu Lek Yuen Industrial Area (SLYIA) is undergoing active transformation, with multiple redevelopment and conversion proposals in progress, and recommended its rezoning to other uses;
- (b) the Building is highly accessible, being located within approximately 2-minute walking distance from the MTR City One Station, and is served by a network of bus and mini-bus routes operating in the vicinity;
- (c) the proposed uses address the demand for retail provision to meet the daily needs of the workers and residents in the nearby industrial and residential developments. It also responds to the growth in demand arising from nearby planned residential developments, ensuring adequate retail support for the evolving community;
- (d) customers are expected to access the Premises by foot and public transport. Given the small scale of the proposed uses, no adverse traffic or infrastructural impacts are anticipated;
- (e) the Premises is provided with a sprinkler system and adequate means of escape. No adverse fire safety impact is anticipated; and
- (f) the application complies with the Town Planning Board Guidelines No. 25D, and is supported by precedent planning approvals.

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

The Town Planning Board Guidelines for Use/Development within “I” Zone (TPB PG-No. 25D) are relevant to the application. Relevant extract of the Guidelines is at **Appendix II**.

5. Previous Applications

- 5.1 The Premises is the subject of two previous applications (No. A/ST/988 and 1035) submitted by the same applicant as the current application.
- 5.2 Application No. A/ST/988, covering the whole Building where the Premises is located, for proposed office, eating place (canteen only) and shop and services was approved with conditions by the Committee on 14.1.2022. The application involved a proposed redevelopment scheme of the existing industrial building into a 25-storey (including 2 levels of basement and 2 levels of podium) commercial development. Subsequently, the validity of the planning permission was extended to 14.1.2030. The considerations of this application are not relevant to the current application which is for proposed uses at part of the existing Building with different nature and scale.
- 5.3 The other previous application (No. A/ST/1035), involving part of the Premises (about 455.76m²), for proposed shop and services was approved with conditions on a temporary basis for a period of five years by the Committee on 14.2.2025, mainly on the considerations that the proposed use was not incompatible with the industrial and industrial-related uses in the Building and the surrounding developments; the application complied with the TPB PG-No. 25D including the fire safety and traffic aspects; and there was no adverse comment/objection from the relevant government departments. The planning permission is still valid and the approval conditions in relation to the fire safety aspect are yet to be complied with.
- 5.4 According to the TPB PG-No. 25D, the aggregate commercial floor area on the G/F of an existing industrial building with sprinkler system is limited to 460m². Such limit is not applicable to the proposed shop and services for bank, fast food counter, electrical shop, local provisions store or showroom with a floor area of about 311.48m², but applicable to the proposed shop and services (other than those mentioned above) with a floor area of about 460m² at the Premises under the current application. Should the current application be approved and the applicant take forward the proposed uses under the current application instead of the previously approved application No. A/ST/1035, the aggregate commercial floor area on G/F of the subject Premises will be 460m² which is the maximum permissible limit on G/F of an existing industrial building with sprinkler system.

5.5 Details of the previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-2**.

6. Similar Application

There is no similar application on the G/F of the Building.

7. The Premises and its Surrounding Areas (Plans A-1 to A-4c)

7.1 The Premises is:

- (a) consisting of a total of 36 units scattered on G/F of the Building in SLYIA, of which 10 units have direct street frontage to Ngau Pei Sha Street; and
- (b) currently used partly as shop and services, some of which are not covered by valid planning permission, and partly vacant.

7.2 Based on the site inspection conducted on 18.12.2025, the existing main uses of the Building by floors are summarised below:

Floor	Current Uses
G/F (Plan A-3)	The Premises (driving school ^{@^} , real estate agency ^{@^} , electrical shop ^{@^} , fast food shop ^{@^} , Chinese medicine clinic [^] , engineering company [^] , herbal tea shop [^] , claw-machine shop ^{@^} , pet product shop [^] , clinic [#] , express carrier [#] , office [#] and beauty parlour [#]), motor vehicle showrooms, canteen and loading/unloading (L/UL) bays
1/F	Motor vehicle repair workshop, godown, offices, carparking spaces, shop and services and L/UL bays
2/F	Godown, offices and vacant units
3/F	Godown and offices
4/F	Offices

[#] There is no record of planning approval granted for such use

[@] The planning approval for such use has lapsed

[^] Under an approved planning application No. A/ST/1035

7.3 The surrounding areas are predominantly a mixture of high-rise residential developments, including Yu Chui Court and Prima Villa to the southwest, with some commercial and industrial buildings. To further northwest is the MTR City One Station.

8. Planning Intention

The Planning intention of the “I” zone is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-orientated industries. Information technology and telecommunications industries and office related to industrial use are also always permitted in this zone.

9. Comments from Relevant Government Departments

9.1 Apart from the government department as set out in paragraph 9.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided in **Appendices IV** and **V** respectively.

Trade and Industry

9.2 Comments of the Director-General of Trade and Industry (DG of TI):

he indicates concern on the application for conversion of the Premises to ‘shop and services’ use on a permanent basis. Nevertheless, he would have no comment if the approval is on a temporary basis which will not jeopardise the long-term industrial-related uses of the Premises.

10. Public Comments Received During Statutory Publication Period (Appendix VI)

On 9.12.2025, the application was published for public inspection. During the statutory public inspection period, 32 public comments from individuals were received, supporting the application for a better community and economic development.

11. Planning Considerations and Assessments

11.1 The application is to seek planning permission for proposed shop and services at the Premises located on G/F of an existing industrial building zoned “I(1)” on the OZP. While the planning intention of the “I” zone is to reserve land primarily for general industrial uses to ensure adequate supply of industrial floor space to meet demand from production-oriented industries, commercial uses in industrial buildings within the “I” zone may be permitted on application to the Board based on individual merits and the planning assessment criteria set out in TPB PG-No. 25D.

11.2 The Premises covering 36 units has a total floor area of about 771.48m², including about 311.48m² (about 40% of the Premises) for proposed bank, fast food counter, local provisions store, electrical shop and/or showroom only, and is located on the G/F of the Building, of which 10 units have direct street frontage to Ngau Pei Sha Street (**Plan A-4a**). In view of the operation nature and small scale of the proposed uses, it is considered not incompatible with other uses on the G/F of the Building, as well as the surrounding developments which are predominately residential developments with some commercial and industrial buildings.

11.3 According to TPB PG-No. 25D, owing to fire safety concern, the Building is subject to a maximum permissible limit of 460m² for aggregate commercial floor area on G/F. The Director of Fire Services (D of FS) advises that the Building is protected with a sprinkler system and the proposed shop and services is subject to the above limit, whereas such limit does not apply to the portion for proposed bank, fast food counter, local provisions store, electrical shop and/or showroom only (with a floor area of about 311.48m²) under the current application. Noting that there is a valid planning permission for proposed shop and services under the

previously approved application No. A/ST/1035 on G/F of the Building, which is subject to the above limit, such application was submitted by the same applicant as the current application, and its premises area was fully covered by the Premises. Should the Committee approve the application and the applicant take forward the proposed uses under the current application instead of the previously approved application (No. A/ST/1035), the aggregate commercial floor area on G/F of the Building will be 460m², which is within the maximum permissible limit as set out in the TPB PG-No. 22D.

- 11.4 The proposed uses generally comply with the relevant considerations set out in TPB PG-No. 25D including the fire safety and traffic aspects. D of FS has no in-principle objection to the application subject to provision of fire service installations and equipment as recommended in paragraph 12.2 below. Concerned government departments consulted, including the Commissioner for Transport and Chief Building Surveyor/New Territories West of Buildings Department have no in-principle objection to/no adverse comment on the application from traffic and buildings aspects respectively.
- 11.5 Part of the Premises is the subject of a previous application submitted by the same applicant for shop and services use, which was approved by the Committee in 2025 as detailed in paragraph 5.3 above. There is no change in the planning circumstances and approval of the current application is generally in line with the Committee's previous decision.
- 11.6 The applicant has applied to use the Premises for the proposed uses on a permanent basis. Nevertheless, considering the comments from DG of TI, it is recommended to grant a temporary approval of five years in order not to jeopardise the long-term planning intention of industrial use for the Premises and to allow the Committee to monitor the provision of industrial floor space in the area.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments in paragraph 10 above, the Planning Department has no objection to the application on a temporary basis for a period of five years.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of five years until 23.1.2031. The following approval conditions and recommended advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the submission and implementation of fire service installations and equipment within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 23.7.2026; and
- (b) if the above planning condition (a) is not complied with by the specified date, 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 on a temporary basis.

13. Decision Sought

13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the 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 period of which the permission should be valid on a temporary basis.

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 received on 1.12.2025
Appendix Ia	SPS
Appendix II	Relevant extract of TPB PG-No. 25D
Appendix III	Previous applications
Appendix IV	Government departments' general comments
Appendix V	Recommended advisory clauses
Appendix VI	Public comments
Drawing A-1	Floor Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Floor Plan
Plans A-4a to A-4c	Site Photos

PLANNING DEPARTMENT
JANUARY 2026