

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TWW/134

- Applicant** : Tong Wai Shan Judy (now known as Tong Kei Yuk Judy) represented by Lanbase Surveyors Limited
- Site** : Lot 405 in D.D. 399, Castle Peak Road – Ting Kau, Ting Kau, New Territories
- Site Area** : About 512.9m²
- Lease** : Lot 405 in D.D. 399 (the Lot)
- (a) New Grant No. 3248 dated 4.2.1953 to be expired on 30.6.2047 and subject to the General and Special Conditions of Sale in Government Notification (G.N.) No. 364 of 1934 as amended by G.N. No. 50 of 1940 and Additional Special Conditions of the New Grant
 - (b) restricted for building and garden purposes
 - (c) the height of any building shall not exceed 25 feet nor shall any building exceed 2 storeys in height. No storey shall be less than 10 feet in height
 - (d) open space belonging to the owner shall be provided at the rear of every new building and such open space shall have an area at least equal to half the roofed-over area of the building
 - (e) the grantee shall maintain the existing path leading from the Castle Peak Road to the sea and the path shall be open to the public at all times
 - (f) no compensation shall be payable by the Government in respect of the retaining wall on Government land (GL) and/or in respect of the filling on GL, if the Government requires the GL for any purposes by giving one-month prior notice
- Plan** : Approved Tsuen Wan West Outline Zoning Plan (OZP) No. S/TWW/21
- Zoning** : “Residential (Group C)” (“R(C)”)
- (a) maximum plot ratio (PR) of 0.4
 - (b) maximum building height (BH) of 3 storeys including car park
 - (c) the PR may be increased to a maximum of 0.75 with planning permission provided that the noise impact from Castle Peak Road on the proposed development would be mitigated
- Application** : Proposed House Development at PR of 0.75

1. **The Proposal**

- 1.1 The applicant seeks planning permission for a proposed 2-storey house development with a PR of not more than 0.75 at the application site (the Site) (**Plan A-1**). According to the Notes of the OZP for the “R(C)” zone, while ‘House’ is always permitted with a maximum PR of 0.4 and a maximum BH of 3 storeys including car park, the PR may be increased to a maximum of 0.75, provided that the noise impact from Castle Peak Road on the proposed development would be mitigated, upon application to the Town Planning Board (the Board).
- 1.2 The Site is currently occupied by a 2-storey house, known as Anton Villa, with an ancillary structure and a garden (**Plan A-5**). It is separated from Castle Peak Road – Ting Kau to the north by man-made slopes (**Plans A-2, A-5 and A-6**). The Site has no vehicular access and is accessible by two public footpaths/staircases connected to Castle Peak Road – Ting Kau located at its eastern and western sides outside the Site (**Plans A-2 and A-4**). The two public footpaths/staircases connect Castle Peak Road – Ting Kau with Ting Kau Beach, and will remain open to public use during construction and after completion of the proposed house redevelopment. The land to the immediate north and south of the Site are under a Short Term Tenancy (STT) No. 1139TW for private garden purpose with the applicant being one of the tenants (**Plan A-2**).
- 1.3 The applicant proposes to redevelop the existing house into a 2-storey house with a PR of not more than 0.75 (**Drawings A-1 to A-4**). Similar to the existing arrangement (**Plan A-6**), an access bridge is proposed to connect the 1/F of the proposed house with the man-made slopes to the north of the Site for the exclusive use of its residents (**Drawings A-1, A-3 and A-4**). To meet the OZP requirement for a higher PR of 0.75, a Noise Impact Assessment (NIA) (**Appendix Ia**) has been conducted. The NIA has concluded that the proposed development would comply with the road traffic noise standard stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG)¹, and no noise mitigation measures are required. The proposed house development is targeted for completion by May 2029.
- 1.4 The major development parameters are set out as follows:

Major Development Parameters	
Site Area	About 512.9m ²
PR	Not more than 0.75
Gross Floor Area	Not more than 384.675m ²
No. of House/Unit	1
No. of Storeys	2 storeys
Maximum BH	About 20.42mPD

- 1.5 According to the applicant’s tree survey report, there are seven trees within the Site. No protected species or Old and Valuable Tree (OVT) is identified. All

¹ According to the HKPSG, the maximum permissible road traffic noise level at the external facade for all domestic premises including temporary housing accommodation is 70 A-weighted decibels (dB(A)) for the hour during the peak traffic flow.

seven trees will be felled due to the proposed development and low suitability for transplanting.

1.6 In support of the application, the applicant has submitted the following documents:

- (a) Application form received on 20.6.2025 (Appendix I)
- (b) Supporting Planning Statement with attachments received on 20.6.2025 (Appendix Ia)
- (c) Further Information (FI) received on 22.8.2025* (Appendix Ib)
- (d) FI received on 2.10.2025# (Appendix Ic)
- (e) FI received on 27.11.2025# (Appendix Id)
- (f) FI received on 16.1.2026* (Appendix Ie)

Remarks:

* accepted and exempted from publication and recounting requirements

accepted but not exempted from publication and recounting requirements

1.7 On 15.8.2025 and 21.11.2025, the Metro Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months each as requested by the applicant.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in **Appendices Ia to Ie**. They are summarised as follows:

In Line with Planning Intention

- (a) The NIA has demonstrated that the proposed development would comply with the noise standard in the HKPSG without the need for noise mitigation measures. No adverse traffic noise impact from Castle Peak Road on the proposed house development is anticipated. As such, the proposed maximum PR of 0.75 is in line with the Notes of the OZP.

Compatible with Surrounding Developments

- (b) The proposed house development with a maximum PR of 0.75 and a BH of 2 storeys complies with the development restrictions under the OZP. The scale of the proposed house development is similar to and compatible with the adjacent low-rise, low-density residential developments in the vicinity.

No Adverse Technical Impact

- (c) The submitted Traffic Review Report and Geotechnical Planning Review Report have demonstrated that no adverse traffic and geotechnical impact is anticipated.

Similar Applications Approved on the OZP

- (d) The Board has approved a number of similar applications for a maximum PR up to

0.75 within the “R(C)” zone on the OZP (**Plan A-1**). Approval of this application is in line with the Board’s previous decisions.

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

The applicant is one of the “current land owners” and has complied with the requirements as set out in the Town Planning Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by sending request for consent to the other land owners. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site has been zoned “R(C)” since the first Tsuen Wan West OZP. The “R(C)” zone was subject to a maximum PR of 0.4 and a maximum BH of 3 storeys including carport at that time. In the land-use review of the Tsuen Wan West area undertaken by the Planning Department (PlanD) in 2001, the possible increase in the maximum PR of “R(C)” zone from 0.4 to 0.75 was examined. On 1.6.2001, the Committee noted that the proposed increase of the maximum PR to 0.75 was unlikely to cause significant impacts on the existing and planned provisions of infrastructure and supporting facilities and the only major concern was on the potential traffic noise impact from Castle Peak Road. As such, the Committee agreed to adopt a two-tier PR control where the maximum PR of 0.4 might, upon obtaining planning permission, be increased to a maximum of 0.75, provided that the noise impact from Castle Peak Road would be mitigated to the satisfaction of the Board. The two-tier PR control was incorporated in the draft OZP No. S/TWW/12 gazetted on 1.3.2002 and has been in place since then.

5. Previous Application

There is no previous application at the Site.

6. Similar Applications

- 6.1 Within the “R(C)” zones in the Tsuen Wan West area, there are 13 similar applications covering 9 application sites for proposed house development with a higher PR (**Appendix II** and **Plan A-1**) applied under the two-tier PR control.
- 6.2 All 13 applications were approved with or without conditions by the Committee or by the Board upon review between 2004 and 2025 mainly on the considerations that the noise impact from Castle Peak Road on the proposed developments would be properly mitigated.

7. The Site and its Surrounding Areas (Plans A-1 to A-6)

- 7.1 The Site:

- (a) is currently occupied by a 2-storey house with an ancillary structure and a garden. It is separated from Castle Peak Road – Ting Kau by man-made slopes; and
- (b) has no vehicular access and is connected to Castle Peak Road – Ting Kau by two public footpaths/staircases located at its eastern and western sides outside the Site.

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate north are man-made slopes under STT No. 1139TW and to the further north is Castle Peak Road – Ting Kau where metered parking spaces are available;
- (b) to the immediate east and west are the two staircases/footpaths connecting from Castle Peak Road – Ting Kau to Ting Kau Beach. To the further east and west are some low-rise, low-density residential developments with BHs ranging from 1 to 4 storeys; and
- (c) to the immediate south are the remaining portion of the garden and a platform held under STT No. 1139TW. To the further south is Ting Kau Beach.

8. Planning Intention

- 8.1 The planning intention of the “R(C)” zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 8.2 According to paragraph 9.4.2 of the Explanatory Statement of the OZP, due to existing infrastructural constraints and the objectives to conserve the natural landscape, panoramic sea view as well as to provide greater flexibility without compromising the low-rise, low-density character of the “R(C)” sites, development or redevelopment within the “R(C)” zone is restricted to maximum PR of 0.4 and a maximum BH of 3 storeys including car park as stipulated in the Notes, or the PR and height of the existing building, whichever is the greater. The maximum PR of 0.4 may, upon obtaining permission of the Board on application under section 16 of the Town Planning Ordinance, be increased to a maximum of 0.75, provided that the noise impact from Castle Peak Road on the proposed development would be mitigated to the satisfaction of the Board.

9. Comments from Relevant Government Departments

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

Land Administration

9.1.1 Comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (LandsD):

- (a) he reserves comments on the proposed schematic design which would only be examined in detail during the building plan submission stage. There is no guarantee that the schematic design as presently proposed in the subject planning application if reflected in future building plan submission(s) will be acceptable under lease; and
- (b) the Lot does not abut onto any road and the proposed development intensity should be subject to the Buildings Department's (BD's) comment.

Traffic

9.1.2 Comments of the Commissioner for Transport:

no objection to the application as the applicant has confirmed that the proposed development will not bring any increase in number of residents; the proposed development has no car parking facilities; and there will be no change to the pedestrian movement. No adverse traffic implication is anticipated.

Environment

9.1.3 Comments of the Director of Environmental Protection (DEP):

no objection to the application from environmental planning point of view as the NIA has demonstrated that:

- (a) all the noise sensitive rooms in the proposed development would comply with the stipulated 70dB(A) noise criterion. Therefore, no noise mitigation measures are required; and
- (b) site survey was conducted and no significant noise from fixed noise sources was observed. Therefore, no adverse noise impact due to fixed noise sources is anticipated.

Geotechnical

9.1.4 Comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (CEDD):

- (a) no adverse comment on the application; and
- (b) his detailed comments are at **Appendix IV**.

9.1.5 Comments of the Chief Highway Engineer/New Territories West, Highways Department:

slope 6SE-D/FR203, which is currently maintained by his office, is located outside the Site and next to the proposed development. His detailed comments in relation to the subject slope are at **Appendix IV**.

9.1.6 Comments of the Chief Geotechnical Engineer/Slope Maintenance, LandsD:

the applicant is reminded that the proposed development shall not cause any adverse effect on the slope/retaining wall features abutting the Lot, namely 6SE-D/FR57 and 6SE-D/R158.

Urban Design, Visual and Landscape Aspects

9.1.7 Comments of the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD:

Urban Design and Visual

- (a) the Site forms part of a low-rise residential area zoned “R(C)” sandwiched between Ting Kau Beach and Castle Peak Road – Ting Kau. The surrounding area is characterised by 1 to 4-storey houses (**Plan A-2**). Given the scale of the proposed development and the surrounding context, the proposal would unlikely induce any significant adverse effects on the visual character of the surrounding townscape;

Landscape

- (b) according to the tree survey report, no OVT(s), protected/rare species are found within the Site. All identified trees are fruit trees or common species in Hong Kong. Significant adverse landscape impact from the proposed tree felling is not anticipated; and
- (c) her detailed comments are at **Appendix IV**.

Fire Safety

9.1.8 Comments of the Director of Fire Services:

- (a) no comment on the application subject to water supplies for firefighting and fire service installations being provided to his satisfaction; and
- (b) his detailed comments are at **Appendix IV**.

Building Matters

9.1.9 Comments of the Chief Building Surveyor/New Territories West, BD:

- (a) no objection to the application; and
- (b) his detailed comments are at **Appendix IV**.

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

- (a) Project Manager (West), CEDD;
- (b) Project Manager (East), CEDD;
- (c) Chief Engineer/Mainland South, Drainage Services Department;
- (d) Chief Engineer/Construction, Water Supplies Department;
- (e) Commissioner of Police; and
- (f) District Officer (Tsuen Wan), Home Affairs Department.

10. Public Comments Received During the Statutory Publication Period

During the statutory publication period, three public comments on the application were received from a neighbour and the village representative of Ting Kau Village (who submitted two public comments in total) opining that the village representative of Ting Kau Village should be notified before the commencement of construction; and that the potential traffic, noise and dust nuisances from the construction should be properly controlled (**Appendix III**).

11. Planning Considerations and Assessments

- 11.1 The Site falls within an area zoned “R(C)” on the Tsuen Wan West OZP (**Plans A-1 and A-2**). According to the Notes of the OZP for the “R(C)” zone, while ‘House’ use is always permitted with a maximum PR of 0.4 and a maximum BH of 3 storeys including car park, the PR may be increased to a maximum of 0.75, provided that the noise impact from Castle Peak Road on the proposed development would be mitigated, upon application to the Board². The applicant seeks planning permission for a proposed 2-storey house with a PR of not more than 0.75 at the Site.
- 11.2 To demonstrate that the traffic noise impact from Castle Peak Road would meet the OZP requirement, a NIA has been submitted confirming that all noise sensitive rooms in the proposed development would comply with the road traffic noise standards stipulated in the HKPSG and no noise mitigation measures were required. DEP has no objection to the application.
- 11.3 The surrounding areas are mainly characterised by low-density house-type developments to the east and west of the Site with existing BHs generally not more than 4 storeys (**Plan A-2**). Taking into account the scale of the proposed

² Background of such requirement is set out in paragraph 4 above.

2-storey house development and the surrounding site context, CTP/UD&L of PlanD is of the view that the proposed house development would unlikely induce any significant adverse impact on the visual character of the surrounding townscape. According to the tree survey report, all the trees at the Site will be felled. CTP/UD&L of PlanD advises that as no OVT(s), protected/rare species are found within the Site and all identified trees are fruit trees or common species in Hong Kong, significant adverse landscape impact arising from the proposed development is not anticipated. Other relevant Government departments consulted have no objection to/no adverse comment on the application, including the traffic and geotechnical aspects.

- 11.4 Within the “R(C)” zones in the Tsuen Wan West area, there are 13 similar applications for proposed house development with a higher PR (up to PR of 0.75), which were all approved with or without planning conditions mainly on the consideration that the traffic noise impact from Castle Peak Road could be addressed to the satisfaction of concerned departments. Approval of the subject application is in line with the previous decisions of the Committee.
- 11.5 Regarding the public comments received, the planning assessment and considerations above are relevant. Furthermore, the applicant will be advised to notify the village representative of Ting Kau Village before commencement of construction as appropriate and that the potential traffic, noise and dust nuisances from the construction should be properly controlled.

12. Planning Department’s Views

- 12.1 Based on the assessment 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 23.1.2030, 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 recommended advisory clauses for the application are attached at **Appendix IV**.
- 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 refuse to grant permission.
- 13.2 Should the Committee 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 the 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 received on 20.6.2025
Appendix Ia	Supporting Planning Statement with Attachments received on 20.6.2025
Appendix Ib	FI received on 22.8.2025
Appendix Ic	FI received on 2.10.2025
Appendix Id	FI received on 27.11.2025
Appendix Ie	FI received on 16.1.2026
Appendix II	Similar Applications
Appendix III	Public Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Master Layout Plan
Drawings A-2 and A-3	Floor Plans
Drawing A-4	Section Plans
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4 to A-6	Site Photos

**PLANNING DEPARTMENT
JANUARY 2026**