

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TW/547

<u>Applicant</u>	: Wah Tat Property Development Limited represented by RHL Surveyors Limited
<u>Premises</u>	: Workshop B4, G/F, Superluck Industrial Centre Phase 2, 57 Sha Tsui Road and 30-38 Tai Chung Road, Tsuen Wan
<u>Floor Area</u>	: About 37.44 m ²
<u>Lease</u>	: Lot No. 328 and Remaining Portion of Lot No. 339 (Lot 339 RP) in D.D. 355 and Tsun Wan Inland Lot (TWIL) No. 44 (the Lots) (a) governed by New Grant No. 3710, New Grant No. 3829 as varied or modified by Modification Letter dated 14.10.1964 (for Lot 328 and Lot 339 RP in D.D. 355) (b) governed by Conditions of Exchange No. 5210 (for TWIL 44) (c) expire on 30.6.2047 (d) restricted for industrial purposes (Lot 328 in D.D. 355 and TWIL 44) or industrial purposes excluding offensive trade (Lot 339 RP in D.D. 355)
<u>Plan</u>	: Approved Tsuen Wan Outline Zoning Plan (OZP) No. S/TW/39
<u>Zoning</u>	: “Other Specified Uses” annotated “Business” (“OU(B)”) (a) maximum plot ratio (PR) of 9.5 (b) maximum building height of 100 metres above Principal Datum
<u>Application</u>	: Shop and Services

1. The Proposal

- 1.1 The applicant seeks planning permission for ‘Shop and Services’ use at the application premises (the Premises) (**Plans A-1 to A-3**). According to the Notes of the OZP for Schedule II of the “OU(B)” zone applicable to industrial or industrial-office (I-O) buildings, ‘Shop and Services’ on G/F is a Column 2 use which requires planning permission from the Town Planning Board (the Board).
- 1.2 The Premises has a floor area of about 37.44m² and is located on the G/F of Superluck Industrial Centre Phase 2, an industrial building (IB). It is currently occupied by a fast food shop operating without valid planning permission and the current application is to regularise the use and to allow flexibility for other shop

and services use. Plans showing the layout of the G/F of the subject IB and the Premises are at **Drawings A-1** and **A-2**.

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

- (a) Application form and plans received on 9.12.2025 (Appendix I)
- (b) Supplementary Information received on 11.12.2025 (Appendix Ia)
- (c) Further information (FI) received on 22.12.2025* (Appendix Ib)

**exempted from publication and recounting requirements*

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in **Appendix I**, which are summarised as follows:

- (a) similar to other IBs in the area, the subject building has been designed such that commercial uses are suitable on the G/F;
- (b) the applied use is compatible with other commercial uses found on the G/F of other IBs in the area, such as property agency and convenience store. The Premises was the subject of a previous planning approval for the same use as the current application; and
- (c) as the target customers are mainly from the locality, traffic generated by the applied use is considered minimal. There are existing loading and unloading (L/UL) facilities in the subject IB to serve the L/UL functions.

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 Development within “OU(B)” Zone (TPB PG-No. 22D) promulgated in September 2007 are relevant to this application. Relevant extracts of the Guidelines are at **Appendix II**.

5. Previous Application

The Premises is the subject of a previous planning application (No. A/TW/490) which was submitted by the same applicant for the same ‘Shop and Services’ use (**Plan A-3**). The application was approved with conditions by the Metro Planning Committee (the Committee) of the Board on 26.5.2017 mainly on the considerations that the use was generally in line with the planning intention of the “OU(B)” zone; it would not induce adverse fire safety, traffic and environmental impacts; and there was no objection from

relevant Government departments. While the approval condition regarding fire safety requirement had been complied with, the planning permission lapsed on 27.5.2021 as the approved use had not commenced.

6. Similar Applications

6.1 There are 15 similar planning applications for various ‘Shop and Services’ uses on the G/F of industrial or I-O buildings within the “OU(B)” zone in Chai Wan Kok Industrial / Business Area (CWKIBA) (**Plans A-1 and A-3**). All 15 applications were approved with conditions by the Committee, including eight on permanent basis and seven on temporary basis, mainly on similar considerations as those mentioned in paragraph 5 above. A summary of these similar applications is at **Appendix III**.

6.2 The above-mentioned 15 applications include five applications (No. A/TW/441, 458, 467, 470 and 484) for various ‘Shop and Services’ uses on the G/F of the subject IB (**Plan A-3**), which were approved with conditions by the Committee between 2013 and 2016.

7. The Premises and Its Surrounding Areas (Plans A-1 to A-5)

7.1 The Premises:

- (a) is located on the G/F of Superluck Industrial Centre Phase 2;
- (b) is currently occupied by a fast food shop operating without valid planning permission; and
- (c) abuts Tai Chung Road with a direct entrance separated from the industrial portion of the subject IB.

7.2 The subject building is:

- (a) a 26-storey IB completed in 1979;
- (b) equipped with a sprinkler system; and
- (c) currently used for the following purposes:

Floor	Current Uses
G/F	The Premises (fast food shop), workshop, real estate agency*, printing shop*, warehouse, transformer room and carpark (Plan A-3)
1/F – 25/F	Storage, industrial-related offices and workshops

*use without valid planning permission

7.3 The surrounding areas have the following characteristics:

- (a) located in CWKIBA which has been undergoing transformation to business use following its rezoning to “OU(B)” zone in 2016;

- (b) mainly surrounded by industrial, I-O or commercial/office buildings (**Plans A-1 and A-2**); and
- (c) accessible by various modes of public transport with MTR Tsuen Wan Station and Tsuen Wan West Station located at about 600m and 500m to the northeast and south of the subject IB respectively (**Plan A-1**).

8. Planning Intention

The planning intention of the “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 summarised as follows:

Land Administration

- 9.1.1 Comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (DLO/TW&KT, LandsD):
- (a) the Premises falls within Lot 328 and Lot 339 RP in D.D. 355 and TWIL 44 which are governed by New Grant No. 3710, New Grant No. 3829 as varied or modified by a Modification Letter dated 14.10.1964 and Conditions of Exchange No. 5210 (collectively referred as “the New Grants”) respectively. Lot 339 RP in D.D. 355 is restricted for industrial purposes excluding offensive trade while Lot 328 in D.D. 355 and TWIL 44 are restricted for industrial purposes. The lease will expire on 30.6.2047; and
 - (b) the applied ‘Shop and Services’ use is not permissible under the New Grants. Should the application be approved by the Board, the lot owner is required to apply to his department for a temporary waiver for the implementation of the applied use. Upon receipt of the waiver application, it will be considered by his department acting in the capacity as landlord at its sole discretion. There is no guarantee that any waiver application will be approved. In the event that the waiver application is approved, it will be subject to such terms and conditions as the Government shall see fit, including, among others, the payment of waiver fee and administrative fee.

Fire Services

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

- (a) no in-principle objection to the application subject to fire service installations (FSIs) and equipment being provided to his satisfaction and means of escape completely separated from the industrial portion is available for the Premises. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (b) the building is fully protected with sprinkler system so that the maximum permissible aggregate commercial floor area on G/F is 460m² in accordance with TPB PG-No. 22D. The aggregate commercial floor area will not exceed the maximum permissible limit if the planning application is approved; and
- (c) the applicant has not submitted any FSIs proposal to his department in respect of the Premises under the current application.

Building Matters

9.1.3 Comments of the Chief Building Surveyor/New Territories West, Building Department (CBS/NTW, BD):

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

Traffic

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

- (a) no comment on the application; and
- (b) L/UL activities should be carried out at the existing L/UL facilities inside the subject IB.

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

- (a) Commissioner of Police;
- (b) Chief Engineer/Construction, Water Supplies Department;
- (c) Director of Food and Environmental Hygiene;
- (d) Director of Environmental Protection (DEP);
- (e) Chief Engineer/Mainland South, Drainage Services Department; and
- (f) District Officer (Tsuen Wan), Home Affairs Department.

10. Public Comments Received During Statutory Publication Period

During the statutory publication period, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The application seeks planning permission for ‘Shop and Services’ use at the Premises which is located on the G/F of an IB within an area zoned “OU(B)” on the OZP. While the planning intention of the “OU(B)” zone is primarily for general business uses, it allows greater flexibility in the use of the existing industrial or I-O buildings provided that the shop and services use would not induce adverse fire safety and environmental impacts. The applied use at the Premises is considered generally in line with the planning intention of the “OU(B)” zone.
- 11.2 The Premises has a total floor area of about 37.44m² and is small in size. It also has a direct entrance from Tai Chung Road which is separated from the industrial portion of the subject IB. The applied use is considered not incompatible with surrounding developments in CWKIBA which consists of a mix of industrial, office and commercial uses. The application complies with TPB-PG No. 22D in that it would not induce possible adverse fire safety, traffic and environmental impact on the subject building and adjacent developments. Relevant Government departments consulted including D of FS, DEP, CBS/NTW of BD and C for T have no objection to/no adverse comments on the application.
- 11.3 As confirmed by D of FS, the subject IB, being protected by a sprinkler system, is subject to a maximum permissible aggregate commercial floor area of 460m² on G/F in accordance with TPB-PG No. 22D. There is currently no valid planning approval for commercial use on the G/F of the subject building. Should the application be approved, the aggregate commercial floor area on G/F of the subject building will be 37.44 m², which is within the said permissible limit. In this regard, D of FS has no in-principle objection to the application. Should the application be approved by the Committee, D of FS has advised that an approval condition requiring the submission and implementation of fire safety measures to his satisfaction should be stipulated.
- 11.4 The Premises is the subject of a previous approved application for the same use. The Committee has also approved 15 similar applications for shop and services use within the “OU(B)” zone in CWKIBA on the OZP since 2013 (including five on G/F of the subject IB), approval of the current application is consistent with the previous decisions of the Committee.
- 11.5 There is no public comment received on the application.

12. Planning Department’s Views

- 12.1 Based on the assessment made in paragraph 11, the Planning Department has no objection to the application.

- 12.2 Should the Committee decide to approve the application, no time clause on commencement is proposed as the ‘Shop and Services’ use is already in operation. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission and implementation of the fire safety measures, including the provision of means of escape completely separated from the industrial portion and fire service installations and equipment in the application premises, within six months from the date of the approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 6.8.2026; 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 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 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.
- 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 9.12.2025
Appendix Ia	Supplementary Information received on 11.12.2025
Appendix Ib	FI received on 22.12.2025
Appendix II	Relevant Extracts of TPB PG-No. 22D
Appendix III	Similar applications
Appendix IV	Recommended advisory clauses
Drawings A-1 and A-2	Layout plans
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Existing uses of the G/F of the subject building
Plans A-4 and A-5	Site photos

**PLANNING DEPARTMENT
FEBRUARY 2026**