

**Application for Renewal of Planning Approval
 for Temporary Use
 Under Section 16 of the Town Planning Ordinance**

Application No. A/H21/159

1. <u>Proposal</u>	
Applicant	Mr. KWOK Chun Loi
Premises (Plan A-1)	Flats L and M, G/F, Tai Chow House, 121 Quarry Bay Street, Hong Kong
Total Floor Area	About 48m ²
Zoning and Outline Zoning Plan (OZP) No.	“Residential (Group B)” (“R(B)”) zone on the approved Quarry Bay Outline Zoning Plan (OZP) No. S/H21/28 <i>[Restricted to a maximum building height (BH) of 135 metres above Principal Datum (mPD) or the height of the existing building, whichever is the greater]</i>
Application	Renewal of Planning Approval for Temporary Eating Place (Restaurant) for a Period of 3 Years
Site Context and the Current Proposal	The premises consist of two units (Flats L and M) located on the G/F of Tai Chow House which are accessible via Quarry Bay Street (Plan A-2). Currently, the premises are occupied by a restaurant with frontage and entrance facing Quarry Bay Street (Drawing A-1). Tai Chow House is an existing 10-storey residential building located within a cluster of medium- to high-density residential developments. The ground floor fronting Quarry Bay Street currently houses the restaurant (the subject premises), along with a piano shop*, a bicycle shop [#] , an office* and three domestic units (Plan A-5). The applicant has submitted an internal layout plan for the restaurant (Drawing A-1), which remains substantially unchanged from the layout approved in the previous application.

* No planning approvals have been granted for the current uses.

Application No. A/H21/109 for school use (tutorial centre) at Flat O on the G/F of Tai Chow House adjacent to the premises, was approved by the Metro Planning Committee (the Committee) of the Town Planning Board (the Board/TPB) on 8.2.2002, mainly on the consideration that the use was not incompatible with the surrounding retail uses. The tutorial centre has ceased operation, and the concerned unit is currently used as a bicycle shop without valid planning permission.

Last Previous Relevant Application ¹	<p>Application No. A/H21/158 approved on 31.3.2023 for a period of 3 years until 25.4.2026, which was submitted by the same applicant for the same use at the same premises with the same internal layout.</p> <p>(Please refer to https://www.tpb.gov.hk/uploads/page/meetings/MPC/A_H21_158/A_H21_158_MainPaper.pdf for details of the last previous relevant application)</p>
Justifications from the Applicant (Appendix I)	<p>(a) The applicant first submitted a planning application to the Board in 2014 to facilitate the transfer of the restaurant licence;</p> <p>(b) for the planning intention of the “R(B)” zone, apart from residential use, commercial uses serving the residential neighbourhood may be permitted on application to the Board;</p> <p>(c) approval for commercial use² at a unit adjacent to the premises was granted by the Board in 2002;</p> <p>(d) there are restaurants and various types of shops³ in the adjacent building i.e. Tai Lung House. The restaurant is not incompatible with the surrounding uses; and</p> <p>(e) approval was first granted by the Board for a period of 3 years in 2014, and renewals for periods of 3 years were approved in 2017, 2020 and 2023.</p>
Compliance with the “Owner’s Consent/Notification” requirements ⁴	Consent from the current land owners has been obtained.

2. Planning Considerations and Assessments

	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
(a)	<p>In line with TPB PG No. 34D⁵ including:</p> <p>i. no material change in planning circumstances</p>	✓		The subject “R(B)” zone is intended primarily for residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

¹ Four previous relevant applications No. A/H21/139, 146, 152 and 158 were all submitted by the same applicant for the same use.

² Application No. A/H21/109 for school use (tutorial centre) at Flat O on G/F of Tai Chow House was approved by the Committee on 8.2.2002.

³ Commercial uses are found on the G/F of Tai Lung House facing Quarry Bay Street. No planning approvals has been granted for the current uses.

⁴ As set out in TPB Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance ([TPB PG-No. 31B](#)) and detailed information would be deposited at the meeting for Members’ inspection.

⁵ TPB Guidelines No. 34D on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development.

	<p>since the previous approval was granted (e.g. a change in planning policy/zoning for the area) or land uses of surrounding areas;</p> <p>ii. no adverse planning implications arising from the renewal of the planning approval (e.g. pre-emption of planned permanent development);</p> <p>iii. all the time-limited approval conditions under the previous approval have been complied with; and</p> <p>iv. the 3-year approval period sought does not exceed the duration of the last approval.</p>			<p>There has been no material change in the planning circumstances and surrounding land uses since the granting of the last temporary approval by the Committee on 31.3.2023. To minimize potential nuisance to the domestic units on the same floor, the applicant has retained the existing layout, which restricts access to the internal corridor on the G/F of Tai Chow House to restaurant staff only (Drawing A-1). The premises hold a valid restaurant license which will remain subject to licensing control by the Food and Environmental Hygiene Department. A valid Certificate of Fire Service Installation (FSI) and Equipment was also submitted by the applicant to support the application (Appendix Ia). The Fire Services Department (FSD) has indicated no objection to the application, provided that the existing FSIs and equipment at the premises are maintained in efficient working order at all times.</p>
(b)	Any other relevant considerations (e.g. minor change in layout/development parameters)?		✓	
(c)	Any adverse departmental comments?		✓	<p>Relevant government departments consulted have no objection to or no adverse comment on the application (Appendix II).</p> <p>To address FSD's concern about maintaining the efficient working order of FSI and to minimise possible nuisance to the domestic units on the same floor, it is recommended that the previous approval conditions be retained, as set out in paragraph 4 below. Advisory clauses are also suggested at Appendix III to draw the applicant's attention to the requirements under the Building Ordinance, the relevant pollution control ordinances and guidelines.</p>
(d)	Public comments received during statutory publication period		✓	No public comment was received.

3. Planning Department's View

- No objection to the application.

4. Decision Sought

- 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 three years, and be renewed from 26.4.2026 to 25.4.2029. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) except for emergency, the door leading to the internal corridor on G/F of Tai Chow House shall be restricted for use by restaurant staff only;
- (b) the existing fire service installations and equipment implemented at the premises should be maintained in efficient working order at all times during the planning approval period; and
- (c) if any of the above planning condition (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.

Advisory Clauses

The recommended advisory clauses are at **Appendix III**.

- There is no strong reason to recommend rejection of the renewal application.

Attachments

Appendix I	Application Form received on 21.1.2026
Appendix Ia	Further Information received on 5.3.2026
Appendix II	Government Departments with No Objection / No Adverse Comment
Appendix III	Recommended Advisory Clauses
Drawing A-1	Internal Layout Plan Submitted by the Applicant
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 to A-5	Site Photos

**PLANNING DEPARTMENT
MARCH 2026**