MPC Paper No. A/K22/51
For Consideration by the
Metro Planning Committee
on 6.11.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K22/51

Applicant : Mr. WONG Tsz Him represented by Mr. MOK Kwan Yu

Premises : Shop 4, 1/F, Retail Block 2, The Henley, 7 Muk Tai Street, Kai Tak, Kowloon

Floor Area : About 132m^2

Lease : New Kowloon Inland Lot No. 6565 ("the "Lot")

(a) for a term of 50 years commencing from 29.11.2016;
(b) restricted to non-industrial (excluding office, godown, hotel and petrol filling station) purposes; and
(c) the total gross floor area (GFA) is 60,814m^2, comprising a minimum GFA of 2,253m^2 for non-industrial (excluding residential, office, godown, hotel and petrol filling station) purposes and a maximum GFA of 58,561m^2 for private residential purposes.

Plan : Draft Kai Tak Outline Zoning Plan (OZP) No. S/K22/9

Zoning : "Residential (Group B)2" ("R(B)2")

(a) maximum plot ratio of 4.5;
(b) maximum building height of 110mPD;
(c) maximum site coverage of 40%; and
(d) in the two-storey building(s) within the area designated for 'Shop and Services' and 'Eating Place' uses only, uses including 'Eating Place' and 'Shop and Services' are always permitted.

Application : Proposed School (Tutorial School)

1. Proposal

1.1 The applicant seeks planning permission for a proposed tutorial school at the application premises (the Premises), which fall within the "R(B)2" zone in an area designated for 'Shop and Services' and 'Eating Place' uses only on the OZP **(Plan A-1)**. According to the Notes of the OZP for the "R(B)" zone, in the two-storey building(s) within the area designated for 'Shop and Services' and 'Eating Place' uses only, 'School' is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Premises have currently completed renovation (**Plans A-3** and **A-4)**.

1.2 The proposed tutorial school is situated on the 1/F of the 2-storey Retail Block 2 in The Henley, which is a free-standing structure separated from the residential blocks of the development. It is accessible via the North Garden of Kai Tak Sports Park. Visitor parking spaces and loading/unloading facilities are available on the two basement levels of The Henley, which can be accessed via Muk Tai Street **(Plans A-1** and **A-2)**. According to the applicant, the proposed tutorial school is anticipated to commence in November 2026. It has a floor area of about 132m^2, comprising a reception counter and six classrooms **(Drawing A-1)**. The operating hours are from 09:30 to 19:30 on Mondays to Fridays and 09:30 to 17:30 on Saturdays, with no operation on Sundays. The maximum capacity of the proposed tutorial school is 30 people and the estimated average population flow is about 16 to 18 people per hour.

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

- Application Form with plans received on 17.9.2026 **(Appendix I)**

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application detailed at **Appendix I** are summarized as follows:

(a) the Premises is situated in Retail Block 2 in The Henley, which is designated for community daily needs with shops and eating places to serve the residents/community. The proposed use is not in conflict with the planning intention of the subject zone and with other commercial use within the mall;

b) the proposed school is intended to provide academic teaching combined with hobby/recreational activities, including children's art and craft classes, interview training and coding learning; and

(c) the scale of the school is for a maximum capacity of 30 people. No adverse impacts are anticipated.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is not the "current land owner" of the Site but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by notifying the land owner(s). Detailed information would be deposited at the meeting for Members' inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines No. 40 on "Application for Tutorial School under Section 16 of the Town Planning Ordinance" (TPG PG-No. 40) promulgated in February 2008 is relevant to this application. The relevant main assessment criteria are summarized as

below:

(a) the tutorial school should not be incompatible with other uses within the same building. In assessing the compatibility with other uses within the same building or surrounding development, consideration will normally be given only to the permitted uses within the building(s);

(b) to avoid causing disturbance or nuisance to local residents, tutorial school will normally not be permitted within a residential building or the domestic portion of a composite commercial/residential building unless the proposed access to the application premises will not cause disturbance or nuisance to the local residents;

(c) the views of the public on the tutorial school will be taken into account by the Board in the consideration of the application; and

(d) the Fire Services Department and the Buildings Department (BD) should be satisfied with the proposals to comply with the fire and building safety requirements.

5. Previous Application

There is no previous application in respect of the Premises.

6. Similar Application
(**Plan A-1**)

Within the same zone on the OZP, there is one similar planning application (No. A/K22/46) for tutorial school use in Shop 6, G/F of Retail Block 1, The Henley. The application was approved by the Metro Planning Committee (the Committee) on 27.2.2026, mainly for the reasons that the use was not incompatible with other uses within the same building, and concerned Government bureaux/departments (B/Ds) had no objection to/no adverse comments on the application.

7. The Premises and Its Surrounding Areas
(**Plans A-1** and **A-2**, and photos on **Plans A-3** and **A-4**)

7.1 The Premises are situated on the 1/F of a free-standing 2-storey Retail Block 2 and have been renovated for the proposed use.

7.2 The subject building (Retail Block 2) has been operating since 2022. The current uses within the block include shop and services and vacant premises.

7.3 The surrounding areas:

(a) to its north is open space named Kai Tak Station Square; to its further north and northwest are Olympic Avenue Light Public Housing and public housing developments, including Kai Yan Court;

(b) to its east and southeast are some private residential developments, including K.Summit, Upper Riverbank, Henley Park, Monaco One and Monaco. To its further northeast across Kai Tak River are AIRSIDE, Kai Tak Station, and some other private residential developments. Currently, restaurants, retail stores and vacant premises are located along the retail belt of the private and public housing sites abutting Kai Tak Station Square; and

(c) to its south, southwest and west is Kai Tak Sports Park comprising an open space called North Garden, Kai Tak Arena, Kai Tak Youth Sports Ground, Kai Tak Malls 1 to 3, and Kai Tak Stadium across Shing Kai Road.

8. Planning Intention

The planning intention of "R(B)" zone is primarily intended for medium-density residential developments. Retail belt/frontage along the side of the site abutting the open space, waterfront promenade or pedestrian streets is provided to enhance vibrancy of the adjoining open space/waterfront promenade/pedestrian streets.

9. Comments from Relevant Government Bureaux/Departments

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

Policy Perspectives

9.1.1 Comments from the Secretary for Education:

(a) according to the Education Ordinance (Cap. 279), any institution, organization or establishment which provides educational courses for 20 or more students during any one day or eight or more students at any one time attending these courses is defined as "school" and is required to be registered/provisionally registered in accordance with Section 10 of the Education Ordinance; and

(b) her advisory comments are provided in **Appendix II**.

9.1.2 Comments from the Commissioner for Harbourfront, Development Bureau:

(a) the Premises fall within the harbourfront area under the purview of Harbourfront Commission's Task Force on Kai Tak Harbourfront Development. The project should be considered having regard to the Harbour Planning Principles and Guidelines; and

(b) no comment on the subject application provided that it complies with the OZP stipulations.

Land Administration

9.1.3 Comments from the District Lands Officer/Kowloon East, Lands Department:

(a) no objection to the application; and

(b) the Premises fall within the Pink Stippled Black Area and the Pink Stippled Black Cross-hatched Green Area (as defined under Special Condition No. 9(b)(ii) of the Conditions) of the Lot which shall not be used for any purpose other than for non-industrial (excluding residential, office, godown, hotel and petrol filling station) purposes. The proposed use at the Premises is not in conflict with the Conditions.

Transport and Traffic Aspect

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

(a) the size of the premises is around 132m^2 with six classrooms. The estimated average population flow per hour generated by the school is 16 to 18 people per hour. The existing public transport services would be able to cater for the demand;

(b) all the parking and loading/unloading activities generated from the proposed use would be carried out within The Henley. There is also an existing on street lay-by at Muk Tai Street (in front of Monaco One); and

(c) no objection in-principle to the application from traffic engineering and transport operations point of view.

Fire Safety

9.1.5 Comments from the Director of Fire Services (D of FS):

(a) no objection to the application; and

(b) detailed fire safety requirements will be formulated upon receipt of a formal submission of referral of application via relevant licensing authority. The emergency vehicle access provision in the Premises shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by the BD.

Environmental Aspect

9.1.6 Comments from the Director of Environmental Protection:

(a) no objection to the planning application; and

(b) given the scale and nature of the tutorial school, adverse environmental impacts associated with the application are not anticipated.

9.2 The following Government B/Ds have no objection to/no adverse comments on the application:

(a) Head of Energizing Kowloon East Office, Development Bureau;
(b) Chief Building Surveyor/Kowloon, BD (CBS/K, BD);
(c) Commissioner of Police (C of P); and
(d) District Officer (Kowloon City), Home Affairs Department.

10. Public Comment Received During Statutory Publication Period

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

11. Planning Considerations and Assessments

11.1 The application is for 'Proposed School (Tutorial School)' use within the Premises on 1/F of Retail Block 2 in The Henley. The "R(B)" zone on the OZP is intended primarily for medium-density residential developments. Retail belt/frontage along the side of the site abutting the open space is provided to enhance vibrancy of the adjoining open space. 'School' use may be permitted on application to the Board. The proposed tutorial school, within the free-standing Retail Block 2, can further utilize and bring vibrancy to the retail belt together with other retail stores, and can meet the growing demand for educational services for local residents, which is not in conflict with the planning intention of the "R(B)" zone on the OZP.

11.2 The application has been assessed against the assessment criteria of the TPB PG-No.40. The application is considered in line with the guidelines in that:

(a) the Premises are on 1/F of a 2-storey retail block. The proposed tutorial school is considered not incompatible with other uses within the same building, where commercial uses including shops and services are located;

(b) Retail Block 2 is separated from residential developments nearby. Disturbance or nuisance to the residents nearby is not anticipated; and

(c) D of FS and CBS/K of BD have no in-principle objection to/no adverse comments on the application from fire and building safety viewpoints.

11.3 According to the applicant, the maximum capacity of the school is 30 people, and the estimated average population flow is about 16 to 18 people per hour. Given the Premises are well served by the public transport, highly accessible on foot via the interconnected open space networks, and that there are parking spaces for private cars at The Henley and an existing on street lay-by at Muk Tai Street, it is expected that majority of the students would commute to/from the Premises on foot, relying on the public transport facilities, and the existing public transport services would be able to

cater for the demand. C for T and C of P have no in-principle objection to/no adverse comments on the application.

11.4 The Committee has approved one similar application within the same "R(B)2" zone. Approval of the current application is in line with the previous decision of the Committee.

12. Planning Department's Views

12.1 Based on the assessments made in paragraph 11, 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 6.11.2030, 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 advisory clauses suggested for Members' reference are attached at **Appendix II**.

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, 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 with Plans received on 17.9.2026
Appendix II	Recommended Advisory Clauses
Drawing A-1	Layout Plan submitted by the Applicant
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 and A-4	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026