

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/K5/873**

- Applicant** : Golden Honour Asia Investment Limited represented by Anders Surveyors Company Limited
- Premises** : Unit 6, G/F, 676 Castle Peak Road, Cheung Sha Wan, Kowloon
- Floor Area** : About 36.3m<sup>2</sup>
- Lease** : New Kowloon Inland Lot (NKIL) No. 2598 RP  
(a) governed by the Government Lease dated 21.3.1957 as varied or modified by a Modification Letter dated 2.8.2006  
(b) expires on 30.6.2047  
(c) restricted for general industrial purposes excluding offensive trades
- Plan** : Approved Cheung Sha Wan Outline Zoning Plan (OZP) No. S/K5/39
- Zoning** : “Other Specified Uses” annotated “Business (1)” (“OU(B)1”)  
  
(a) maximum plot ratio (PR) of 12  
(b) maximum building height (BH) of 130 metres above Principal Datum (mPD)
- Application** : Proposed Shop and Services

**1. The Proposal**

- 1.1 The applicant seeks planning permission for the proposed ‘Shop and Services’ use at the application premises (the Premises), i.e. Unit 6 on G/F of an existing industrial building (IB), namely W668 (**Plan A-1**). According to Schedule II of the Notes of the OZP for the “OU(B)” zone applicable to industrial or industrial-office (I-O) building, ‘Shop and Services (not elsewhere specified)’ use on G/F of an IB requires planning permission from the Town Planning Board (the Board).
- 1.2 The Premises (about 36.3m<sup>2</sup>) with shop frontage at Castle Peak Road is currently vacant and proposed for shop and services for general business uses. The proposed layout plan submitted by the applicant is at **Drawing A-1**.
- 1.3 In support of the application, the applicant has submitted the following documents:

- (a) Application form received on 15.1.2025 (Appendix I)
- (b) Planning Statement received on 15.1.2025 (Appendix Ia)

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are provided in **Appendix Ia** and summarised as follows:

- (a) the proposed 'Shop and Services' use is in line with the planning intention of the "OU(B)" zone and compatible with the surrounding areas where retail activities are commonly found on the G/F of IBs;
- (b) the proposed use complies with the Town Planning Board Guidelines for Development within the "OU(B)" Zone (TPB PG-No. 22D). If the proposed use is approved, the aggregate commercial floor area on the G/F of the subject IB (equipped with a sprinkler system) would not exceed the maximum permissible limit of 460m<sup>2</sup> as stipulated in TPB PG-No. 22D;
- (c) the proposed use could meet the demand for commercial space in the area and create job opportunities;
- (d) the Premises is located at a convenient location to serve the locals;
- (e) numerous similar applications in the "OU(B)" zone of the OZP have been approved; and
- (f) the proposed use will not induce adverse environmental impact.

## **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 TPB PG-No. 22D promulgated in September 2007 is relevant in the following aspects:

- (a) the "OU(B)" zone has been introduced to allow maximum flexibility in the use of existing industrial and I-O buildings as well as in the development of new buildings for both commercial and clean industrial uses. The planning intention of the "OU(B)" zone is primarily for general employment uses;
- (b) whilst it is the intention to provide greater flexibility in the use of the existing industrial or I-O buildings before such buildings are redeveloped, it is necessary to ensure that the fire safety and environmental concerns are properly addressed. In view of the possible presence of existing polluting and hazardous industrial uses, it is necessary to ensure compatibility of the uses within the same building until the whole building is

modified/converted to accommodate the new non-polluting and less fire hazard-prone uses;

- (c) the Fire Services Department should be satisfied on the risks likely to arise or increase from the proposed commercial use under application. Owing to fire safety concern, the aggregate commercial floor areas on G/F of an existing industrial/I-O building with and without sprinkler systems should as a general principle not exceed 460m<sup>2</sup> and 230m<sup>2</sup> respectively. The above limits on commercial floor area do not apply to uses which are ancillary to or for the purposes of supporting the industrial activities and the routine activities of the workers in the industrial or I-O building. These uses include bank, fast food counter, electrical shop, local provisions store and showroom in connection with the main industrial use. In all cases, separate means of escape should be available for the commercial portion; and
- (d) for all new development, redevelopment, conversion and material change of use, adequate parking and loading/unloading spaces should be provided in accordance with the requirements of the Hong Kong Planning Standards and Guidelines, and all other statutory or non-statutory requirements of relevant Government departments must also be met.

## **5. Previous Application**

There is no previous application for the Premises.

## **6. Similar Application**

- 6.1 A similar application (No. A/K5/872) with floor area of about 52.5m<sup>2</sup> for 'Shop and Services' use on G/F of the subject IB (**Plan A-3**) was approved by the Metro Planning Committee (the Committee) of the Board on 28.2.2025 with conditions on the grounds that the use was considered 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.
- 6.2 Since 2001, the Committee has considered 171 planning applications for various 'Shop and Services' uses on G/F of industrial and I-O buildings within the "OU(B)" zone in the Cheung Sha Wan Industrial/Business Area (CSWIBA). The Committee approved 161 of them on the similar grounds as mentioned in paragraph 6.1 above, and rejected the remaining 10 mainly on fire safety concerns.

## **7. The Premises and Its Surrounding Areas** **(Plans A-1, A-2 and A-3 and Site Photos on Plans A-4 to A-5)**

### **7.1 The Premises:**

- (a) is located on G/F with a direct entrance fronting Castle Peak Road; and
- (b) is currently vacant.

7.2 The subject IB:

- (a) was completed in 2017 with 23 storeys and equipped with a sprinkler system; and
- (b) has the following current floor uses:

| Floor                    | Main Uses  |
|--------------------------|--|
| G/F                      | <b>The Premises</b> (currently vacant), money exchange (i.e. similar application No. A/K5/872), retail shop*, real estate agency* and courier service counter* ( <b>Plan A-3</b> ) |
| 1/F to 25/F <sup>#</sup> | Warehouses and industrial-related offices  |

\* There is no record of planning permission granted for such use

<sup>#</sup> E&M facilities on 2/F; sky garden on 13/F; and 4/F, 14/F and 24/F omitted

7.3 The surrounding areas have the following characteristics:

- (a) located in the established CSWIBA (rezoned from “I” to “OU(B)” in 2001) which is occupied mainly by industrial and I-O buildings with some ‘Shop and Services’ uses on G/F; and
- (b) easily accessible by various modes of public transport with MTR Lai Chi Kok Station located at about 110m to the south of the subject IB (**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/Kowloon West, Lands Department (DLO/KW, LandsD):

- (a) the Premises falls within NKIL No. 2598 RP (the Lot) governed by Government Lease dated 21.3.1957 as varied or modified by a Modification letter dated 2.8.2006 (the Lease). The Lot is restricted to be used for general industrial purposes excluding offensive trades; and
- (b) the proposed ‘Shop and Services’ use at the Premises does not comply with the Lease. If the planning application is approved by the Board,

the owner of the Premises has to apply to LandsD for waiver or no-objection letter for the proposed use. However, there is no guarantee that the approval will be given. The application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that the application is approved, it would be subject to such terms and conditions including, among others, the payment of waiver fee/premium and administrative fee as may be imposed by LandsD.

### **Fire Safety**

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

- (a) no in-principle objection to the application subject to:
  - (i) fire service installations (FSIs) and equipment being provided to the satisfaction of D of FS; and
  - (ii) means of escape completely separated from the industrial portion is available for the Premises;
- (b) as the building is fully protected with sprinkler system, the maximum permissible aggregate commercial floor area on G/F is 460m<sup>2</sup> in accordance with TPB PG-No. 22D. The proposed use should be counted up to the aggregate commercial floor area; and
- (c) detailed comments are at **Appendix II**.

### **Building Matters**

#### 9.1.3 Comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD):

- (a) no in-principle objection to the application;
- (b) before any new building works are carried out, prior approval and consent from the Building Authority under the Buildings Ordinance should be obtained, unless the works fall within the scope of designated minor works that can be carried out under the simplified requirements specified in the Building (Minor Works) Regulation or such works are exempted works; and
- (c) detailed comments are at **Appendix II**.

### **Traffic**

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

- (a) no in-principle objection to the application given the following observations:

- (i) the Premises is small and has a constrained site layout;
  - (ii) no parking or loading/unloading bay provision; and
  - (iii) the Premises is conveniently located to mass transport/public transport services; and
- (b) the applicant should note that C for T has the rights to impose, alter or cancel any car parking, loading/unloading facilities and/or any no-stopping restrictions on all local roads to cope with changing traffic conditions and needs. The frontage road space would not be reserved for any exclusive uses of the subject development.

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

- (a) Director of Environmental Protection (DEP);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (d) Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD);
- (e) Commissioner of Police;
- (f) Director of Food and Environmental Hygiene; and
- (g) District Officer (Sham Shui Po), 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 is to seek planning permission for the proposed 'Shop and Services' use at the Premises which is on G/F of an existing IB zoned "OU(B)1" 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 use would not result in adverse fire safety or environmental impacts. The proposed use at the Premises is considered generally in line with the planning intention of the "OU(B)" zone.
- 11.2 CSWIBA is being transformed into a commercial/business area with many similar applications for 'Shop and Services' use approved on G/F of the industrial and I-O buildings in the vicinity. The proposed use is considered compatible with the changing land use character of the area. Moreover, the proposed use with direct shop frontage at Castle Peak Road is considered not incompatible with the other uses of the same building and the surroundings.
- 11.3 As confirmed by D of FS, the subject IB is fully protected by sprinkler system and subject to a maximum permissible limit of 460m<sup>2</sup> for aggregate commercial floor area on G/F in accordance with TPB PG-No. 22D. If the application is approved,

the aggregate commercial floor area approved by the Committee on G/F of the subject IB will be 88.8m<sup>2</sup>, which is within the maximum permissible limit. D of FS has no in-principle objection to the application subject to an approval condition on the provision of FSIs and equipment and means of escape being completely separated from the industrial portion to his satisfaction as recommended in paragraph 12.2(a) below.

- 11.4 The application complies with TPB PG-No. 22D in that it would not induce adverse fire safety, traffic and environmental impacts on the uses/developments within the same building and the adjacent areas. Relevant Government departments including D of FS, C for T, CBS/K of BD, DEP, CE/C of WSD, CE/MS of DSD and CHE/K of HyD have no adverse comment on or objection to the application.
- 11.5 A total of 161 applications (including a similar application on G/F of the subject IB (**Plan A-3**)) for various 'Shop and Services' uses on G/F of industrial and I-O buildings within the "OU(B)" zone in CSWIBA were approved with condition(s) by the Committee since 2001. There is no change in planning circumstances and the approval of the application is consistent with the previous decisions of the Committee on similar applications.

## **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 14.3.2027, 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 following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval conditions

- (a) the submission and implementation of fire service installations and equipment for the application premises and means of escape being completely separated from the industrial portion before operation of the approved use to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (b) if the above planning condition (a) is not complied with before operation of the approved use, 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 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.
- 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**

|                         |  |
|-------------------------|--|
| <b>Appendix I</b>       | Application Form received on 15.1.2025   |
| <b>Appendix Ia</b>      | Planning Statement received on 15.1.2025 |
| <b>Appendix II</b>      | Advisory Clauses                         |
| <b>Drawing A-1</b>      | Ground Floor Plan                        |
| <b>Plan A-1</b>         | Location Plan                            |
| <b>Plan A-2</b>         | Site Plan                                |
| <b>Plan A-3</b>         | Floor Use Plan of Ground Floor           |
| <b>Plans A-4 to A-5</b> | Site Photos                              |

**PLANNING DEPARTMENT  
MARCH 2025**