

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

**APPLICATION NO. A/I-CC/26**

<b><u>Applicant</u></b>	: Christian Zheng Sheng Association Limited represented by Brighspect Limited
<b><u>Site</u></b>	: Lots No. 408 s.A and 409 RP in D.D. Cheung Chau, 87 – 89 Hing Lung Main Street, Cheung Chau
<b><u>Site Area</u></b>	: About 170.882m <sup>2</sup>
<b><u>Lease</u></b>	: (a) Old Schedule Lots held under Block Government Lease (b) To be expired on 30.6.2047
<b><u>Plan</u></b>	: Approved Cheung Chau Outline Zoning Plan (OZP) No. S/I-CC/9
<b><u>Zoning</u></b>	: “Village Type Development” (“V”) [maximum building height (BH) of 3 storeys (8.23m), or the height of the existing building, whichever is the greater]
<b><u>Application</u></b>	: Proposed Shop and Services

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed shop and services use at the application site (the Site) (**Plans A-1 and A-2**). The Site falls within an area zoned “V” on the approved Cheung Chau OZP No. S/I-CC/9. According to the Notes of the OZP, ‘Shop and Services’ other than those located on the ground floor of a New Territories Exempted House (NTEH) is a Column 2 use within the “V” zone, which may be permitted with or without conditions on application to the Town Planning Board (the Board).
- 1.2 The current application involves the use of an existing 3-storey building on the Site for shop and services use. As advised by the Lands Department, the Site is a building lot held under Block Government Lease. According to the applicant, the existing building on the Site was previously used as a bank with safe deposit vault and ancillary office providing banking services to the local residents. The building has been left vacant for about 10 years up to now. In the current application, the applicant proposes to carry out alteration and addition (A & A) works to convert the G/F, 1/F and 2/F of the existing building for shop and

services use. The proposed gross floor area (GFA) and site coverage (SC) are about 494.658m<sup>2</sup> (equivalent to a plot ratio (PR) of about 2.895) and about 96.491% respectively, while the proposed BH remains the same as the existing building (i.e. 10.65m). Minor excavation work within the Site will be required for the proposed lift installation. The Site is accessible from Hing Lung Main Street and also from Praya Street via Shing Cheong Lane, both of which are leading to the Cheung Chau Ferry Pier. According to the level of service (LOS) assessment submitted by the applicant, there is adequate service level of existing footpath based on the estimated pedestrian trips. The floor plans and elevation of the proposed development submitted by the applicant are at **Drawings A-1 to A-4**.

- 1.3 The major development parameters of the proposed development are as follows:

Site Area (about)	170.882m <sup>2</sup>
Total GFA (non-domestic) (about)	494.658m <sup>2</sup>
PR (about)	2.895
SC (about)	96.491%
No. of Storeys	3
BH	10.65m (15.92mPD)

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

- (a) Application form and Supporting Planning Statement received on 7.10.2021 **(Appendix I)**
- (b) Further Information (FI) received on 28.12.2021 **(Appendix Ia)**  
*[accepted but not exempted from publication and recounting requirements]*

- 1.5 On 26.11.2021, the Rural and New Town Planning Committee (the Committee) agreed to defer making a decision on the application for two months as requested by the applicant to allow time for preparation of FI to address departmental comments. With the FI received on 28.12.2021, the application is scheduled for consideration by the Committee at this meeting.

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

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

- (a) the proposed shop and services use at the Site complies with the general planning intention of the Cheung Chau OZP and the planning intention of the “V” zone. The proposed development at the Site would not utilise extra village area since the existing building was previously used for commercial purpose;
- (b) the Site is surrounded by village houses (ranging from two to four storeys). The proposed development at the Site is compatible with the existing rural character of the surrounding areas in terms of scale, layout and building design. The proposed development will not result in any change to the building shape, built-up area and height of the existing building;

- (c) the existing building was built in 1983, and is currently vacant. The proposed development utilises scarce land resource and only involves A & A works to the existing building without any changes to the BH, which is 10.65m in accordance with the general building plan approved in July 1983. As such, no visual impact is envisaged. Minor excavation work will be required for the proposed lift installation. Disturbance to the existing environment is minimal;
- (d) the Site is easily accessible, which is linked with various streets and lanes. Since the existing building will be for commercial use upon development, no residential population would be generated. The proposed shop and services use at the Site would not generate traffic disturbance to the neighbourhood;
- (e) the proposed shop and services at the Site serves the needs of the villagers and tourists visiting Cheung Chau. The Board has approved various similar applications for shop and services use in other “V” zones; and
- (f) there is a lack of job opportunities in Cheung Chau. The proposed shop and services at the Site will provide internship and job opportunities for those drug-dependent youths during their rehabilitation and re-integration into the society.

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

The applicant is the sole ‘current land owner’. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Previous Application**

The Site is not the subject of any previous application.

### **5. Similar Application**

There is a similar application (No. A/I-CC/23) to the north of the Site for proposed redevelopment of a 3-storey building for eating place and shop and services uses within the same “V” zone of the OZP (**Plan A-1**), which was approved with condition by the Committee on 1.6.2018 mainly on the grounds that the proposed development was considered not incompatible with the land uses in the vicinity, and it was not anticipated to cause any adverse impacts on traffic, drainage, sewage disposal or fire safety aspects. Details of the similar application are at **Appendix II**.

### **6. The Site and Its Surrounding Areas (Plans A-1 to A-3, photos on Plans A-4 to A-6)**

6.1 The Site is:

- (a) rectangular in shape; and is located at the junction of Hing Lung Main Street and Tai San Street;
- (b) currently occupied by a 3-storey building which is vacant; and
- (c) accessible from Hing Lung Main Street and also from Praya Street via

Shing Cheong Lane, both of which are leading to Cheung Chau Ferry Pier.

6.2 The surrounding areas have the following characteristics:

- (a) the surrounding area is predominately occupied by 2 to 3-storey village houses mostly with shop and services or eating place uses on the ground floor,
- (b) retail/shop and services premises occupying 2 or 3-storeys of the building are found along Hing Lung Main Street and Tai San Street, and Tai Sun Praya Road to the further southwest of the Site (**Plan A-6**);
- (c) to its immediate south is Shing Cheong Lane, beyond which is a vacant site which is fenced with hoarding along its boundary for house redevelopment; and
- (d) Cheung Chau Ferry Pier is about 110m to the northwest of the Site.

## **7. Planning Intention**

The planning intention of the “V” zone is primarily for the provision of land for the retention of the existing village areas. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.

## **8. Comments from Relevant Government Departments**

8.1 The following government departments have been consulted and their views on the application are summarised as follows:

### **Land Administration**

8.1.1 Comments of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD):

- (a) the Site comprises Cheung Chau Lot Nos 408 s.A and 409 RP which are Old Schedule Lots carrying building status and held under Block Government Lease;
- (b) the respective lease terms of the subject lots are 75 years renewable for 24 years commencing on 1.7.1898, which have been extended up to 30.6.2047; and
- (c) as the subject lots are held under Block Government Lease, the applicant are required to seek LandsD’s prior approval before commencement of building works on the subject lots.

### **Traffic**

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

no comment on the LOS assessment submitted by the applicant.

8.1.3 Comments of the Chief Highway Engineer/ New Territories East, Highways Department (CHE/NTE, HyD):

no comment on the subject application from highways maintenance point of view provided that the public footpath adjacent to the Site will not be affected.

8.1.4 Comments of the Commissioner of Police (C of P):

- (a) there should be no pedestrian safety problem given that there is no change on the original built-up area and the applicant has maintained proper traffic control measure in the vicinity; and
- (b) the applicant has the responsibility to ensure the flow of pedestrians near the Site is safe and smooth at all time, especially during the long weekend and festival days, e.g. Cheung Chau Bun Festival.

### **Environment**

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

in view of the small scale nature of the proposed development, she has no objection to the subject application from environmental and sewerage perspective.

### **Landscape**

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

according to the aerial photo of 2021 (**Plan A-3**), the Site is entirely occupied by an existing building. No existing tree is observed within the Site which is situated in an area of rural township landscape character within non-sensitive landscape zoning. Significant impact on landscape character and existing landscape resources arising from the application is not anticipated.

### **Building Matters**

8.1.7 Comments of the Chief Building Surveyor/New Territories East 1 & Licensing, Buildings Department (CBS/NTE1&L, BD):

- (a) no in-principle objection under the Buildings Ordinance to the proposed use at the Site; and
- (b) other detailed comments are at **Appendix III**.

### **Fire Safety**

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

- (a) no objection in principle to the subject proposal subject to water supplies for firefighting and fire service installations being provided to the satisfaction of his department; and
- (b) other detailed comments are at **Appendix III**.

### **Water Supply**

8.1.9 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

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

### **Heritage**

8.1.10 Comments of the Antiquities and Monuments Office, Development Bureau (AMO, DEVB):

- (a) the Site does not fall within any site of Archaeological Interest; and
- (b) other detailed comments are at **Appendix III**.

### **Electrical & Mechanical Services**

8.1.11 Comments of Director of Electrical & Mechanical Services:

- (a) no particular comment on the application; and
- (b) other detailed comments are at **Appendix III**.

8.2 The following government departments have no objection to/no comment on the application:

- (a) Chief Engineer/ Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD);
- (b) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (c) District Officer/Islands, Home Affairs Department (DO/Is, HAD); and
- (d) Director of Food and Environmental Hygiene Department (DFEH).

## **9. Public Comment Received During Statutory Publication Periods**

On 19.10.2021 and 7.1.2022, the application and FI submission were published for public inspection respectively. During the statutory public inspection periods, no public comment was received.

## **10. Planning Considerations and Assessments**

- 10.1 The Site is located within the “V” zone which is primarily for the provision of land for the retention of the existing village areas, while the shop and services use are always permitted on the ground floor of a NTEH. The Site is at the junction of Hing Lung Main Street and Tai San Street, and near Cheung Chau Ferry Pier. The prime location renders it suitable for commercial development (i.e. shop and services) to serve the local community and visitors to Cheung Chau. Besides, the Site was previously used as a bank, i.e. shop and services use.
- 10.2 The proposed shop and services use at the Site is considered not incompatible with the general commercial cum residential uses (i.e. village houses) of the neighbourhood, in particular, the developments along Hing Lung Main Street and near the Cheung Chau Ferry Pier, most of which were existing uses before the publication of the first Cheung Chau OZP. There are other 3-storey village type buildings with retail/shop and services premises on the ground and first floor along Hing Lung Main Street and Tai San Street (**Plan A-6**). In addition, shop and services occupying the whole 3-storey building can also be found on Tai Sun Praya Road near Cheung Chau Municipal Building and the waterfront (**Plan A-6**). There will also be no change to the existing BH which is compatible with the surrounding buildings.
- 10.3 The existing building at the Site was previously occupied by a bank but has been left vacant for about 10 years. In view of the small scale of the proposed development also for shop and services use, it would unlikely induce any adverse impacts on traffic, drainage, sewage disposal, environmental or fire safety aspects. Relevant government departments including C for T, CE/HK&I of DSD, DEP and D of FS have no objection to or no adverse comment on the application.
- 10.4 There is a similar application (No. A/I-CC/23) for eating place and shop and services uses within the same “V” zone approved by the Committee in 2018. Approval of the current application is generally in line with the Committee’s previous decision.
- 10.5 There is no public comment received during the statutory publication periods of the application.

## **11. Planning Department’s Views**

- 11.1 Based on the assessments made in paragraph 10, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the planning permission shall be valid until 18.2.2026, 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 condition of approval and advisory clauses are also suggested for Members’ reference:

### Approval Condition

the provision of fire service installations and water supplies for firefighting to the satisfaction of Director of Fire Services or of the Town Planning Board.

### Advisory Clauses

the recommended advisory clauses are attached at **Appendix IV**.

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

### **Decision Sought**

- 11.4 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 11.5 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.
- 11.6 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.

## **12. Attachments**

<b>Appendix I</b>	Application Form with Planning Statement received on 7.10.2021
<b>Appendix Ia</b>	FI received on 28.12.2021
<b>Appendix II</b>	Similar Application
<b>Appendix III</b>	Detailed Departmental Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Drawings A-1 to A3</b>	Floor Plans
<b>Drawing A-4</b>	Elevation
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4 and A-5</b>	Site Photos (Hing Lung Main Street)
<b>Plan A-6</b>	Existing Shop and Services Premises in the Vicinity

**PLANNING DEPARTMENT  
FEBRUARY 2022**