

APPLICATION FOR RENEWAL OF PLANNING APPROVAL
FOR TEMPORARY USE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-PK/217

- Applicant** : Hong Kong Canine Working and Agility Club Ltd. represented by Chief Force Limited
- Site** : Lots 3252, 3262 (Part), 3263, 3264, 3265 S.A (Part) and 3265 S.B (Part) in D.D. 91 and Adjoining Government Land (GL), On Po Tsuen, Sheung Shui, New Territories
- Site Area** : About 5,688 m² (including GL of about 194 m² or 3% of the Site)
- Lease / Land** : (i) Block Government Lease (demised for agricultural use)
Status : (ii) GL
- Plan** : Approved Ping Kong Outline Zoning Plan (OZP) No. S/NE-PK/11
- Zoning** : “Recreation” (“REC”)
- Application** : Renewal of Planning Approval for Temporary Animal Boarding Establishment and Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval for temporary animal boarding establishment and ancillary facilities for a period of three years at the application site (the Site) falling within the area zoned “REC” on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘Animal Boarding Establishment’ is a Column 2 use within “REC” zone, which requires planning permission from the Town Planning Board (the Board). The Site is currently used for the applied use with a valid planning permission under Application No. A/NE-PK/162 until 12.8.2025.
- 1.2 The Site is accessible via a local track leading to Fan Kam Road (**Plan A-1**). According to the applicant, the applied use comprises ten structures with a total floor area of about 1,179m² and height ranging from 2m to 6m (1 to 2 storeys), within the Site for dog kennels, covered play area and clean-up area for dogs, shading, staff restrooms, storeroom and washroom uses. Three outdoor dog swimming pools (covering a total area of about 327m²) are also provided. The dog kennels with 18 rooms can accommodate a maximum of 24 dogs (**Drawing A-1**). Also, a total of 20 car parking spaces for visitors is provided on site. The operation hours are between 10:00 a.m. to 6:00 p.m. daily. The layout plan submitted by the applicant is shown in **Drawing A-1**.

- 1.3 The Site is the subject of three previous applications No. A/NE-PK/80, 135 and 162 for the same use for a period of three years submitted by the same applicant as the current application, which were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2016 and 2022. Compared with the previous applications, all development parameters and the site layout under the current application remain unchanged. The applicant has complied with all approval conditions under the previous applications. Details of the previous applications are set out in paragraph 6 below.
- 1.4 In support of the application, the applicant has submitted the Application Form with attachments received on 13.5.2025 (**Appendix I**).

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form at **Appendix I**, as summarised below:

- (a) the Site is suitable for dog kennel use, and located about 20m away from the nearby residents and installed with acoustic materials to minimise potential noise nuisance. Exhaust fans are also installed to ensure good air ventilation. Dog wastes generated within the Site are stored in septic tanks without soakaway system which are covered and sanitised regularly to avoid odour leaking. The waste is regularly cleaned up by desludger. No complaints were received from nearby residents or government departments since 2016;
- (b) the applicant has obtained the animal boarding establishment licence issued by the Agriculture, Fisheries and Conservation Department (AFCD). The applicant has strictly complied with all the licensing requirements to avoid noise and odour nuisance as well as sewerage impact; and
- (c) there is no change to the layout and applied use. The facilities and requirements under approval conditions of the previous applications, including existing vegetation (including trees, shrub and lawn), boundary fence, drainage facilitates, fire service installations, car parking facilities and traffic arrangement, are maintained at all times.

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

The applicant is not a “current land owner” 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 posting site notice and sending notice to the Sheung Shui District Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion within the Site, TPB PG-No. 31B is not applicable.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines on ‘Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development’ (TPB PG-No. 34D) is relevant to this application. The relevant assessment criteria are at **Appendix II**.

5. Background

The Site is currently not subject to any active planning enforcement action.

6. Previous Applications

6.1 The Site is the subject of three previous applications (No. A/NE-PK/80, 135 and 162) submitted by the same applicant for the same use as the current application. These applications were approved with conditions by the Committee on 12.8.2016, 21.6.2019 and 29.7.2022 respectively mainly on the grounds that they were on a temporary basis and would not jeopardise the long-term planning intention of the “REC” zone; and the development was not incompatible with the surrounding environment and would unlikely cause adverse environmental and traffic impacts.

6.2 The planning permission of the last application (No. A/NE-PK/162) is valid up to 12.8.2025, and all the approval conditions have been complied with. As compared with the previous application, the site layout and key development parameters under the current application remain unchanged.

6.3 Details of the previous applications are at **Appendix III** and their location is shown on **Plans A-1** and **A-2**.

7. Similar Application

There is no similar application for animal boarding establishment use within the same “REC” zone in the vicinity of the Site in the past five years.

8. The Site and Its Surrounding Areas (Plans A-1 to A-4b)

8.1 The Site is:

- (a) flat, paved and currently used for the applied use with a valid planning permission (**Plans A-4a** and **A-4b**); and
- (b) accessible via a local track leading to Fan Kam Road (**Plans A-1** and **A-2**).

8.2 The surrounding areas are predominantly rural in character with active/fallow farmland, scattered domestic structures and unused land (**Plans A-2** and **A-3**). A channelised watercourse is running along the eastern boundary of the Site

(**Plan A-2**). To its immediate west is the park located east of Fan Kam Road (**Plan A-2**).

9. Planning Intention

The planning intention of the “REC” zone is primarily for recreational developments for the use of general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

10. Comments from Relevant Government Departments

All government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in Recommended Advisory Clauses are provided at **Appendices IV** and **V** respectively.

11. Public Comments Received During Statutory Publication Period

On 23.5.2025, the application was published for public inspection. During the statutory public inspection period, two comments from a North District Council member and an Indigenous Inhabitant Representative of Ping Kong Village were received, both indicating no comment on the application (**Appendix VI**).

12. Planning Considerations and Assessments

- 12.1 The application is for renewal of planning permission for a temporary animal boarding establishment with ancillary facilities for a period of three years at the Site zoned “REC” on the OZP (**Plan A-1**). Whilst the applied use is not entirely in line with the planning intention of the “REC” zone which is primarily for recreational developments for the use of general public, it is temporary in nature and the Site concerned does not constitute a significant portion of the “REC” zone (**Plan A-1**). Taking into account the above and the planning assessment below, there is no objection to the applied use on temporary basis of further three years.
- 12.2 The Site is flat, paved and currently used for applied use with valid planning permission (**Plans A-1** and **A-2**). The applied use is considered not incompatible with the surrounding land uses which are predominantly active/fallow farmland, scattered domestic structures and unused land (**Plans A-2** and **A-3**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant adverse impact on existing landscape resources arising from the applied use is not anticipated and has no adverse comment on the application from landscape planning perspective.
- 12.3 The Director of Environmental Protection has no comment on the application and advises that there is no environmental complaint received in the past three years. The Director of Agriculture, Fisheries and Conservation advises that the

Site has an animal boarding licence granted by his department. Other relevant government departments including the Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department, and Director of Fire Services have no objection to or no adverse comment on the application.

- 12.4 The Site is the subject of three previous applications for the same use submitted by the same applicant for a period of three years as detailed in paragraph 6 above. Compared with previous applications, the site layout and key development parameters under the current application remain unchanged. All the approval conditions under the previous applications had been complied with. There has been no major change in planning circumstances since the approval of the latest previous application.
- 12.5 In view of the above, the application generally complies with TPB PG-No. 34D in that there has been no material change in planning circumstances since the previous approval granted under Application No. A/NE-PK/162; there are no adverse departmental comments on the renewal application; all approval conditions under the previous approval had been complied with; and the three-year approval period sought is the same as the previous approval and is considered reasonable.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 above and having taking into account the public comments mentioned in paragraph 11, PlanD has no objection to the application.
- 13.2 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 3 years, and be renewed from **13.8.2025 until 12.8.2028**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the existing drainage facilities on the Site should be maintained at all times during the planning approval period;
- (b) the existing fire service installations on the Site should be maintained 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 attached at **Appendix V**.

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

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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 period of which the permission should be valid on a temporary basis.
- 14.3 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.

15. Attachments

Appendix I	Application form with attachments received on 13.5.2025
Appendix II	Relevant extract of TPB PG-No. 34D
Appendix III	Previous applications
Appendix IV	Government departments' general comments
Appendix V	Recommended advisory clauses
Appendix VI	Public comments
Drawing A-1	Layout plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plans A-4a and A-4b	Site photos

**PLANNING DEPARTMENT
JULY 2025**