

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K5/876

- Applicant** : Evangelical Free Church of China – Spring Church Limited represented by DeSPACE (International) Limited
- Premises** : Shops L and R5, 1/F, Bondlane 2, 268 Hai Tan Street, Cheung Sha Wan, Kowloon
- Floor Area** : About 360m²
- Lease** : New Kowloon Inland Lots (NKIL) 975 s.A ss.1, 975 s.A ss.2, 975 s.A RP, 975 s.B, 975 s.C, 975 RP, 976 s.B, 976 s.C RP, 976 s.D RP, 976 s.E RP, 976 s.F RP, 976 RP, 981 RP, 995 s.A, 995 s.B, 995 RP, 996 and 997
- (a) governed by various Government Leases as modified by a Modification Letter dated 17.1.2024
- (b) virtually unrestricted except for non-offensive trade clause
- (c) expire on 30.6.2047
- Plan** : Draft Cheung Sha Wan Outline Zoning Plan (OZP) No. S/K5/40
- Zoning** : “Residential (Group A) 6” (“R(A)6”)
- (a) maximum domestic/total plot ratio (PR) of 7.5/9
- (b) maximum building height (BH) of 80 metres above Principal Datum (mPD) (or 100mPD for sites with an area of 400m² or more)
- Application** : Proposed Religious Institution (Church)

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed religious institution (church) at Shops L and R5, 1/F, Bondlane 2 (the Premises) of a composite commercial/residential building, which falls within an area zoned “R(A)6” on the Cheung Sha Wan OZP (**Plan A-1**). According to the Notes of the OZP for the “R(A)” zone, ‘Religious Institution (not elsewhere specified)’ is a Column 2 use requiring planning permission from the Town Planning Board (the Board).
- 1.2 The Premises, with a total floor area of about 360m², is located on 1/F of the 2-storey shopping mall of the composite commercial/residential building completed in January 2025 (**Drawing A-1, Plans A-3 and A-4**). The shopping mall is currently vacant.

The 1/F of the shopping mall can be accessed from Hai Tan Street through staircase, escalator and lift, and there is a separate entrance on G/F fronting Hai Tan Street to the residential floors above the shopping mall (**Drawing A-1** and **Plan A-3**). The Premises will occupy about 30% of the floor area of 1/F.

- 1.3 According to the applicant, the Premises will have an assembly hall and ancillary facilities (including office and multi-function room) to support various religious activities (**Drawing A-2**). Assemblies will be held on Saturdays and Sundays from 10:00 a.m. to 2:00 p.m. with about 150 participants at a time, while other religious group activities and community services to support the neighbourhood will be held before 10:00 p.m. during weekdays with about 30 to 100 participants at a time.
- 1.4 While no parking space and loading/unloading bay is available at the subject building, there are car-parking provision including on-street parking spaces in the vicinity. As requested by the Transport Department (TD), the applicant will remind the visitors that no parking space is available within the subject building and public transport should be taken.
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application form received on 21.8.2025 (**Appendix I**)
 - (b) Supporting Planning Statement (SPS) received on 21.8.2025 (**Appendix Ia**)
 - (c) Further Information (FI) received on 3.10.2025* (**Appendix Ib**)

* exempted from publication and recounting requirements

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application as set out in the SPS and FI (**Appendices Ia** and **Ib**) are summarised as follows:

- (a) the proposed use is considered not incompatible with other uses of the subject building and the surrounding areas with retail shops and restaurants on the lower floors of the residential buildings;
- (b) the Premises is the very few suitable options with spacious environment and high accessibility to support the applicant's expansion of services to serve the demand for religious establishments in the West Kowloon area and provide religious and social services/workshops to the community as well as the youth learning/sports activities;
- (c) with separate and independent accesses for the shopping mall where the Premises is located and residential portion of the subject building, the interface issue between the proposed use and the residents living on the upper floors is not anticipated;
- (d) there were several approved similar applications for 'Religious Institution' use within the "R(A)" zone in the vicinity over the past years; and

- (e) the Premises is well-served by different modes of public transport, and at the request of TD, visitors will be reminded that no parking space is available within the subject building and public transport should be taken. It is equipped with a central air-conditioning system and adequate fire services installations. Adverse traffic, environmental and fire safety impacts arising from the proposed use are not anticipated.

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

The applicant is not the “current land owner” but has complied with the requirements as set out in the Town Planning Guidelines on satisfying the ‘Owner’s Consent/Notification’ requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by obtaining consent of the current land owner. Detailed information would be deposited at the meeting for Members’ inspection.

4. Previous Application

There is no previous application for the Premises.

5. Similar Applications

Since 2000, there are eight similar planning applications for ‘Religious Institution’ use within “R(A)” zone on the Cheung Sha Wan OZP (**Plan A-1**). Seven of them were approved with or without conditions by the Metro Planning Committee (the Committee) mainly on the considerations that the respective proposed religious institution (i) was not incompatible with uses of the same building and the surrounding developments; and (ii) was provided with independent access separated from the residential portion of the composite building. A similar application was rejected by the Committee in 2012 on the grounds that the proposed religious institution was not served with an independent access separated from the domestic portion of the composite building, and the approval would set an undesirable precedent. Details of these applications are at **Appendix II**.

6. The Premises and Its Surrounding Areas (Plans A-1 to A-2 and Site Photos on Plans A-3 to A-4)

6.1 The Premises:

- (a) is located at Shops L and R5 of 1/F of the 2-storey shopping mall of the composite commercial/residential building, i.e. Bondlane 2;
- (b) is accessible from separate entrances at Hai Tan Street through staircase, escalator and lift; and
- (c) is currently vacant.

6.2 The subject building is a 25-storey composite building completed recently in January 2025. The flats on upper floors were occupied while the 2-storey shopping mall is

vacant and for lease. The current uses of the subject building are summarised as follows:

Floor	Current Uses
G/F	Vacant*
1/F	Vacant* (including The Premises)
2/F	Residents' recreational facilities (RRF) and plant rooms
3/F	RRF
5/F to 28/F [#]	Residential flats

* According to the Occupation Permit issued by the Building Authority on 22.1.2025, the G/F and 1/F are for shops and restaurants.

[#] 4/F, 13/F, 14/F and 24/F omitted

6.3 The surrounding areas have the following characteristics:

- (a) mainly surrounded by residential developments with commercial uses including shops and eating places on the lower floors; and
- (b) intermixed with Government, Institution and Community (GIC) uses including Ka Ling School of the Precious Blood to the west across Kiu Kiang Street, and Sham Shui Po Police Station and Tin Hau Temple to the further northeast and east respectively (**Plan A-2**); and
- (c) easily accessible by various modes of public transport. The MTR Sham Shui Po Station and Nam Cheong Station are located at about 500m to the northeast and southwest respectively (**Plan A-1**).

7. **Planning Intention**

The planning intention of “R(A)” zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

8. **Comments from Relevant Government Bureau/Departments**

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

Policy Aspect

8.1.1 Comments of the Secretary for Home and Youth Affairs (SHYA):

- (a) no objection to the planning application as the proposed facilities are religious-related; and
- (b) the Evangelical Free Church of China – Spring Church Limited was established to propagate the Gospel of Jesus Christ and call upon people of all races and nationalities to accept Jesus Christ as their Saviour and Lord for the salvation of man and for the edification of

believers in faith, hope and love in accordance with the Holy Bible. In view of the above, SHYA is satisfied that the applicant is a bona fide religious organisation. It is noted that the applicant is a charitable organisation registered under section 88 of the Inland Revenue Ordinance (Cap. 112).

Land Administration

8.1.2 Comments of the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD):

- (a) no comment to the application from land lease point of view; and
- (b) the Premises falls within NKIL 975 s.A ss.1, 975 s.A ss.2, 975 s.A RP, 975 s.B, 975 s.C, 975 RP, 976 s.B, 976 s.C RP, 976 s.D RP, 976 s.E RP, 976 s.F RP, 976 RP, 981 RP, 995 s.A, 995 s.B, 995 RP, 996 and 997 (the Lots) which are governed by various Government Leases as modified by a Modification Letter dated 17.1.2024 (the Lease Conditions). The Lots are virtually unrestricted but the Lease Conditions contain a non-offensive trade clause. The expiry date of the term of the Lots is 30.6.2047.

Fire Safety

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

- (a) no in-principle objection to the application subject to the provision of water supplies for fire-fighting and fire service installations (FSIs) to the satisfaction of D of FS; and
- (b) detailed comments are at **Appendix IV**.

Building Matters

8.1.4 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 IV**.

Traffic

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

- (a) no in-principle objection to the application from district traffic engineering perspective;
- (b) the Premises locates at a building site without existing parking or loading/unloading bay provision;
- (c) the Premises is conveniently located to mass transport/public transport services;
- (d) the proposed use would mainly attract attendees during weekends. Based on the applicant's parking survey, sufficient vacant parking spaces were identified in the proximity of the Premises during weekends to cover the shortfall of parking provisions under the Hong Kong Planning Standards and Guidelines after the change of usage from "retail" to "church";
- (e) the applicant agrees to issue reminder/notice to all visitors that no parking space is available within the building and public transport should be taken; and
- (f) detailed comments are at **Appendix IV**.

8.2 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;
- (c) Chief Engineer/Mainland South, Drainage Services Department;
- (d) Commissioner of Police; and
- (e) District Officer (Sham Shui Po), Home Affairs Department.

9. Public Comments Received During Statutory Publication Period

9.1 During the statutory publication period, 233 public comments were received, including 231 supporting comments (including one comment from an organisation (namely Mission Sports Organization) and 230 from individuals (**Appendix IIIa**)), and two objecting comments (including one from a member of the Sham Shui Po Central and South Area Committee and one from individual (**Appendix IIIb**)). Amongst the supporting public comments, 152 of them are through 15 types of standard comments.

9.2 The supporting comments include:

- (a) the Premises is a suitable venue in Sham Shui Po area to provide services and activities to the community and help people in need;
- (b) the applicant has a proven track record of providing services to the underprivileged and different age groups in the community;
- (c) the proposed use can foster connection and improve physical and mental health of the community and help local business nearby;
- (d) there were similar applications approved in the vicinity; and

- (e) no adverse impact to the community and surrounding areas is anticipated.

9.3 The objecting comments include:

- (a) there are a large number of churches in Sham Shui Po; and
- (b) the proposed use should be located in commercial buildings.

10. Planning Considerations and Assessments

- 10.1 The application is for a proposed religious institution (church) at the Premises within the shopping mall of a composite commercial/residential development falling within the “R(A)” zone on the OZP. While the “R(A)” zone is intended primarily for high-density residential developments, commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. As the shopping mall is served by independent accesses at Hai Tan Street separated from the residential development through staircase, escalator and lift, it is envisaged that the proposed use will not cause nuisance or inconvenience to the residents of the subject building. The proposed use is also considered not incompatible with other uses in the surrounding areas which are predominantly residential developments with commercial uses including shops and eating places on the lower floors, and intermixed with GIC uses. SHYA has no objection to the application in view that the applicant is a bona fide religious organisation and the facilities proposed at the Premises are religious-related.
- 10.2 The Premises is well-served by various modes of public transport including MTR, bus and mini-bus. While no parking space and loading/unloading bay is available at the subject building, there are car parking provisions including on-street parking spaces in the vicinity. C for T has no objection to the application and notes that the applicant will remind the visitors that no parking space is available within the subject building and public transport should be taken. D of FS has no objection to the application subject to the provision of FSIs and water supplies for fire-fighting to his satisfaction. Other relevant departments including CBS/K, BD and DEP have no objection to or adverse comments on the application. As such, adverse fire safety, building safety, traffic and environmental impacts are not anticipated. To address D of FS’s requirements and other detailed departmental comments, relevant approval conditions and advisory clauses are recommended in paragraph 11.2 below.
- 10.3 Seven similar applications for religious institution within “R(A)” zone on Cheung Sha Wan OZP were approved by the Committee since 2000 as stated in paragraph 5 above mainly taken into consideration land-use compatibility and the provision of independent accesses separated from the domestic portion of the composite building. Approval of the current application is in line with the Committee’s previous decisions.
- 10.4 Regarding the public comments received during the publication period, the planning assessment and departmental comments in paragraph 8 above are relevant.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the public comments mentioned in paragraph 9 above, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 10.10.2029, 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 conditions

- (a) the provision of water supplies for fire-fighting and fire service installations 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 IV**.

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

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 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.
- 12.3 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.

13. Attachments

Appendix I	Application Form received on 21.8.2025
Appendix Ia	SPS received on 21.8.2025
Appendix Ib	FI received on 3.10.2025
Appendix II	Similar Applications
Appendices IIIa to IIIb	Public Comments
Appendix IV	Advisory Clauses
Drawing A-1	Floor Plans of G/F and 1/F
Drawing A-2	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 to A-4	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2025**