

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/702

<u>Applicant</u>	: DKM Christian Fellowship Limited (錦繡基督徒團契有限公司)
<u>Site</u>	: Lots 1236 RP and 1237 S.C in D.D. 117, Tai Tong, Yuen Long, New Territories
<u>Site Area</u>	: 953 m ² (about)
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
<u>Zoning</u>	: “Agriculture” (“AGR”)
<u>Application</u>	: Proposed Religious Institution (Christian Worshipping Centre)

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed religious institution (Christian worshipping centre) at the application site (the Site) zoned “AGR” on the OZP (**Plans A-1 and A-2**). According to the Notes of the OZP for the “AGR” zone, ‘Religious Institution (not elsewhere specified)’ is a Column 2 use requiring planning permission from the Town Planning Board (the Board). The Site is formed and currently occupied by temporary structures for the same use as the proposed development without valid planning permission (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible via a local track leading from Tai Tong Road (**Plan A-2**). According to the submission, the applicant proposes to replace the existing one to two-storey temporary structures by a proposed three-storey building (not more than 9m in height) with a total floor area of not more than 812m² for Christian worshipping and related activities. The G/F of the proposed building will be used as chapel and 1/F and 2/F will be the multi-function rooms for worshipping related activities, e.g. bible study. The remaining areas of the Site will be used for open space and circulation purposes (**Drawings A-1 to A-3**). According to the applicant, the proposed Christian Worshipping Centre will conduct weekly worship sessions on Wednesdays, Saturdays and Sundays. Each session will last for three to four hours with an expected attendance of 50 participants per session. To minimise potential noise impact, the worship sessions will be conducted inside the proposed building with installations of double-glazed windows and air-conditioning.

- 1.3 The proposed Christian Worshipping Centre will operate from 9:00 a.m. to 9:00 p.m. daily with one to two staff on voluntary basis. Two private car parking spaces and one loading/unloading bay for a coach of 9m long would be provided thereat. As the Site is easily accessible and well served by bus and green bus services, visitors are encouraged to use public transport to the Site. To enhance the overall landscape and visual amenity, roof-top gardening and vertical greening on the building's facade are proposed (**Drawing A-4**). Plans showing the site layout, floor plan and section plan of the proposed building, and landscape proposal as submitted by the applicant are at **Drawings A-1 to A-4** respectively.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 24.2.2025 (**Appendices and Ia**)
 - (b) Further Information (FI) received on 7.5.2025* (**Appendix Ib**)
 - (c) FI received on 10.6.2025* (**Appendix Ic**)
 - (d) FI received on 3.9.2025* (**Appendix Id**)
[*accepted and exempted from publication and recounting requirements]
- 1.5 On 11.4.2025 and 4.7.2025, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months each as requested by the applicant.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form and the FIs at **Appendices I to Id**. They can be summarised as follows:

- (a) the applicant is a Christian organisation in Hong Kong and a charitable organisation registered under section 88 of the Inland Revenue Ordinance (Cap 112) since 2004;
- (b) the Site has been bought in 2004 and used for Christian worshipping and related activities since 2009/2010 and established good relationship with the local community;
- (c) the proposal would help promote Christian faith, positive life attitude and spiritual development of the youths and children in the society;
- (d) majority of the visitors access the Site by means of public transportation;
- (e) no catering/funeral/columbarium services and worshipping of ancestor tablets will take place at the Site;

- (f) given the capital and resources to be invested and the long-term commitment to serve the local community, having a permanent building is considered more appropriate;
- (g) the proposed structure would be built in a more durable and higher safety standards against weather conditions and ensuring a safe environment for the worshippers;
- (h) the proposed development is a Column 2 use within the “AGR” zone which aligns with the zoning regulations;
- (i) the proposed development is small in scale and compatible with the surrounding areas. No significant traffic, drainage and environmental impact is anticipated; and
- (j) the applicant undertakes to apply to the Lands Department (LandsD) for regularisation of the lease breaches (including the erection of temporary structures) on the Site before commencement of the proposed building works.

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

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

4. **Background**

The current use on the Site would be subject to planning enforcement action.

5. **Previous Application**

The Site forms part of a previous application (No. A/DPA/YL-TT/52) for residential development which was approved with conditions by the Committee on 17.6.1994¹. Considerations of this previous application are not relevant to the current application which involves different use. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

6. **Similar Application**

There is no similar application within the same “AGR” zone on the OZP.

¹ The planning permission of A/DPA/YL-TT/52 ceased to have effect on 17.6.1996.

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

7.1 The Site is:

- (a) formed and currently occupied by one to two-storey temporary structures for the same use as the proposed development without valid planning permission; and
- (b) accessible via a local track leading from Tai Tong Road.

7.2 The surrounding areas are predominantly rural in character comprising mainly vacant/unused land, village houses/residential dwellings, open storage/storage yards, an electricity substation, and a scout centre which is within the “Government, Institution or Community” (“G/IC”) zone to the west (about 20m away).

8. Planning Intention

The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

9. Comments from Relevant Government Bureau/Departments

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

Religious Policy Aspect

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

her office is satisfied that the applicant is a bona fide religious organisation and note that the applicant is a charitable organisation registered under section 88 of the Inland Revenue Ordinance (Cap. 112). Noting that the proposed facilities are religious-related, she has no objection to the application.

Land Administration

9.1.2 Comments of the District Lands Officer/Yuen Long, LandsD (DLO/YL, LandsD):

- (a) his office has adverse comment on the application;
- (b) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of

the Government;

- (c) his office has reservation on the application since there is/are unauthorized structure(s) and/or uses on the private lots which is already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and
- (d) should planning approval be given to the subject planning application, the lot owner(s) will need to apply to LandsD to permit the structure(s) to be erected or regularize any irregularities on site. If the Religious Institution (Christian Worshipping Centre) use is temporary in nature, the applicant has to apply for a Short Term Waiver (STW) on the private land. If the Religious Institution (Christian Worshipping Centre) is intended for permanent use, the applicant has to apply for a land exchange. Applications of any of the above will be considered by LandsD acting in the capacity as the landlord and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including amongst others the payment of waiver fee, administrative fee or premium, as may be imposed by LandsD.

Traffic

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

- (a) no adverse comment on the application; and
- (b) advisory comments as detailed in **Appendix IV**.

9.1.4 Comments of the Chief Highway Engineer/ New Territories West, Highways Department (CHE/NTW, HyD):

- (a) no adverse comment on the application; and
- (b) advisory comments as detailed in **Appendix IV**.

Environment

9.1.5 Comments of the Director of Environment Protection (DEP):

- (a) no objection to the application and advisory comments as detailed in **Appendix IV**; and
- (b) no environmental complaint pertaining to the Site in the past three years.

Agriculture and Nature Conservation

9.1.6 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) the Site falls within the “AGR” zone and is generally vacant with some structures. The agricultural activities are active in the vicinity and agricultural infrastructures such as road access and water source are available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses and plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the proposed development is not supported from agricultural perspective; and
- (b) no comment on the application from nature conservation perspective.

Drainage

9.1.7 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

no in-principle objection to the application.

Fire Safety

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

- (a) no in-principle objection to the application subject to fire service installations being provided to his satisfaction; and
- (b) advisory comments as detailed in **Appendix IV**.

Landscape

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

no significant landscape impact is anticipated by the proposed development.

Building Matters

9.1.10 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) no objection to the application; and

(b) advisory comments as detailed in **Appendix IV**.

District Officer's Comments

9.1.11 Comment of the District Officer (Yuen Long), Home Affairs Department (DO/YL, HAD):

his office did not receive any comment from the village representatives in the vicinity.

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

- (a) Director of Social Welfare (D of SW);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Director of Electrical and Mechanical Services (DEMS);
- (d) Head of Geotechnical Engineering Office (Head (GEO)), Civil Engineering and Development Department (CEDD);
- (e) Project Manager (West) (PM(W)), CEDD;
- (f) Director of Food and Environmental Hygiene (DFEH);
- (g) Director of Leisure and Cultural Services (DLCS); and
- (h) Commissioner of Police (C of P).

10. Public Comment Received During Statutory Publication Period

On 4.3.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual (**Appendix III**) objecting to the application mainly on the grounds that the Site has long been used for the proposed development without planning permission. Approval of the application would encourage similar 'destroy first' development in the area.

11. Planning Considerations and Assessments

11.1 The application is for proposed religious institution (Christian worshipping centre) at the Site zoned "AGR" on the OZP. While the proposed development is not in line with the planning intention of the "AGR" zone and DAFC does not support the application from agricultural perspective, SHYA has no objection to the application as the applicant is a bona fide religious organisation and the proposed facilities under the application are religious-related. In this regard, sympathetic consideration may be given to the current application taking into account the planning assessments below.

11.2 The Site, situated in an area of rural fringe, is formed and currently occupied with temporary structures for the same use without valid planning permission (**Plans A-4a and A-4b**). The proposed development is not incompatible with the surrounding areas which are predominantly rural in character comprising mainly vacant/unused land, village house/residential dwellings, open

storage/storage yards, an electricity substation and a scout centre within the “G/IC” zone to the west (about 20m away) (**Plans A-2 to A-3**). CTP/UD&L, PlanD has no adverse comment on the application from landscape planning perspective since significant landscape impact from the proposed development is not anticipated.

- 11.3 The Site is accessible via a local track from Tai Tong Road (**Plan A-2**). According to the applicant, the Site is easily accessible and well-served by bus and green bus services, and the worship sessions will be conducted inside the proposed building with the provisions of double-glazed windows and air-conditioning. Relevant government department consulted including C for T, DEP, CE/MN, DSD, D of FS have no objection to or no adverse comment on the application from traffic, environmental, drainage and fire safety aspects respectively. Relevant technical concerns raised by concerned departments can be dealt with at implementation stage. Regarding DLO/YL, LandsD’s comments on the unauthorized structure(s) and/or uses at the Site, the applicant will be advised to liaise with LandsD on the land administration matters should the Committee approve the application.
- 11.4 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.3 above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment as mentioned in paragraph 10, 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 24.10.2029, 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 recommended advisory clauses are at **Appendix IV**.
- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members’ reference:

the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the 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

Appendices I and Ia	Application Form with Attachments Received on 24.2.2025
Appendix Ib	FI received on 7.5.2025
Appendix Ic	FI received on 10.6.2025
Appendix Id	FI received on 3.9.2025
Appendix II	Previous Application
Appendix III	Public Comment
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawings A-2 and A-3	Floor Plans and Section Plan of the Proposed Building
Drawing A-4	Landscape Proposal
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
OCTOBER 2025**