

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/FSS/303

Applicant : Wah Ming Christian Faith Hope Love Church represented by DeSPACE (International) Limited

Premises : Shop 193, 1/F, Union Plaza, 9 Wo Muk Road, Fanling, New Territories

Premises Area : About 305m²

Lease : Fanling Sheung Shui Town Lot No. 128
(a) under New Grant No. 12543
(b) restricted for non-industrial (excluding godown) purposes excluding offensive trade
(c) subject to a maximum total gross floor area (GFA) for non-industrial (excluding residential and godown) purposes of 9,520m²

Plan : Approved Fanling/Sheung Shui Outline Zoning Plan (OZP) No. S/FSS/28

Zoning : “Residential (Group A)” (“R(A)”)

Application : Proposed Religious Institution (Church)

1. **The Proposal**

1.1 The applicant seeks planning permission for proposed religious institution (church) at the application premises (the Premises), which fall within an area zoned “R(A)” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “R(A)” zone, ‘Religious Institution’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Premises are currently vacant (**Plan A-4**).

1.2 The Premises are located on 1/F of the shopping arcade within the non-domestic podium of the existing composite residential/commercial development, namely Union Plaza (the subject development), and are accessible from G/F of the shopping arcade whilst there are separated accesses to the residential portion of the subject development (**Drawings A-2 and A-3**). According to the applicant, the proposed church involves a GFA of about 305m² to accommodate an assembly hall, multi-function rooms, a nursery/counselling room and ancillary facilities to support religious worshipping and related community activities (**Drawing A-1**). The proposed use will operate between 8:00 a.m. and 10:00 p.m. daily, including major worship session between 11:30 a.m. and 1:00 p.m. during weekends, with a maximum of about 200 participants at a time. Whilst car parking and

loading/unloading (L/UL) spaces serving the shopping arcade are provided in the basement of the subject development, the applicant will remind visitors of the proposed church to take public transport. Plans showing the proposed layout, and G/F and 1/F of Union Plaza submitted by the applicant are on **Drawings A-1** to **A-3** respectively.

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

- (a) Application Form with attachments received on 5.12.2025 (**Appendix I**) and 10.12.2025
- (b) Further Information (FI) received on 19.1.2026* (**Appendix Ia**)
** accepted and exempted from publication and recounting requirements*

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FI at **Appendices I** and **Ia**, and can be summarised as follows:

- (a) The applicant has been providing religious and community services in Fanling area since 1990s. The applicant intends to purchase the Premises for the proposed church to expand its services in the area. It will provide various activities including religious worshipping, group meeting, family support, counselling and community workshops, enhancing community bonding of the area.
- (b) There are separated accesses for the shopping arcade and the residential portion of the subject development. The proposed use will not create interface issue with the residents. The proposed church will occupy about 3% of total GFA of the shopping arcade, and it is compatible with other commercial uses in the shopping arcade and the surrounding areas.
- (c) The Premises are well-served by public transport and there are also parking and L/UL spaces provided for the shopping arcade. Fire safety measures will be implemented within the Premises. Adverse traffic 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 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 publishing notices in local newspapers and posting site notice. Detailed information would be deposited at the meeting for Members’ inspection.

4. Previous Application

There is no previous application involving the Premises.

5. Similar Application

There is a similar application No. A/FSS/302 for religious institution (church) within another “R(A)” zone in the Fanling/Sheung Shui OZP area, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 21.11.2025, mainly on the considerations that the Secretary for Home and Youth Affairs (SHYA) regarded the applicant a bona fide religious organisation and had no objection to the application; the proposed use at the premises with access separated from the residential portion was not incompatible with the uses in the same development and the surrounding areas; and the relevant government departments consulted generally had no adverse comment or their concerns could be addressed by approval conditions. Details of the similar application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

6. The Premises and Its Surrounding Areas (Plans A-1 to A-4)

6.1 The Premises are:

- (a) located on 1/F of the shopping arcade within the non-domestic podium of the existing composite residential/commercial development, namely Union Plaza;
- (b) accessible from G/F of the shopping arcade whilst there are separated accesses to the residential portion of the subject development; and
- (c) currently vacant.

6.2 The subject development, Union Plaza, is a composite residential/commercial development comprising a two-storey non-domestic podium above basement and three residential blocks of 20 storeys above the podium. The subject development abuts Wo Muk Road and Luen Hing Street to the northwest and southwest respectively. The current uses of the subject development are summarised below:

Floor	Current Uses
Basement	Car parking and L/UL spaces, plant rooms
G/F	Shops and services, eating place, kindergarten, residential lobbies, plant rooms
1/F	Shops and services, plant rooms, management office
2/F (podium floor)	Landscaped area, clubhouse, residential lobbies
3/F to 25/F (omitting 4/F, 14/F and 24/F)	Residential flats

6.3 The surrounding areas are mainly open spaces (including Wo Muk Road Playground, Fan Leng Lau Road Playground and Luen Hing Street Sitting-out Area) to the northeast, north and southwest; and high-rise residential developments with commercial uses on lower floors (including Wing Fok Centre and Mount One) to the further north and southwest. St. Joseph’s Church is located to the further southwest across Luen Hing Street. The market town of Luen Wo Hui comprising mainly low-rise residential/commercial mixed-use

buildings is to the southeast. Bus and minibus stops are located along Wo Muk Road and Wo Tai Street (**Plan A-2**).

7. **Planning Intention**

The planning intention of the “R(A)” zone is 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 SHYA:

- (a) no objection to the application;
- (b) the applicant was established to proclaim the gospel, to make people believers of Christ, to lead people in worship of Christ and edify their spiritual life so to glorify Christ. In view of the above, SHYA is satisfied that the applicant is a bona fide religious organisation. Having checked the official website of the Inland Revenue Department, it is noted that the applicant is a charitable organisation registered under section 88 of the Inland Revenue Ordinance (Cap. 112); and
- (c) according to the applicant’s submission, the proposed religious institution will be used as a multifunctional assembly hall with multi-function rooms, a counselling room and a pantry as its ancillary facilities designed to facilitate worship, fellowship and community service.

Land Administration

8.1.2 Comments of the District Lands Officer/North, Lands Department:

- (a) the Premises fall within Fanling Sheung Shui Town Lot No. 128 (the Lot) which is held under New Grant No. 12543 dated 13.2.1992 as varied and modified by a Modification Letter dated 12.7.1993;
- (b) the Lot is restricted for non-industrial (excluding godown) purposes excluding any offensive trade under Special Condition (SC)(9)(a) and inter alia subject to a maximum total GFA for non-industrial (excluding residential and godown) purposes of 9,520m² under SC(13)(d);

- (c) the proposed religious institution (church) complies with the said user restriction under lease; and
- (d) advisory comments are at **Appendix III**.

Fire Safety

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

- (a) no comment on the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and
- (b) advisory comments are at **Appendix III**.

Building Matters

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

- (a) no objection to the application;
- (b) before any new building works (including offices and rooms containing soil or waste fitments) are to be carried out at the Premises, prior approval and consent from the Building Authority should be obtained, otherwise they are unauthorized building works. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance; and
- (c) advisory comments are at **Appendix III**.

8.2 The following government departments have no objection to or no adverse comment or no comment on the application, and their advisory comments, if any, are at **Appendix III**:

- (a) Commissioner for Transport (C for T);
- (b) Chief Highway Engineer/New Territories East, Highways Department;
- (c) Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD);
- (d) Director of Environmental Protection (DEP);
- (e) District Officer (North), Home Affairs Department (DO(N), HAD);
- (f) Chief Engineer/Construction, Water Supplies Department;
- (g) Director of Electrical and Mechanical Services;
- (h) Project Manager (North), Civil Engineering and Development Department; and
- (i) Commissioner of Police.

9. Public Comments Received During Statutory Publication Period

On 12.12.2025, the application was published for public inspection. During the statutory public inspection period, 71 public comments were received, including two from a Member of the North District Council and the Chairman of Lung Shan Area Committee indicating no comment (**Appendix IVa**); and 69 supporting comments from individuals (**Appendix IVb**). The supporting comments mainly consider that the proposed church can provide religious and community services to Fanling and the nearby areas; the proposed use is compatible with the surrounding areas; and no adverse impacts are anticipated.

10. Planning Considerations and Assessments

- 10.1 The application is for proposed religious institution (church) at the Premises zoned “R(A)” (**Plan A-1**). Whilst 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. According to the applicant, who has been providing religious and community services in Fanling area since 1990s, the proposed church is intended for expansion of its religious and community services in the area. SHYA has no objection to the application in view that the applicant is a bona fide religious organisation. Taking into account the above and the planning assessments below, there is no objection to the application.
- 10.2 The proposed use at the Premises, which will take up about 3% of the total GFA of the shopping arcade, is considered not excessive in scale and is not incompatible with the shop and services, eating places and kindergarten uses within the shopping arcade in the non-domestic podium of the subject development. As the Premises are accessible from G/F of the shopping arcade separated from the accesses to the residential portion, it is envisaged that the proposed use will not cause nuisance to the residents of the subject development. DEP has no adverse comment on the application from environmental planning perspective. The proposed use is also considered not incompatible with the surrounding areas which are mainly open spaces, high-rise residential developments with commercial uses on lower floors, church and residential/commercial mixed-use buildings.
- 10.3 The Premises are well-served by public transport, including buses and minibuses. Whilst no separate parking facilities will be provided for the proposed use, car parking and L/UL spaces are available at the subject development for the shopping arcade. According to the applicant, visitors of the proposed church will be reminded to take public transport to access the Premises. C for T has no adverse comment on the application from traffic engineering perspective. Other relevant government departments consulted, including D of FS, CBS/NTW, BD, CE/MN, DSD and DO(N), HAD, have no objection to or no adverse comment on the application. To address the technical requirements of concerned department, appropriate approval conditions are recommended in paragraph 11.2 below.
- 10.4 There is an approved similar application for religious institution (church) within the “R(A)” zone on the Fanling/Sheung Shui OZP as mentioned in paragraph 5

above. Approving the current application is in line with the Committee's previous decision.

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 23.1.2030, 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 provision of fire service installations and water supplies for firefighting 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 at **Appendix III**.

- 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, and the date when the validity of the permission should expire.
- 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 with attachments received on 5.12.2025 and 10.12.2025
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Appendix Ia	FI received on 19.1.2026
Appendix II	Similar application
Appendix III	Recommended advisory clauses
Appendices IVa and IVb	Public comments
Drawing A-1	Proposed layout plan
Drawing A-2	G/F of Union Plaza
Drawing A-3	1/F of Union Plaza
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

PLANNING DEPARTMENT
JANUARY 2026