

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/1331

- Applicant** : Joyful House (Rehabilitation Dormitory) Limited represented by Vision Planning Consultants Limited
- Site** : Government Land in D.D. 120, Lam Hau Tsuen, Yuen Long (Former Wa Fung School (Part))
- Site Area** : 2,945 m² (about)
- Land Status** : Government Land (GL)
- Plan** : Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/14
- Zoning** : “Village Type Development” (“V”)
[Restricted to a maximum building height (BH) of 3 storeys (8.23m)]
- Application** : Proposed Social Welfare Facility (Residential Care Home for Persons with Disabilities (RCHD)) and Associated Excavation of Land

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed social welfare facility (RCHD) and associated excavation of land at the application site (the Site) zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “V” zone, ‘Social Welfare Facility’, which is a Column 2 use, and excavation of land require planning permission from the Town Planning Board (the Board). The Site is partly occupied by the single-storey buildings of the former Wa Fung School¹ which is currently vacant, and is overgrown with vegetation (**Plans A-2 to A-4b**).
- 1.2 According to the applicant, the current application is to facilitate the relocation and integration of their two existing RCHD operations in Pak Sha Tsuen (i.e. Lot 1504 S.B in D.D. 119) and Hung Shui Kiu (i.e. Lots 317 S.C (Part) and 317 S.F

¹ According to the applicant, having considered the urgency of the project and to minimise the construction cost, part of the eastern portion of the former school premises, which comprises two private lots and a piece of steep sloping area, has been excluded from the current application boundary (**Drawing A-1**). The Site covers about 88.5% of the former school site.

(Part) in D.D. 124) for more effective management, with the former affected by the land resumption and clearance exercise under the Second Phase Development of the Yuen Long South New Development Area (YLS NDA). The two existing RCHD operations in Hung Shui Kiu and Pak Sha Tsuen were established in 2007 and 2010 respectively, which provide 26 and 24 beds respectively for adult patients referred from the Department of General Adult Psychiatry and Substance Abuse Service of the Castle Peak Hospital. Due to the complexity to find suitable temporary or short-term residential care service for the affected patients, there is an imminent need for the applicant to secure a relocation site to continue its affected operations.

- 1.3 The Site with the ingress/egress at the western part is accessible from Shan Ha Road via a local track (**Plans A-2** and **A-3**). According to the applicant, the proposed development will consist of three single-storey structures (not exceeding 5m to 7m in height) with a total floor area of about 1,010m², including a main integrated RCHD compound converted from two former school buildings which will be connected to the proposed newly-built structures by covered walkways, a semi-detached E&M building block and a pavilion. Upon completion tentatively in October 2027, the proposed RCHD will provide about 90 beds, including 50 beds to rehouse the patients of the two existing operations and an addition of 40 new beds to meet the increasing demand of the community. In normal practice, the proposed RCHD is a self-contained operation in that its residents cannot leave the premises without approval from the doctors/medical superintendent and not more than five residents are eligible to work at a sheltered workshop in Tuen Mun via in-house shuttle bus. There will be a total of 13 regular staff, including two workers who will be accommodated in the ancillary workers' quarters within the Site. Most of the staff will commute to work via public transport facilities, and visits to the premises will be via 'by-appointment' system.
- 1.4 According to the submitted landscape proposal, 75 existing trees (excluding three undesirable species – *Leucaena leucocephala*) are proposed to be felled and 58 new trees will be planted along the site boundary to mitigate the landscape impact (**Drawing A-5**). A 3m-high boundary fence wall will also be provided to minimise the noise and air quality impacts arising from the proposal.
- 1.5 The current application also seeks planning permission for proposed excavation of about 1,352 m² of land of 0.5m to 3.2m in depth for site formation, underground sewerage facility, landscaping works and on-site drainage system purposes. Plans showing the land status, building blocks, site layout, sections, landscape master plan and extent of land excavation submitted by the applicant are at **Drawings A-1** to **A-6** respectively.
- 1.6 The Site was involved in two previous applications (No. A/YL-TYST/333 and 1132) for temporary social welfare facility uses approved by the Rural and New Town Planning Committee (the Committee) of the Board for a period of three and 10 years in 2006 and 2022 respectively (details at paragraph 5 below). Compared with the last approved application (No. A/YL-TYST/1132), the current application is submitted by a different applicant for a different social welfare facility covering largely the same site with similar layout and development parameters. A comparison of the major development parameters of the current application and the last approved application is summarised as follows:

Major Development Parameters	Last Approved Application No. A/YL-TYST/1132 (a)	Current Application No. A/YL-TYST/1331 (b)	Difference (b)-(a)
Proposed Use(s)	Proposed Temporary Social Welfare Facility (Residential Care Home for the Elderly (RCHE)) for a Period of 10 Years and Associated Excavation of Land	Proposed Social Welfare Facility (RCHD) and Associated Excavation of Land	Changes in Use and Approval Period
Site Area	About 2,950 m ²	About 2,945 m ²	-5 m ² (-0.2%)
Total Floor Area (Non-domestic)	About 1,500 m ²	About 1,010 m ²	-490 m ² (-32.7%)
No. and Height of Structure(s)	1 • for RCHE and associated facilities (5m – 7m, 1 storey)	3 • for RCHD, pavilion and associated facilities (5m – 7m, 1 storey)	+2
No. of Parking Spaces	3 (for private cars) (5m x 2.5m each)	2 (for private cars) (5m x 2.5m each)	-1
No. of Loading/Unloading Space(s)	2 (for light goods vehicles) (7m x 3.5m each)	1 (for light goods vehicle) (7m x 3.5m)	-1

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

- (a) Application Form received on 18.8.2025 **(Appendix I)**
 - (b) Supplementary Planning Statement (SPS) **(Appendix Ia)**
 - (c) Further Information (FI) received on 30.9.2025[#] **(Appendix Ib)**
 - (d) FI received on 16.12.2025* **(Appendix Ic)**
 - (e) FI received on 12.1.2026* **(Appendix Id)**
 - (f) FI received on 21.1.2026* **(Appendix Ie)**
- # accepted but not exempted from publication and recounting requirements*
** accepted and exempted from publication and recounting requirements*

1.8 On 21.11.2025, the Committee agreed to defer making a decision on the application for two months 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 SPS and FIs (**Appendices Ia to Ie**). They can be summarised as follows:

- (a) the current application aims to relocate and integrate the existing RCHD operations in Pak Sha Tsuen and Hung Shui Kiu, with the former affected by the Second Phase Development of the YLS NDA. The applicant has conducted a site search process to identify suitable site for relocation and the Site is considered the most suitable in terms of location, size, rehousing programme and compatibility;
- (b) the former Wa Fung School was decommissioned in November 2008 and the Site has been vacant for more than 16 years. Under the Planning Department's latest Vacant School Premises Sites Reviewed under the Central Clearing House Mechanism (the VSP Review), the former Wa Fung School VSP site is recommended to be retained for Government, institution or community (GIC) use in the long term. In this connection, the proposed RCHD is generally in line with the recommended long-term use of the Site;
- (c) there is a shortfall of RCHD facilities in Yuen Long District and the proposed development would comply with the relevant licensing requirements and provide additional bed spaces to meet such demand;
- (d) the Site is located at the fringe area away from the major residential cluster of Lam Hau Tsuen. The proposed development is compatible with the surrounding areas. The submitted technical assessments have demonstrated that there will be minimal traffic, sewerage, drainage, environmental, and geotechnical impacts arising from the proposed use; and
- (e) it is common practice for private social welfare facilities to operate under tenancy agreements without guaranteed renewal. Subject to the granting of planning permission by the Board, should the tenancy of the proposed RCHD not be renewed in the future, every effort will be made by the applicant to secure alternative site or premises nearby and all affected residents would be decanted in a smooth and well-managed manner, ensuring continuity of care.

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

As the Site involves GL only, 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) are not applicable to the application.

4. Background

The Site is currently not subject to planning enforcement action. According to the latest VSP Review, most of the Site falls within the boundary of the former Wa Fung School (**Plan A-2**) which is recommended for GIC use in the long term.

5. Previous Applications

- 5.1 The Site was involved in three previous applications, including two applications (No. A/YL-TYST/333 and 1132) for temporary social welfare centre and RCHE respectively with or without associated excavation of land. The remaining application (No. A/YL-TYST/162) was for proposed extension of school building, and its considerations are not relevant to the current application which involves a different use. Details of the previous applications are summarised in **Appendix II** and the boundaries of the sites are shown on **Plan A-1**.
- 5.2 Applications No. A/YL-TYST/333 and 1132 were approved with conditions each for a period of three and 10 years by the Committee in 2006 and 2022 respectively, mainly on the considerations that the proposal was not incompatible with the surrounding areas; approval of the application on a temporary basis would not frustrate the long-term development of the area; and there was no adverse comment on the application from the relevant government bureaux/departments. Both proposals were not implemented and the planning permissions were revoked in 2008 and 2024 respectively due to non-compliance with time-limited approval conditions.

6. Similar Application

There is no similar planning application within the subject “V” zone in the past five years.

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

- 7.1 The Site is:
- (a) accessible from Shan Ha Road via a local track (**Plans A-2 and A-3**); and
 - (b) partly occupied by the single-storey buildings of the former Wa Fung School which is currently vacated, and is overgrown with vegetation (**Plans A-2 to A-4b**).
- 7.2 The surrounding areas comprise predominantly village houses of Lam Hau Tsuen and residential structures intermixed with open storage/storage yards, warehouses, car servicing, parking of vehicles, graves, unused land and vacant land/structures (**Plans A-2 and A-3**).

8. Planning Intention

The planning intention of the “V” zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses (SHs) by indigenous villagers. It is also intended to concentrate village type development within the zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. 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 New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

9. Comments from Relevant Government Bureaux/Departments

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

Policy and Social Welfare Aspects

9.1.1 Comments of the Secretary for Development (SDEV):

The existing RCHD operation in Pak Sha Tsuen (i.e. Lot 1504 S.B in D.D. 119) is affected by the land resumption under the Second Phase Development of the YLS NDA. The Site had been resumed by the Government was reverted to the Government on 21.5.2025 was vacated on 10.10.2025. As for the existing RCHD operation in Hung Shui Kiu (i.e. Lots 317 S.C (Part) and 317 S.F (Part) in D.D. 124), it falls within an area zoned “V” on the approved Hung Shui Kiu and Ha Tsuen OZP which is outside the development area of Hung Shui Kiu/Ha Tsuen NDA, and thus will not be affected by the NDA development.

9.1.2 Comments of the Secretary for Labour and Welfare (SLW):

He notes the comments from the Director of Social Welfare (DSW) and has no further comment on the application.

9.1.3 Comments of the DSW:

- (a) he considers that there is no merit to support the planning application from social welfare service provision perspective;
- (b) the applicant is the operator of Joyful House (Rehabilitation Dormitory) (D0233) and Joyful House (Rehabilitation Dormitory) (Hung Shui Kiu Branch) (D0184), both are the private RCHDs (non-Bought Place Scheme) operating at medium care level. The current application is to establish a RCHD on vacant GL in Lam Hau Tsuen, Yuen Long, under a short-term tenancy (STT), and to carry out related excavation works. According to the submitted information, the proposed arrangements for the RCHD include: (1) relocating residents (26 beds) from the former Pak Sha Tsuen home (D0233) affected by the land resumption for the YLS NDA; (2) merging the existing home in Hung Shui Kiu (D0184), which has 24 beds, to achieve unified operational management benefits; and (3) adding 40 beds to the proposed merged home; and
- (c) under the current policy, vacant GL is only available for short-term use applications, and generally, the lease term for approved short-term uses must not compromise the government’s long-term planning for the land. Furthermore, the aforementioned vacant GL in Lam Hau Tsuen, Yuen Long, is zoned “V” on the OZP. Therefore, the land is

not suitable for establishing a RCHD that requires long-term service, and it is difficult to predict whether a fixed-term lease renewal will be possible after the short-term lease expires, or if it will only be possible to renew on a monthly or quarterly basis. In addition, since the residents of the former Pak Sha Tsuen RCHD (D0233) have already moved out and been properly settled, relocating them to another temporary home is not ideal and does not meet their need for a stable residence during their rehabilitation process.

Land Administration

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

- (a) no comment on the application;
- (b) the Site falls within the former Wa Fung School, which is a VSP partly on adjoining GL in D.D. 120, Lam Hau Tsuen, Yuen Long;
- (c) it is noted that certain parts of the VSP are excluded from the Site. The actual site area, site boundary and details, etc. of the Site involved will be subject to survey and verification at the STT application stage, if applied;
- (d) the applicant should obtain the necessary policy support from the relevant bureau/department concerned and apply to LandsD for a STT to implement the proposal. Subject to policy support being given, LandsD will consider the application in accordance with applicable policy and practice as landlord and there is no guarantee that it will be approved;
- (e) as per paragraph 6.5 and Figure 8 of the SPS, it is noted that the proposed vehicular access to the Site abuts a local track branching off from Shan Ha Road passing through GL and a number of private lots in D.D. 120. There is no guarantee of any right-of-way (for pedestrians or vehicles) from Shan Ha Road to the Site;
- (f) there is currently no SH application approved or under processing at the Site; and
- (g) the applicant should note his advisory comments at **Appendix III**.

Traffic

9.1.5 Comments of the Commissioner for Transport (C for T)

- (a) no adverse comment on the application from traffic engineering

perspective; and

(b) the local track and footpath leading to the Site is not under her purview.

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

No adverse comment on the application.

Environment

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

(a) no objection to the application; and

(b) the applicant should note his advisory comments at **Appendix III**.

Landscape

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

(a) according to the aerial photo of 2024 (**Plan A-3**), the Site is situated in an area of rural fringe landscape predominated by temporary structures, village houses, burial ground and scattered tree groups. From the site photos taken on 28.8.2025 (**Plans A-4a** and **A-4b**), the Site is covered by existing trees and the hard paved areas with existing buildings of the former school are covered by overgrown vegetation;

(b) according to the submitted landscape proposal, 75 existing trees (excluding *Leucaena leucocephala*) are proposed to be felled and 58 new trees are proposed along the site boundary to mitigate landscape impact. No Old and Valuable Tree, Trees of Particular Interest nor protected species are found within the Site. Since no significant adverse landscape impact arising from the proposed use is anticipated within the Site and the surrounding areas, she has no adverse comment from landscape planning perspective; and

(c) the applicant should note her advisory comments at **Appendix III**.

Drainage

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

(a) no in-principle objection to the application from a drainage point of view; and

(b) should the application be approved by the Board, approval conditions

requiring the submission, implementation and maintenance of a revised drainage proposal to the satisfaction of the Director of Drainage Services or of the Board should be stipulated.

Fire safety

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

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

Building Matters

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

No adverse comment on the application.

Geotechnical

9.1.12 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) no adverse geotechnical comments on the application; and
- (b) the applicant should note his advisory comments at **Appendix III**.

District Officer's Comments

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

His office received one reply from the village representatives of Lam Hau Tsuen and Shan Ha Tsuen objecting to the application and noting that the Site was the subject of a previous application for RCHE use supported by the villagers but the proposal was not implemented due to failure in obtaining Government's support (**Appendix IV**)².

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

² The same public comment conveyed by DO(YL), HAD was also received by the Secretariat of the Board during the statutory public inspection period.

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Director of Leisure and Cultural Services (DLCS);
- (c) Director of Food and Environmental Hygiene (DFEH);
- (d) Director of Electrical and Mechanical Services (DEMS);
- (e) Project Manager (West) (PM(W)), CEDD; and
- (f) Commissioner of Police (C of P).

10. Public Comments Received During the Statutory Publication Periods

On 26.8.2025 and 10.10.2025, the application and its FI were published for public inspection. During the statutory public inspection periods, six public comments were received, including three comments from the applicant and two individuals supporting the application on the grounds that the proposal would utilise a VSP that is isolated from nearby residential cluster; and the proposed use could meet the demand for RCHD services of the community (**Appendix V-1**). One of the individuals also opines that the existing basketball court at the Site should be retained for community use. The remaining three public comments were submitted by the village representatives of Lam Hau Tsuen and Shan Ha Tsuen objecting to the application on the grounds as those mentioned in paragraph 9.1.13 above (**Appendix V-2**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed social welfare facility (RCHD) and associated excavation of land at the Site zoned “V” on the OZP. According to the applicant, the application is for a proposed RCHD (90 beds) to facilitate relocation and integration of its existing RCHD operations in Pak Sha Tsuen (D0233) (26 beds) and Hung Shui Kiu (D0184) (24 beds) with the former affected by the Second Phase Development of the YLS NDA, and the provision of 40 new beds to meet the increasing demand of the community. Although the planning intention of the “V” zone is primarily for development of SH by indigenous villagers, other commercial, community and recreational uses may be permitted on application to the Board. In this regard, according to the latest VSP review, the former Wa Fung School at the Site is recommended for GIC use in the long term. Besides, DLO/YL of LandsD advises that there is currently no SH application approved or under processing at the Site. In view of the above, while the proposed development is not entirely in line with the planning intention of the “V” zone, the proposed RCHD could serve the need for such GIC use in the area and is in line with the recommended long-term use of the Site.
- 11.2 Excavation of land within the “V” zone requires planning permission from the Board. In this regard, the applicant has provided justifications that the proposed excavation of land for about 1,352 m² and with a depth of 0.5m to 3.2m is to facilitate site formation, underground sewerage facility, landscaping and on-site drainage system works (**Drawing A-6**). In this regard, the CE/MN, DSD and DEP have no adverse comment on the application from drainage, sewerage and environmental perspectives respectively.
- 11.3 The surrounding areas comprise predominantly village houses of Lam Hau Tsuen and residential structures intermixed with open storage/ storage yards, warehouses, car servicing, parking of vehicles, graves, unused land and vacant land/structures

(Plans A-2 and A-3). The proposed RCHD, involving three single-storey structures of 5m to 7m in height, is generally considered not incompatible with the surrounding land uses. CTP/UD&L, PlanD has no adverse comment on the application from landscape planning perspective.

- 11.4 Other relevant government departments consulted, including C for T, D of FS and CTP/UD&L of PlanD have no objection to or no adverse comment on the application from traffic, fire safety and landscape aspects respectively. Relevant approval condition is recommended in paragraph 12.2 below to address the technical requirements of concerned government department.
- 11.5 From a social welfare service provision perspective, DSW considers that there is no merit to support the planning application as the Site is on GL which is only available for short-term use applications, and is therefore not suitable for establishing a RCHD that requires long-term service as mentioned in paragraph 9.1.3 above. Nonetheless, DLO/YL, LandsD has no comment on the application and advises that the applicant should obtain the necessary policy support from the relevant bureau/department concerned and apply to LandsD for a STT to implement the proposal. Regarding DSW's concern on possible further relocation of residents of the former Pak Sha Tsuen RCHD (D0233) in the future, the applicant pledges that should the tenancy of the proposed RCHD not be renewed, every effort will be made to secure alternative site or premises nearby and all affected residents would be decanted in a smooth and well-managed manner, ensuring continuity of care. In light of the above, the applicant will be advised to liaise with the Labour and Welfare Bureau and Social Welfare Department on the detailed provision and operation of the proposed RCHD, and LandsD on the land administration matters should the Committee approve the application.
- 11.6 Given that two previous approvals for temporary social welfare facility uses (i.e. social service centre and RCHE) have been granted to the Site in 2006 and 2022, approval of the current application is generally in line with the previous decisions of the Committee.
- 11.7 Regarding the local comment conveyed by DO(YL), HAD and the public comments as summarised in paragraphs 9.1.13 and 10 above respectively, the planning considerations and assessments in paragraphs 11.1 to 11.6 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 local comment conveyed by DO(YL), HAD and the public comments mentioned in paragraphs 9.1.13 and 10 above respectively, 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 6.2.2030 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 condition of approval and advisory clauses are also suggested for Members' reference:

Approval condition

the submission and implementation of a revised drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are at **Appendix III**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed development with associated excavation of land is not in line with the planning intention of the "V" zone which is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. No strong planning justification has been given 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 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

Appendix I	Application Form received on 18.8.2025
Appendix Ia	Supplementary Planning Statement
Appendix Ib	FI received on 30.9.2025
Appendix Ic	FI received on 16.12.2025
Appendix Id	FI received on 12.1.2026
Appendix Ie	FI received on 21.1.2026
Appendix II	Previous Applications
Appendix III	Recommended Advisory Clauses
Appendix IV	Local View conveyed by DO(YL), HAD
Appendices V-1 and V-2	Public Comments
Drawing A-1	Land Status Plan
Drawing A-2	Block Plan
Drawing A-3	Site Layout Plan
Drawing A-4	Section Plan
Drawing A-5	Landscape Master Plan
Drawing A-6	Excavation Plan
Plan A-1	Location Plan
Plan A-2	Site Plan

Plan A-3
Plans A-4a to A-4b

Aerial Photo
Site Photos

PLANNING DEPARTMENT
FEBRUARY 2026