

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-KTN/984**

<b><u>Applicant</u></b>	:	Ching Yeung (Four Seasons) Limited (青陽四季有限公司) represented by Allgain Land Planning Limited
<b><u>Site</u></b>	:	Lot 130 RP in D.D.110 and Adjoining Government Land, Kam Tin, Yuen Long, New Territories
<b><u>Site Area</u></b>	:	About 610 m <sup>2</sup> (including Government Land (GL) of about 165m <sup>2</sup> (about 27%))
<b><u>Lease</u></b>	:	Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	:	Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
<b><u>Zoning</u></b>	:	“Residential (Group C) 2” (“R(C)2”) [restricted to a maximum plot ratio of 0.4 and maximum building height of 3 storeys (9m)]
<b><u>Application</u></b>	:	Proposed Temporary Private Club for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary private club for a period of three years at the application site (the Site), which falls within an area zoned “R(C)2” on the Kam Tin North OZP (**Plan A-1**). According to the Notes of the OZP for “R(C)” zone, ‘Private Club’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently vacant and partly covered with vegetation (**Plans A-2 to A-4**).
- 1.2 According to the applicant, the proposed use involves three structures of one to two storeys with a total floor area of about 238m<sup>2</sup> and building height not exceeding 8m for multi-function and conference rooms, and ancillary office, storage and mobile toilet. It also involves an outdoor area for event and resting space for the private club members. Two parking spaces for visitors will be provided within the Site. The Site is accessible via a local track branching off from Kam Tai Road. The proposed operation hours are from

9:00 a.m. to 10:00 p.m. daily, including public holidays. The layout plan and the floor plan submitted by the applicant are at **Drawings A-1** and **A-2**.

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

- (a) Application form with supplementary information (**Appendix I**)  
on 24.1.2024 and 2.2.2024
- (b) Further information (FI) received on 4.3.2024\* (**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, supplementary information and FI at **Appendices I** and **Ia**. They can be summarised as follows:

- (a) The proposed private club will be operated by a non-profit making organisation, namely 香港莊子文化研究會, with about 300 members for organising recreational activities/functions such as talks, seminars, and book launching ceremony, etc. for its members to promote the culture of Zhuangzi and facilitate social exchange between the members.
- (b) The proposed use is temporary in nature and similar applications have been approved by the Rural and New Town Planning Committee (the Committee).
- (c) The proposed use is not incompatible with the surrounding land uses which are predominated by residential developments and village settlements including Seasons Villas, Seasons Monarch, Shek Kong San Tsuen and Pang Ka Tsuen. The proposed use is also intended to serve, with a payment of membership fee, the nearby residents who are interested in the culture of Zhuangzi and having joined the membership.
- (d) The applicant will apply Short Term Waiver and Short Term Tenancy for the proposed structures on the Site, should the application be approved by the Committee.
- (e) No public announcement system, whistle blowing, portable loudspeaker or any form of audio amplification system would be used at the outdoor area of the site at all times. The applicant also undertake to reinstate the Site to its original state upon expiry of the planning permission.
- (f) A visit-by-appointment arrangement at all times is proposed. All visiting members are required to make appointments at specific time slots before visiting. The Site is also of high accessibility within 6-minute walking distance to the nearby bus stop. A maximum of 30 members can be accommodated at the Site. The proposed use will not induce adverse environmental, noise, traffic, sewerage, drainage and fire safety impacts on the surrounding areas.

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

The applicant is not the “current land owner” of the private land portion of the Site but has complied with the requirement as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notice and sending registered mail to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the “Owners’ Consent/Notification” Requirements are not applicable.

**4. Background**

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

**5. Previous Application**

There is no previous application at the Site.

**6. Similar Application**

There is no similar application for temporary private club within the same “R(C)2” zone in the vicinity of the Site in the past five years.

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

7.1 The Site is:

- (a) currently vacant and partly covered with vegetation; and
- (b) accessible via a local track branching off Kam Tai Road to its north.

7.2 The surrounding areas are rural in character intermixed with open storage/storage yards (one of which with valid planning permission under application No. A/YL-KTN/906), vacant land, grassland, farmland and residential dwellings/structures. Low-rise residential developments, namely Seasons Villas and Seasons Monarch, are located to the further east and further west of the Site respectively. The village settlements of Shek Kong San Tsuen and Pang Ka Tsuen are to the further south and southwest. To the north of the Site across Kam Tai Road is Kam Tin North River.

**8. Planning Intention**

The planning intention of the “R(C)” zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential

neighbourhood may be permitted on application to the Board.

**9. Comments from Relevant Government Departments**

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

**10. Public Comment Received During Statutory Publication Period**

The application was published for public inspection. During the statutory publication period, no public comment was received.

**11. Planning Considerations and Assessments**

- 11.1 The application is for proposed temporary private club for a period of three years at the Site zoned “R(C)2” (**Plan A-1**). The planning intention of the “R(C)” zone is primarily for low-rise, low-density residential developments. The proposed use is considered not in conflict with the planning intention of the “R(C)” zone. Besides, there is no known programme for long-term development at the Site. Approval of the application on a temporary basis of three years would not jeopardise the long-term planning intention of the “R(C)” zone.
- 11.2 The proposed development scale with site area of 610m<sup>2</sup> and total floor area of 238m<sup>2</sup> is not significant and the proposed use is considered not incompatible with the surrounding land uses which are rural in character intermixed with open storage/storage yards, grassland, farmland and residential dwellings/structures. The Chief Town Planner/Urban design and Landscape of the Planning Department considers that significant landscape impact arising from the proposed use is not anticipated.
- 11.3 According to the applicant, an appointment system is proposed for the visiting members to the Site. The Commissioner for Transport has no adverse comment on the application from traffic engineering perspective. Other relevant departments consulted including the Director of Environmental Protection (DEP), the Chief Engineer/Mainland North of the Drainage Services Department and the Director of Fire Services have no objection to or no adverse comment on the application. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will be advised to follow the relevant mitigation measures and requirements in the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by DEP in order to minimise any potential environmental nuisances.

## **12. Planning Department's View**

- 12.1 Based on the assessments made in paragraph 11 above, 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 on a temporary basis for a period of three years until 15.3.2027. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval Conditions

- (a) the submission of a run-in/out proposal at Kam Tai Road within **6** months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the Town Planning Board by 15.9.2024;
- (b) in relation to (a) above, the implementation of the run-in/out proposal at Kam Tai Road within **9** months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the Town Planning Board by 15.12.2024;
- (c) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 15.9.2024;
- (d) in relation to (c) above, the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 15.12.2024;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 15.9.2024;
- (g) in relation to (f) above, the implementation of fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 15.12.2024;
- (h) if the above planning condition (e) 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; and
- (i) if any of the above planning condition (a), (b), (c), (d), (f) or (g) is not complied with by the specified date, 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 III**.

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

the proposed use is not in line with the planning intention of the "R(C)" zone which is primarily for low-rise, low-density residential developments. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

## **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 period of which the permission should be valid on a temporary basis.
- 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**

<b>Appendix I</b>	Application Form and Supplementary Information Received on 24.1.2024 and 2.2.2024
<b>Appendix Ia</b>	FI received on 4.3.2024
<b>Appendix II</b>	Government Departments' General Comments
<b>Appendix III</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Site Layout Plan
<b>Drawing A-2</b>	Floor Plan
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo

**Plan A-4**

Site Photos

**PLANNING DEPARTMENT  
MARCH 2024**