

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL FOR
TEMPORARY USE
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/YL-PH/1038

- Applicant** : Sheung Ha Che Sports Association (上下峯體育會)
- Site** : Lots 316 S.B ss.2 S.A (Part) and 316 S.B ss.3 S.A (Part) in D.D. 111, Sheung Che, Pat Heung, Yuen Long
- Site Area** : About 150m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Village Type Development” (“V”)
- Application** : Renewal of Planning Approval for Temporary Private Club for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning permission for temporary private club for a period of three years at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP of the “V” zone, ‘Private Club’ is a Column 2 use which requires a planning permission from the Town Planning Board (the Board). The Site is currently paved, fenced-off and occupied by the applied use with valid planning permission under application No. A/YL-PH/904 until 18.2.2025 (**Plans A-1 and A-4**).
- 1.2 The Site is accessible from Fan Kam Road via a short local track (**Plan A-2**). According to the applicant, the applied use involves one two-storey container-converted structure with a height of not more than 5m and a total floor area of about 60m² for members’ leisure area, trophies display corners, multi-function activity room, pantry and office of the private club. Two retractable canopies of about 24m² are provided along the boundary of the container-converted structure for sun-shading purpose. The operation hours are between 8:00 a.m. and 8:00 p.m. daily including public holidays. According to the applicant, the applied use will accommodate about five to 20 members subject to the scale of the activities, and one to two staff members to support the operation. No parking space will be provided within the Site. The layout plan and floor plans submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site is the subject of three previous applications for the same applied use (details at paragraph 6 below). The last previous application (No. A/YL-PH/904) submitted by the same applicant at the same site for the same use was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 18.2.2022. All approval conditions for the last previous application have been complied with and the planning permission is valid until 18.2.2025.
- 1.4 In support of the application, the applicant has submitted an Application Form with Supplementary Statement which was received on 13.11.2024 (**Appendix I**).

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form with Supplementary Statement at **Appendix I**, and can be summarised as follows:

- (a) The applied use is temporary in nature and will not jeopardize the implementation of the long-term planning intention of the “V” zone. The current application is for renewal of a previously approved application No. A/YL-PH/904 and all approval conditions under the previous approval have been complied with. The Site has been kept in good condition.
- (b) Sheung Ha Che Sports Association has been established for years to promote sports activities/development of football and serve the residents of Sheung Che and Ha Che. The association has been organising a number of local football activities and competitions. The Site is currently used as a venue for the members/football players for meeting, preparation/arrangement of the competitions and other related activities. The association also plans to organise other types of sports activities, such as basketball and tai-chi classes, for the local residents in the future.
- (c) The Site is easily accessible by public transportation and no parking space is provided within the Site. No adverse traffic impact is anticipated.
- (d) In support of the current application, a drainage proposal with photo record of the implemented drainage facilities and a fire service installations (FSIs) proposal have been submitted. The applicant will also comply with the approval conditions to be imposed and follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise the potential environmental nuisance caused by the applied use on the surrounding areas.

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 Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by obtaining consent from the current land owner. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for ‘Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development’ (TPB PG-No. 34D) are relevant to the current application, and the relevant extract of which is at **Appendix II**.

5. Background

The Site is not subject to any active enforcement action.

6. Previous Applications

- 6.1 The Site is the subject of three previous planning applications (No. A/YL-PH/713, 767 and 904) for the same applied use. Details of these applications are summarised in **Appendix III** and their locations are shown on **Plan A-1**.
- 6.2 All previous applications submitted by the same applicant were approved with conditions by the Committee between March 2015 and February 2022 mainly on the considerations that temporary approval would not frustrate the long-term planning intention of the “V” zone; the proposed/applied use was not incompatible with the surrounding areas; and the concerned government departments consulted in general had no adverse comment or their technical concerns could be addressed by relevant approval conditions.
- 6.3 Compared with the last application No. A/YL-PH/904, the current application is submitted by the same applicant at the same site for the same applied use with the same layout and development parameters. All approval conditions for the last previous application have been complied with and the planning permission is valid until 18.2.2025.

7. Similar Application

There is no similar application within the “V” zone in the vicinity of the Site in the past five years.

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

8.1 The Site is:

- (a) accessible from Fan Kam Road via a short local track; and
- (b) paved, fenced-off and occupied by the applied use with valid planning permission under application No. A/YL-PH/904 until 18.2.2025.

- 8.2 The surrounding areas are rural in character comprising predominantly village settlements of Sheung Che Tsuen and Chuk Hang intermixing with vehicle parks (two with valid permissions under applications No. A/YL-PH/931 and 1003), an open storage/storage yard, a village office, vacant land and grassland.

9. Planning Intention

The planning intention of the “V” zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this 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 (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board.

10. Comments from Relevant Government Departments

Government 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, if any, are provided in **Appendices IV** and **V** respectively.

11. Public Comment Received During Statutory Publication Period

On 26.11.2024, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

12. Planning Considerations and Assessments

- 12.1 The application is for renewal of planning permission for temporary private club for a period of three years at the Site zoned “V” (**Plan A-1**). The planning intention of the “V” zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects, and land within this zone is primarily intended for development of Small Houses by indigenous villagers. Selected commercial and community uses serving the need of the villagers and in support of the village development are always permitted on the ground floor of a NTEH, and other commercial, community and recreational uses may be permitted on application to the Board. Whilst the applied use is not entirely in line with the planning intention of the “V” zone, the applicant states that it is intended to serve a sports association to promote sports development of football for the local residents. Besides, the District Lands Officer/Yuen Long of Lands Department advises that there is no Small House application approved or under processing at the Site. The applied use

of temporary nature would not adversely affect the land availability for NTEH/Small House within the “V” zone in the long term. Approval of the application on a temporary basis for a period of three years would not jeopardize the long-term planning intention of the “V” zone.

- 12.2 The applied use is considered not incompatible with the surrounding areas which are rural in character comprising predominantly village settlements of Sheung Che Tsuen and Chuk Hang intermixed with vehicle parks, an open storage/storage yard, a village office, vacant land and grassland. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant adverse landscape impacts arising from the applied use is not anticipated.
- 12.3 In support of the current application, the applicant has submitted drainage proposal with photo record of implemented drainage facilities and FSI proposal, which were considered acceptable by Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services respectively. Other government departments consulted, including the Commissioner for Transport and Director of Environmental Protection, have no objection to or no adverse comment on the application. To address the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 13.2 below. Should the application be approved, the applicant will be advised to follow the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department to minimise the potential environmental nuisance caused by the applied use on the surrounding areas.
- 12.4 The application is also considered generally in line with TPB PG-No. 34D in that there has been no material change in the planning circumstances since the previous approval was granted; no adverse planning implication arising from the renewal is anticipated; all approval conditions under the previous approval had been satisfactorily complied with; and the three-year approval period sought which is the same timeframe as the previous approval is reasonable.
- 12.5 Given that three previous applications for the same use at the Site have been approved by the Committee between 2015 to 2022 as detailed in paragraph 6 above, approving the current application is in line with the Committee’s previous decisions.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above, PlanD has no objection to the application.
- 13.2 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 and be renewed from 19.2.2025 to 18.2.2028. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the implementation of the accepted fire service installations proposal within **9** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 19.11.2025;
- (c) if the above planning condition (a) 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
- (d) if the above planning condition (b) 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 at **Appendix V**.

13.3 There is no strong reason to recommend rejection of the renewal application.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15. Attachments

Appendix I	Application Form with Supplementary Statement received on 13.11.2024
Appendix II	Relevant Extract of TPB PG-No. 34D
Appendix III	Previous Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawings A-2 and A-3	Floor Plans
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JANUARY 2025**