

Supplementary Planning Statement

May 2024



Section 16 Town Planning Application

Proposed Religious Institution with Ancillary Shop and Services, Eating Place and Office in “Residential (Group A)” Zone in in the Entertainment Unit No. 3 on 1/F, Ho Shun Lee Building, No. 9 Fung Yau Street South, Yuen Long, New Territories

Applicant:



Consultant:



Architect:



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Executive Summary

This Planning Statement is submitted in support of Proposed Religious Institution with Ancillary Shop and Services, Eating Place and Office in the Entertainment Unit no. 3 on 1/F, Ho Shun Lee Building, No. 9 Fung Yau Street South, Yuen Long, New Territories (“the Application Premises”), to seek the approval from the Town Planning Board (“TPB”) under Section 16 of the Town Planning Ordinance. The Application Premises falls within an area zoned “Residential (Group A)” (“R(A)”) on the approved Yuen Long Outline Zoning Plan No. S/YL/27 (the “OZP”). According to the Notes of the OZP, ‘Religious Institution’ is a Column 2 use and planning permission from the TPB is required, whereas the other uses (i.e. ‘Eating Place’, ‘Shop and Services’ and ‘Office’) are always permitted on the lowest three floors of a building, taken to include basements.

The Application Premises of about 264 sq.m. is situated on an existing composite commercial and residential building known as Ho Shun Lee Building (“the subject building”). It is currently a church. In the proposal, it will be used for accommodating a maximum of 160 people with 130 seats in an assembly hall. ‘Shop and Services’ and ‘Eating Place’ with about 20% of the total gross floor area and ‘Office’ as of right on the OZP will be provided. The remaining spaces will be used as storage, lavatories and AV control room to support the general functions of the religious institution.

The proposal is justified mainly for the following reasons:

- The Proposed ‘Religious Institution’ use is compatible with the land uses in the subject building and the surroundings, which are predominately non-domestic uses at lower floors;
- The size, layout and location of the Application Premises is a suitable venue for expansion of the applicant’s services and satisfy with our applicant’s consistent missions that is committed to provide social welfare services and to promote Christianity;
- The Applicant is committed to serve the community and devoted to promote Christianity that can bring a positive impact to the existing facilities and the local community;
- There are similar approved applications for ‘religious institution’ use in the vicinity, demonstrating that it is not incompatible with the surrounding land use and is unlikely to cause adverse impacts; and
- The Application Premises would not result in insurmountable traffic and fire safety impacts on the surroundings.

In view of the planning and justifications put forth in the Supplementary Planning Statement, the Town Planning Board is kindly invited to give favorable consideration to this application.

行政摘要

(內容如與英文版本有任何差異，應以英文版本為準)

此規劃綱領是為一宗位處新界元朗鳳攸南街 9 號好順利大廈 1 樓娛樂場所(「申請處所」)用作擬議宗教機構及准許的食肆、商店及服務行業及辦公室用途的規劃申請而擬備，並根據《城市規劃條例》第 16 條希望得到城市規劃委員會的申請規劃許可。申請處所位於元朗分區計劃大綱核准圖編號 S/YL/27 (「該大綱核准圖」)上的「住宅(甲類)」地帶。根據該大綱核准圖的《註釋》所述，「宗教機構」用途屬於第二欄用途，須先向城市規劃委員會申請，而「食肆」、「商店及服務行業」及「辦公室」用途，只要位處於建築物的最低三層，包括地庫，則屬經常准許的用途。

申請處所(面積大約 264 平方米)位於一座名為「好順利大廈」(「主題大廈」)的現有住宅及商業用途的樓宇內。申請處所現時為教會。在本計劃中，該處所可容納 160 人，當中的禮堂最多可容納 130 人，部分為該大綱核准圖准許的「食肆」、「商店及服務行業」及「辦公室」，其中「食肆(自助餐廳)」和「商店及服務行業」的面積將會佔用場地約 20% 的總面積，其餘的位置則用作支援宗教機構日常的運作包括儲物室、洗手間和影音控制室等。

該規劃申請的規劃理據主要基於以下原因：

- 擬議的宗教機構(教堂)用途與主題大廈內的商舖和毗鄰的土地用途相容，其較低樓層常見用作非住宅用途;
- 申請處所無論在大小、間隔和位置方面均符合申請人擴展其教會服務的需要，亦滿足到申請人一直秉承社會福利服務和推廣基督教的使命;
- 申請人致力服務社會及宣揚基督教，其服務相信能與區內現有的設施能相輔相成及有助裨益當地社區;
- 周邊有類似的宗教機構(教堂)用途申請獲批准，這表示該擬議用途與周圍的土地用途並非不兼容，亦不太可能造成不利影響; 以及
- 申請處所在交通、消防安全和噪音方面都不會對周圍環境造成不良影響。

基於規劃綱領中的規劃及技術理據，懇請城規會支持是項規劃申請。

Section One – Introduction

1.1 Project Background

1.1.1 DeSPACE (International) Limited acts on behalf of the Applicant, namely, the Assemblies of God Holy Light Church Limited, to submit this section 16 town planning application to the Town Planning Board (TPB) for using the Application Premises on 1/F of an existing composite building (i.e. the subject building) for Proposed Religious Institution with Ancillary Shop and Services, Eating Place and Office. According to the Notes for the “Residential (Group A)” (“R(A)”) zone under the approved Yuen Long Outline Zoning Plan (S/YL/27) (the OZP), the proposed use of ‘Religious Institution’ is a Column 2 use requiring planning permission from the Town Planning Board. Notably, ‘Shop and Services’, ‘Eating Place’ and ‘Office’ are Column 1 uses which are always permitted under the Town Planning Ordinance. The location of the Application Premises is shown in **Drawing A-1**.

1.1.2 The Application Premises was originally used as public entertainment venue for billiards and saloon with an approved General Building Plan (GBP) on 21 June 1984. The Application Premises is currently as a church and is proposed to incorporate with ancillary shop and services, eating place and office. The existing premises will be used for accommodating maximum of 160 people with 130 seats in an assembly hall for group meeting and worshipping and others ancillary facilities such as storage, lavatories and AV control room. Shop and services and eating place uses of about 20% of the total gross floor area and an Office use are also proposed to achieve certain social objectives, while living out Christian values.

1.1.3 The Assemblies of God Holy Light Church Limited is a non-profit religious organization founded in 1939 and was registered under section 88 of the Inland Revenue of Ordinance¹ in March 1979. They have been dedicated to actively serving the local community and offer evangelism since they moved to the subject premises in November 1990, with a particular focus on children, teenagers, working youths, the elderly and those in distress.

1.2 Structure of Report

Section 2 gives a brief overview of the site context and history. Section 3 presents the planning context of the Site. Section 4 contains a full description of the proposed development scheme. Planning and technical justifications for the proposed development are elaborated in Section 5. Section 6 draws the concluding remarks and summarises the planning grounds for approval of the application.

¹ List of Charitable Institutions and Trusts of a Public Character: https://www.ird.gov.hk/eng/pdf/s88list_emb.pdf

Section Two - Site Context and History

2.1 Site Context and Surrounding Land Uses

2.1.1. The Application Premises is currently a church and located in Entertainment Unit no.3 of an existing 21-storey composite commercial/residential development (i.e. the subject building) within “R(A)” zone. The lowest two floors of the existing podium are used for non-domestic purpose including a range of shops and services, such as restaurants and learning centres. Please refer to a key plan with site photos for more details (as shown in **Figures 1 to 7**).

2.1.2. The surrounding areas have the following characteristics (as shown in **Drawing A-1**), including:

- a. To the north, a 10-storey commercial/residential building (i.e. Lin Fat Building) including 2 storeys of podium also with shop and services and eating places on G/F and a kindergarten & nursery on 1/F, the building is zoned as “R(A)” zone (as shown in **Figure 6**);
- b. To the northwest, a 23-storey commercial/residential building (i.e. Man Fung Building) including 2 storeys of podium also with a church on part of G/F and 1/F, the building is zoned as “R(A)” zone (as shown in **Figure 7**);
- c. To the west, a 23-storey commercial/residential building (i.e. Ho Shun King Building) including 1 storey of podium occupied mainly restaurants, the building is zoned as “R(A)” zone (as shown in **Figure 3**);
- d. To the south and southwest, two secondary schools (i.e. The Church of Christ in China Kei Long College and S.K.H. Bishop Baker Secondary School) and a primary school (i.e. Buddhist Wing Yan School (Buddhist Wing Yan School) across Fung Yau Street South respectively, they are all zoned as “Government, Institution or Community” (“G/IC”) zone;
- e. To the east, a secondary school (i.e. C.C.C. Kei Yuen College) is zoned as “G/IC” zone;
- f. To the north, two public open car parks are zoned as “R(A)” zone, can be accessed from Fung Kwan Street (as shown in **Figure 6**); and
- g. To the northwest, a recreational open space (i.e. the Fung Kwan Street Garden) is zoned as “Open Space” (“O”) zone, comprising a ball court and sitting-out area across Fung Yau Path.

2.2 Land Status

The Application Premises is solely owned by the Applicant. With reference to the latest land registry status, Yuen Long Town Lot No. 333 (as shown in **Drawing A-2**) is held under New Grant 2976 in which the lot or any part thereof shall not be used for any purpose other than non-industrial purposes. The proposed uses of religious institution, shop and services, eating place and office fully comply with the lease conditions.

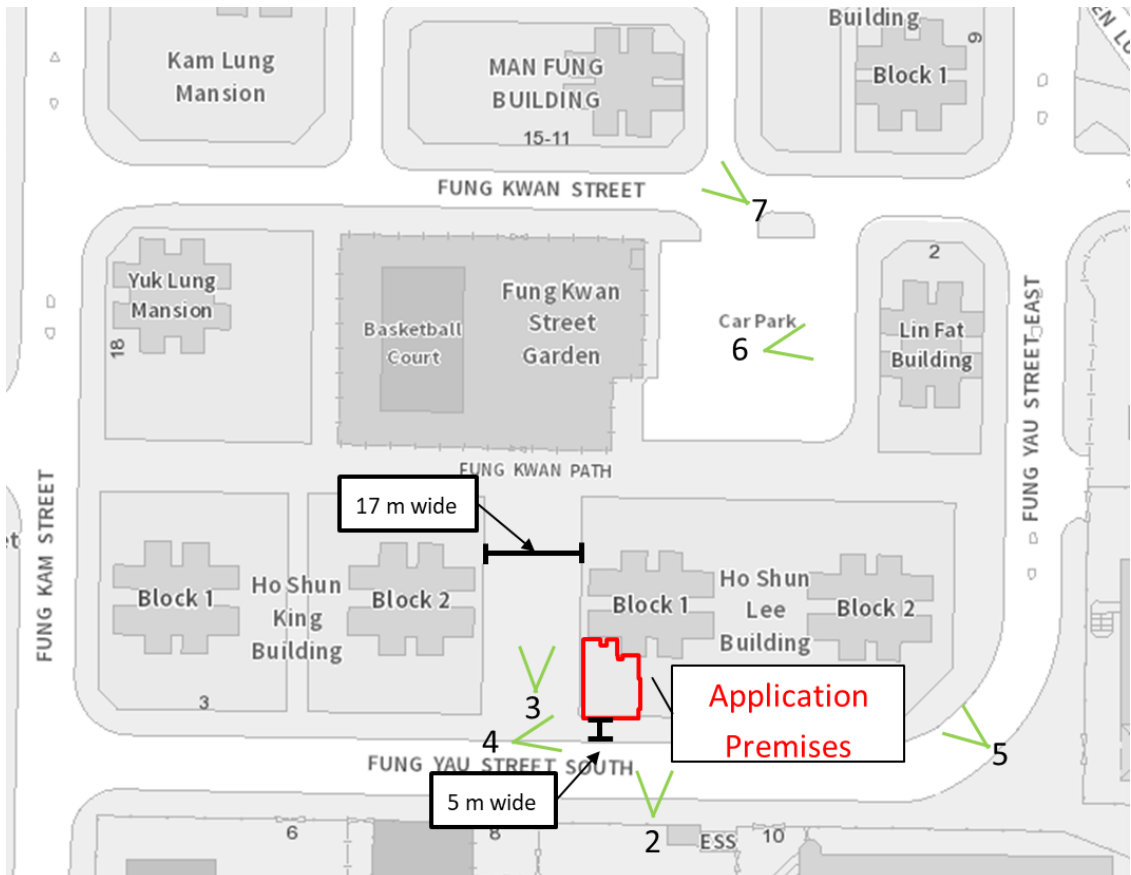


Figure 1: Key Plan of Photos in the Surrounding Area

Site Photos



Figure 2: Separate Access to the Application Premises from Fung Yau Street South (see arrow)



Figure 3: The Surrounding Context of the Application Premises



Figure 4: The Surrounding Context of the Application Premises



Figure 5: The Surrounding Context of the Application Premises



Figure 6: Public Open Car Park and Kindergarten at 1/F Nearby



Figure 7: A Church at G/F & 1/F Nearby (i.e. the approved planning application no. A/YL/40)

2.3 Accessibility

2.3.1 The Application Premises is in close proximity of various modes of public transports including Yuen Long MTR and Light Rail, bus and minibus within 10 minutes walking distance. Visitors can easily access to the subject building from MTR and Light Rail, and Minibus terminus. Two (2) Car parks are also available next to Fung Kwan Street within 5 minutes walking distance to the Application Premises. Please see more details on the accessibility of the Application Premises in **Figure 7**.

2.3.2 The Application Premises can be accessed from Fung Yau Street South via the existing staircases (as shown in **Figure 2 and Drawing A-3**), they are both the common area of the subject building.

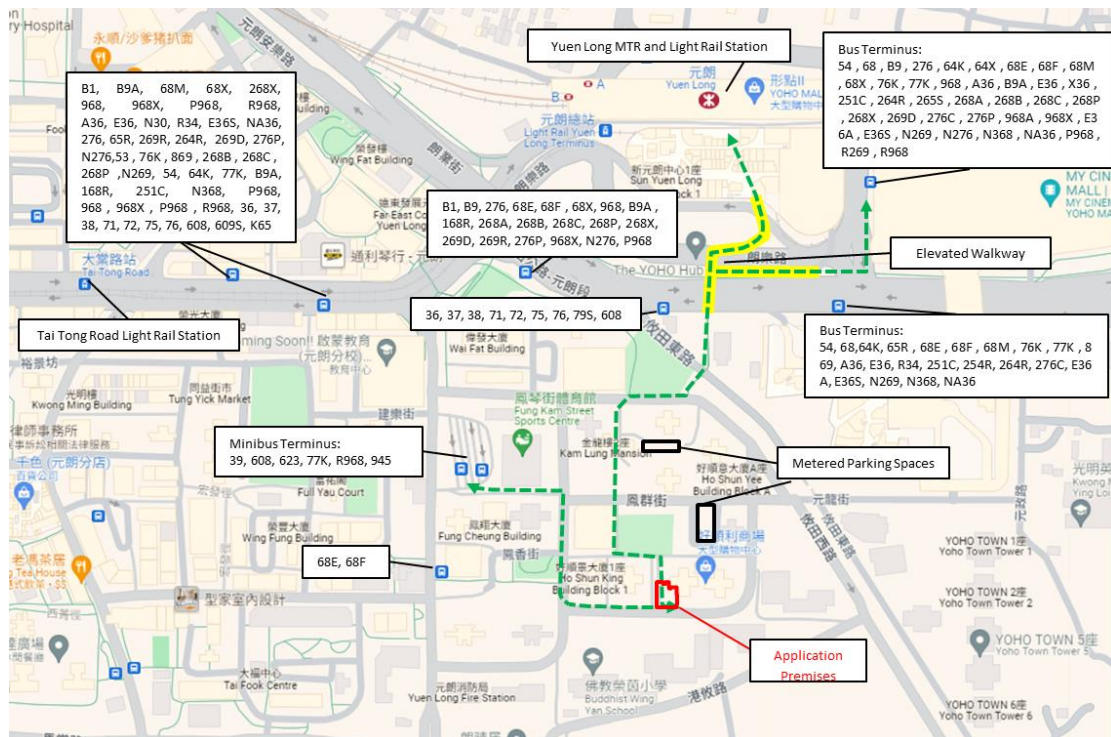


Figure 7: Accessibility of the Application Premises

Section Three - Planning Context

3.1 Statutory Planning Context

3.1.1 The Application Premises is currently zoned as “R(A)” under the OZP. The planning intention for this zone is for high-density residential development. Moreover, 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.

3.1.2 According to the Notes of the OZP, ‘Religious Institution’ use is a Column 2 use which requires planning permission from TPB. And, commercial uses such as ‘Eating Place’, ‘Shop and Services’ and ‘Office’ are Column 1 uses which are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

3.2 Similar Planning Application

3.2.1 As shown in **Figure 8** and **Tables 1 and 2**, the approved planning cases share similarities in terms of religious institution (church) use, including four (4) similar applied use that are in the vicinity. The circumstances surrounding these similar applications are largely applicable to the current application.



Figure 8: The Application Premises and the nearby Approved Applications with Similar Applied Uses

Table 1 – Approved Planning Application for Religious Institution in “R(A)” zone in the same OZP

	Case No., Address & Church Name	Zoning & Site Area	Applied Use	Planning Justification & Meeting Minutes
1	<p>A/YL/297 (23/12/2022) (Approved with condition(s))</p> <p>Address: G/F (Part) and 1/F (Part), Ho Shun Lee Building, 9 Fung Yau Street South, Yuen Long, New Territories</p> <p>Church Name: The Vine Church</p>	<p><u>Zoning</u> R(A)</p> <p><u>Gross Floor</u> <u>Area</u> 627.75 sq.m.</p>	<p>Proposed Religious Institution with Ancillary Shop and Services, Eating Place and Office</p>	<p>The proposed church with ancillary uses <u>will provide religious and social services to the local community.</u> As the Premises situated at the commercial podium has separated entrances from Fung Kwan Path and Fung Yau Street, it is envisaged that the proposed use <u>will not cause nuisance to the residents of the subject building.</u></p> <p>The proposed religious institution with ancillary uses is <u>considered not incompatible with the adjacent land uses including predominantly residential developments with shop and services, eating place, and church on the lower podium floors.</u></p> <p>Members had no questions on the application.</p>
2	<p>A/YL/137 (3/2/2006)</p> <p>Address: 1/F (Whole), Wing Fu Mansion, 2-6 Fung Yau Street North, Yuen Long, New Territories</p> <p>Church Name: The Church of God in Hong Kong</p>	<p><u>Zoning</u> R(A)</p> <p><u>Total Floor</u> <u>Area</u> 1,248 sq.m.</p>	<p>Proposed Religious Institution</p>	<p>The proposed religious institution located at the 1/F of the non-domestic podium of the subject building with <u>retail shops at the G/F, is considered not incompatible with the existing use of the podium.</u></p> <p>The Chairperson remarked that the proposed <u>religious institution is considered not incompatible with the surrounding residential developments with non-domestic uses such as churches and educational institution on the lower floors.</u> Members had no questions on the application.</p>

3	<p>A/YL/110 (7/11/2003)</p> <p>Address: Part of G/F and 1/F, Kam Lung Mansion, 22 Fung Kam Street, Yuen Long New Town</p> <p>Church Name: Yuen Long Kam Kwong Church</p>	<p><u>Zoning</u> R(A)</p> <p><u>Total Floor</u> <u>Area</u> 1,450 sq.m.</p>	<p>Proposed Religious Institution</p>	<p>The <u>proposed religious institution at the application premises is considered not incompatible with the surrounding residential developments with non-domestic uses</u> such as retail shops, banks and fast food shops. As most of the church activities <u>would be carried out on Saturdays and Sundays, the proposed development will unlikely create significant environmental and traffic impacts on the surrounding areas.</u> In this regard, relevant Government departments including DEP and AC for T/NT, TD have no adverse comments on the application. Members had no questions on the application.</p>
4	<p>A/YL/40 (6/3/1998)</p> <p>Address: Parts of G/F, 1/F and upper 1/F of Man Fung Building, 11-15 Fung Kwan Street, Yuen Long New Town</p> <p>Church Name: Assembly of God Yuen Long Gospel Centre</p>	<p><u>Zoning</u> R(A)</p> <p><u>Usable</u> <u>Floor Area</u> 1,090 sq.m.</p>	<p>Religious Institution</p>	<p>The <u>proposed religious institution was considered not incompatible with the surrounding uses.</u></p>

Table 2 – Approved Planning Application for Religious Institution in “R(A)” zone in other OZPs

	Case No.	Zoning & Site Area	Applied Use	Planning Justification & Meeting Minutes
1	A/TKO/124 (24/9/2021) (Approved with condition(s)) Address: Units B01 - B03, B05, B06, G02, G05, G05A and G13, B/F and G/F, Capri Place, 33 Tong Yin Street, Tseung Kwan O Church Name: Christian & Missionary Alliance Good Soil Church	<u>Zoning</u> R(A)6 <u>Gross Floor Area</u> 3,185.1 sq.m.	Proposed Institution (Church)	The proposed church use is considered not incompatible with other existing uses at Capri Place which mainly consists of grocery shops, a restaurant, a nursery, a kindergarten, an elderly care centre and a community centre. It is also <u>considered not incompatible with the surrounding developments which are predominantly residential cum commercial developments with commercial uses on the lower floors.</u> Members had no questions on the application.
2	A/K5/830 (25/6/2021) (Approved with condition(s)) Address: G/F (Portion) and 1/F, 232 Fuk Wing Street, Kowloon Church: The Association of Evangelical Free Churches of Hong Kong	<u>Zoning</u> R(A)7 <u>Gross Floor Area</u> 667.07 sq.m.	Proposed Religious Institution (Church)	<u>The proposed church is also considered not incompatible with the surrounding developments which are mainly schools and residential buildings with commercial uses on lower floors.</u> It would unlikely cause adverse impacts on the surrounding areas. The Chairman remarked that even if there were changes to the operator, as long as there was no material change to the use as a church, the planning permission if granted would remain valid. Members had no questions on the application.

3	A/H9/82 (18/12/2020) (Approved with condition(s)) Address: Shop No. 2, 1st Basement, Marina House, 68 Hing Man Street, Shau Kei Wan, Hong Kong Church Name: Chung Shun Christian Church Limited	<u>Zoning</u> R(A)2 <u>Gross Floor</u> <u>Area</u> 215 sq.m.	Religious Institution	The Premises is also the subject of a previous application for the same use which was approved on a temporary basis by the Committee in 2017. The planning permission was lapsed on 14.7.2020. The only difference is that the applied use is on a permanent basis in the current application. The applied use is <u>considered not incompatible with the uses within the same building and surrounding residential neighbourhood with retail and commercial uses.</u> Members had no questions on the application.
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3.2.2 In summary, the above-mentioned planning applications align with the planning intention of the “R(A)” zone, which is a residential development and non-residential uses on the lowest three floors. These cases demonstrated that the proposed religious institutions are significant in providing religious and social services to the local community. The Application Premises is considered not incompatible with the surrounding development in terms of development scale, intensity, and land use nature. These justifications support the purpose of the proposed development.

Section Four - The Proposed Development Scheme

- 4.1 The Application Premises of about 264 sq.m. is proposed to be a religious institution with ancillary shop and services, eating place and office. The area of the Application Premises is tally with the area as stated in the Assignment of the subject premises (as shown on page 3 of **Appendix 1**). The main facilities in the Church include an assembly hall for worship services, and fellowship gatherings. An assembly hall with a maximum of 130 seats will be provided in the Application Premises with storage, lavatories and AV control room. The assembly hall will also be used for daily fellowship activities.
- 4.2 While the Religious Institution use remains the main use, the Application Premises is intended to provide ancillary uses such as shop and services, eating place and office. These uses are Column 1 uses and planning permission is not required at the lowest three floors of a building.
- 4.3 The parameters for the Application Premises and the operation hours of the church are summarized in **Tables 3 and 4** below. Please also refer to the schematic drawings in **Drawing A-4** for the First Floor Plans.

Table 4: Parameters for the Application Premises

Total Gross Floor Area	About 264 sq.m.
Gross Floor Area for the Church	About 199 sq.m.
Headroom	Not more than 5 m
Gross Floor Area for the Ancillary Facilities for the Church	
Shop and Services	About 25 sq.m.
Eating Place	About 21 sq.m.
Office	About 19 sq.m.

Table 5: Operation Hours of the Church

Activities/Uses	Operation Hours
Worship Services	12 p.m. to 8 p.m. on Saturdays 10 a.m. to 6 p.m. on Sundays
Fellowship Activities	Irregular time for daily
Church Office	8:30 a.m. to 7:00 p.m. from Tuesdays to Sundays, (Mondays day off)

Section Five - Planning and Technical Justifications

5.1 Compatible with the Subject Building and the Surrounding Land Uses

The Application Premises abutting Fung Yau Street South is located in a local community hub that incorporates a good mix of restaurants, workshops, kindergarten, etc. on lower floors (**as shown in Figures 2 to 7**). Four (4) approved applications for similar applied use are also situated in the vicinity (**Please refer to Table 1 of Section 3 and Figure 8**). The subject building, where the G/F and 1/F are used as a shopping mall (known as Ho Shun Lee Shopping Centre), comprises learning centres, restaurants, car pairing workshops and other services uses. In this connection, the proposed uses for operating a church with permitted shop and services and eating place are compatible with the surrounding land use.

5.2 Venue for Expansion of the Current Church's Services

5.2.1 The Application Premises is conveniently located within the Yuen Long Town Centre, within 10 minutes walking distance from the Yuen Long MTR Station and Light Rail and public transportation terminus. This location is considered suitable for providing community facilities to serve the wider neighborhood, including new residential developments in the Yuen Long South Development.

5.2.2 To meet the demand for continuous growth of the church, the Application Premises is one of the few options that can provide a spacious environment within the Yuen Long District with high accessibility. The Application Premises is also a suitable venue for organizing different kinds of interactive activities in terms of development scale, intensity, and land use nature.

5.3 Committed to Serve the Community and to Promote Christianity

With over 80 years of experience in providing religious and social services, the Application Premises will certainly facilitate the service of the religious institution to cater for the increase of brethren with a view to increasing the social cohesiveness in the community through learning Bible. In addition to the religious services and activities, the Applicant intends to provide counselling in the Application Premises to heal people with distress and preach the gospel.

5.4 Similar Application in the Vicinity

Four (4) similar applications in the vicinity were previously approved by the Board on 16.3.1998, 7.11.2003, 3.2.2006 and 22.12.2023 respectively. Their proposed religious institutions were considered not incompatible with surrounding areas in these cases by TPB. All of them are still running as a church. With a similar development scale, intensity and land use nature, it is expected that the Application Premises for the proposed religious institution is compatible and a suitable use in the surrounding.

5.5 No Adverse Traffic Impact

5.5.1 The Application Premises has good accessibility to the Yuen Long MTR Station and mini-bus terminus within 10 minutes and 5 minutes walking distance respectively, meaning that it promotes users or visitors travelling there on foot or by public transport. Hence, an additional loading to the road capacity is very limited. The pedestrian paths and elevated walkway (as shown in **Figure 7**) connected to the Application Premises are wide, notably including an approximate 17 m-wide pedestrianized lane linking Fung Kwan Path and Fung Yau Street South (as shown in **Figures 1, 3 and 4**) and an approximate 5 m-wide pedestrianized Fung Yau Street South (as shown in **Figures 1, 2 and 4**) surrounding the subject building. A negligible impact on pedestrian circulation along the key routes is anticipated.

5.5.2 Regarding the car parking spaces, two open car parks in the north of the Application Premises will be able to fulfil the operational needs of the proposed religious institution (as shown in **Figure 7**). With regard to the close proximity of the Yuen Long MTR Station, bus terminus and mini-bus terminus, a spare space for loading/unloading bay for small coaches is not necessary.

5.5.3 The Application premises was previously used as a public entertainment venue for billiards and saloon. The proposed religious institution would have a smaller traffic impact compared to the former uses. This is because most of the church activities are held on Saturdays and Sundays at a specific timeframe, unlike the public entertainment venue that operated daily.

5.5.4 After all, the majority of visitors are expected to travel to and from the proposed religious institution by public transportation. It is considered that upon the comparison between the former public entertainment uses and the proposed uses, usage frequency, the number of visitors and their transportation method, the proposed change of use will not have any significant traffic impacts on the surroundings.

5.6 No Adverse Fire Safety

To provide a safe environment for all kinds of visitors, all the fire service provisions inside the Application Premises would meet the latest regulations and code of practices. Fire escape routes are provided to the staircases indicated by the "Exit" lights to allow obstruction-free fire escape routes in consideration of potential numbers of visitors and staff. Such fire safety enforcement would mitigate the potential risks of hazards to all occupants of the subject building.

Section Six - Conclusion

- 6.1 The section 16 planning application is submitted to seek support from TPB for the Proposed Religious Institution with Ancillary Shop and Services, Eating Place and Office in the entertainment unit no. 3 on 1/F, Ho Shun Lee Building, No. 9 Fung Yau Street South, Yuen Long, New Territories.
- 6.2 The Application Premises is fully justified on the following grounds:
- a. the proposal is compatible with the land uses in the subject building and the surroundings;
 - b. The size, layout and location of the Application Premises is fit to the applicant for expansion of the church's service, so as to provide social welfare services and promote Christianity not only the applicants' members in New Territories but also the local community, the underprivileged and the adjacent Christian schools; and
 - c. The proposed scheme has been taken thoughtful considerations to the residents in the subject building and the neighborhood. It is unlikely to pose adverse traffic and fire safety impacts.
- 6.3 To conclude, the Application Premises is fully justified in terms of planning considerations. In view of the above, members of the TPB are respectfully requested to favourably consider the present application in support of the continuous religious services by the Applicant in Yuen Long District.