

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H19/78
(for 3rd Deferment)

- Applicant:** Rostar Company Limited represented by Prudential Surveyors International Limited
- Site:** No. 7 Stanley Market Road and Nos. 78 & 79 Stanley Main Street, Stanley (Stanley Inland Lot No. 124 and Stanley Lot Nos. 427 and 428)
- Site Area:** About 523m²
- Lease:** Stanley Inland Lot No. 124
- restricted to agricultural or garden purpose
 - Condition of Lease Extension for a term of 50 years commencing from 1.10.2008
- Stanley Lot Nos. 427 and 428
- 'building' subject to non-offensive trade restriction
 - Stanley Block Government Lease for a term of 999 years from 1894
- Plan:** Approved Stanley Outline Zoning Plan (OZP) No. S/H19/12
- Zoning:** "Commercial (1)" ("C(1)") and an area shown as 'Pedestrian Precinct/Street'
- Application:** Proposed Minor Relaxation of Building Height Restriction for Permitted Commercial Development within "C(1)" zone and Proposed 'Eating Place' and 'Shop and Services' Uses within an area shown as 'Pedestrian Precinct/Street'

1. Background

- 1.1 On 13.12.2018, the Town Planning Board (the Board) received an application seeking planning permission for proposed minor relaxation of building height restriction for "C(1)" zone and proposed 'Eating Place' and 'Shop and Services' uses within an area shown as 'Pedestrian Precinct/Street' at No. 7 Stanley Market Road and Nos. 78 & 79 Stanley Main Street, Stanley on the approved Stanley OZP No. S/H19/12 (**Plan A-1**) for a proposed commercial development.
- 1.2 On 1.2.2019, the Metro Planning Committee (the Committee) agreed to defer making a decision on the application for two months, as requested by the applicant,

to allow time for preparation of further information (FI) to address relevant departmental comments. Subsequently, the applicant submitted FIs on 14.3.2019 and 21.3.2019 in response to departmental comments received.

- 1.3 On 30.4.2019, the applicant's representative wrote to the Secretary of the Board requesting the Committee to defer making a decision on the application for another two months so as to allow sufficient time for preparation of submission of FI to address relevant departmental comments received. On 17.5.2019, the Committee agreed to defer making a decision on the application as requested by the applicant pending the submission of FI.

2. Request for Deferment

On 5.7.2019, the applicant's representative wrote to the Secretary of the Board requesting the Committee to defer making a decision on the application for a further two months so as to allow sufficient time for preparation of submission of FI to address the departmental comments received (**Appendix I**).

3. Planning Department's Views

- 3.1. The application has been deferred twice for a total of four months at the request of the applicant to allow time for preparation of FI to address relevant departmental comments. Since the second deferment on 17.5.2019, the applicant has discussed with concerned government departments on traffic-related issues. According to the applicant, more time is needed for preparation of FI to resolve departmental comments (**Appendix I**).
- 3.2. The Planning Department has no objection to the request for deferment as the justifications provided meet the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33) in that the applicant needs more time to prepare FI in response to departmental comments, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties.
- 3.3. Should the Committee agree to defer making a decision on the application, the application will be submitted to the Committee for consideration within two months upon receipt of FI from the applicant. If the FI submitted by the applicant is not substantial and can be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The applicant should be advised that the Committee has allowed a further two months for preparation of submission of FI. Since it is the third deferment of the application, the applicant should be advised that the Committee has allowed a total of six months for preparation of submission of FI, and no further deferment would be granted unless under very special circumstances.

4. Decision Sought

The Committee is invited to consider whether or not to accede to the applicant's request for deferment. If the request is not acceded to, the application will be submitted for the Committee's consideration at the next meeting.

5. Attachments

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| Appendix I | Letters dated 5.7.2019 and 10.7.2019 from the Applicant's representative |
| Plan A-1 | Location Plan |

**PLANNING DEPARTMENT
JULY 2019**