

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/631
(2nd Deferment)

- Applicant** : Firm Yield Development Limited
- Site** : Lot 529 S.B (Part) in D.D. 109 and Lot 644 S.A RP (Part) in D.D. 110 and adjoining Government land, Kam Tin Road, Kam Tin, Yuen Long
- Site Area** : About 460 m²
(including Government land of about 38m²)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North OZP No. S/YL-KTN/9
- Zoning** : “Open Space” (“O”) (371.05m² or 80.68%)
“Residential (Group D)” (“R(D)”) (88.88m² or 19.32%)
[maximum PR of 0.4 and building height of 3 storeys (9m)]
- Application** : Temporary Open Storage of Private Cars for a Period of 3 Years

1. Background

- 1.1 On 6.9.2018, the applicant submitted the subject application to seek planning permission to use the application site (the Site) (**Plan A-1**) for temporary open storage of private cars for a period of 3 years.
- 1.2 On 2.11.2018, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application, as requested by the applicant, to allow two months’ time for the applicant to prepare further information to address the departmental comments. Subsequently, on 16.11.2018 and 10.12.2018, the applicant submitted further information including photos and revised layout plans to address departmental comments. The application is scheduled for consideration by the Committee on 4.1.2019.

2. Request for Deferment

On 31.12.2018, the applicant wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the application for two

months so as to allow time for preparation of further information to address departmental comments (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred once for two months at the request of the applicant to allow more time to address the departmental comments. Since the first deferment on 2.11.2018, the applicant submitted further information on 16.11.2018 and 10.12.2018 to address departmental comments. Nevertheless, the applicant explains that she needs more time to address further comments from relevant department.
- 3.2 The Planning Department has no objection to the request for deferment as the justifications for deferment 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 further information 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 a decision on the application, the application will be submitted to the Committee for consideration within two months upon receipt of further submission from the applicant. If the further information 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 Committee's consideration. Since it is the second deferment of the application, the applicant should be advised that the Committee has allowed a total of four months for preparation of submission of further information as requested by the applicant, 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

Appendix I	Letter dated 31.12.2018 from the applicant requesting for deferment
Plan A-1	Location Plan