

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-KTS/466
(3rd Deferment)

- Applicant** : Lucky Sky Creation Limited represented by Fotton ELA Architects Ltd.
- Site** : Lots 344A RP (Part), 402 S.B (Part) and 448 RP (Part) in D.D. 94 and Adjoining Government Land, Hang Tau Tai Po, Sheung Shui, New Territories
- Site Area** : 5,627m² (including about 52m² of Government Land (about 0.9%))
- Lease** : Block Government Lease (demised for agricultural use)
Lot 402 S.B (Part) in D.D. 94

New Grant agricultural lots
Lots 344A RP (Part) and 448 RP (Part) in D.D. 94
- Plan** : Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/16
- Zoning** : “Residential (Group D)” (“R(D)”) [restricted to a maximum plot ratio (PR) of 0.4 and a maximum building height (BH) of 3 storeys (9m)]
- Application** : Proposed Residential Development (Houses) and Minor Relaxation of PR and BH Restrictions

1. Background

- 1.1 On 7.1.2019, the applicant submitted the application to seek planning permission for proposed residential development and minor relaxation of PR and BH restrictions at the application site (**Plan A-1**).
- 1.2 On 22.2.2019 and 21.6.2019, 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 (FI) to address departmental comments. Upon receipt of the FI on

12.8.2019 submitted by the applicant, the application is scheduled for consideration by the Committee at this meeting on 4.10.2019.

2. **Request for Deferment**

On 16.9.2019, the applicant wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer the consideration of the application in order to allow two months' time for the applicant to prepare FI to address comments from Transport Department (TD) (**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 more time to address departmental comments. Since the last deferment on 21.6.2019, the applicant has submitted FI on 12.8.2019 to address departmental comments. However, the applicant need more time to prepare FI to address TD's comments.
- 3.2 The Planning Department has no objection to the request for deferment as the justification for deferment meets 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. 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 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 to the Committee for consideration at the next meeting.

5. **Attachments**

**Appendix I
Plan A-1**

Letter of 16.9.2019 from the applicant
Location Plan

**PLANNING DEPARTMENT
OCTOBER 2019**