

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM-LTYYY/390
(for 2nd Deferment)

- Applicant** : Suen Chi Fai represented by Sun Cheong Management Consultant Limited
- Site** : Lots 3835 S.A and 3836 in D.D. 124, Lam Tei, Tuen Mun, New Territories
- Site Area** : About 948 m²
- Land Status** : Block Government Lease (demised for agricultural use)
- Plans** : Approved Lam Tei and Yick Yuen Outline Zoning Plan (OZP) No. S/TM-LTYYY/10
- Zoning** : “Village Type Development” (“V”)
[Restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Proposed Temporary Shop and Services (Retail of Family Goods) with Ancillary Office for a Period of 3 Years

1. Background

- 1.1 On 22.10.2019, the applicant sought planning permission to use the application site (the Site) for proposed temporary shop and services (retail of family goods) with ancillary office for a period of 3 years (**Plan A-1**).
- 1.2 On 13.12.2019, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) decided to defer a decision on the application for two months as requested by the applicant, so as to allow time for preparation of further information (FI) to address the departmental and public comments. The applicant submitted FI on 12.2.2020, 3.3.2020 and 16.3.2020. The application was scheduled for consideration by the Committee of the Board at this meeting.

2. **Request for Deferment**

On 26.4.2020, the applicant's representative wrote to the Secretary of 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 (FI) to address the further departmental comments, including the comments from the Transport Department (TD) (**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 departmental comments. Since the last deferment, the applicant has submitted FI including a revised site layout plan and responses to comments of TD and the Environmental Protection Department, etc. The current request for deferment for an additional two months is to allow time to resolve the further comments from government departments.

3.2 The Planning Department has no objection to the request for deferment as the justification 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 address 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 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 second deferment of the application, the applicant should be advised that the Committee has allowed a total of four months including the previous deferment 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 to the Committee for consideration at the next meeting.

5. **Attachments**

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| Appendix I | Letter of 26.4.2020 from the applicant |
| Plan A-1 | Location plan |