

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/950
(for 3rd Deferment)

- Applicant** : Protic Limited represented by Llewelyn-Davies Hong Kong Limited
- Site** : Lots 1367, 1372 S.A RP, 1372 S.B RP, 1372 RP, 1373 S.B RP, 1373 S.C RP (Part), 1373 S.E RP, 1373 S.F RP, 1839 S.A, 1839 S.B, 1839 S.C, 1839 S.D, 1839 S.E, 1839 RP, 1937 S.A RP, 1937 S.B RP and 1937 RP in D.D. 121 and Adjoining Government Land (GL), Junction of Tong Yan San Tsuen Road and Ma Fung Ling Road, Yuen Long, New Territories
- Site Area** : 7,530m² (about) (including about 1,493m² of GL)
- Lease** : (i) Block Government Lease (demised for agricultural use)
(ii) New Grant Agricultural Lots
(iii) New Grant Private Lots for Private Residential Purposes
- Plan** : Approved Tong Yan San Tsuen Outline Zoning Plan No. S/YL-TYST/12
- Zoning** : “Residential (Group B) 1” (“R(B)1”)
[Restricted to maximum plot ratio of 1, maximum site coverage of 40% and maximum building height of 4 storeys over single-storey carpark (15m)]
- Application** : Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Residential Development

1. Background

- 1.1 On 30.1.2019, the applicant sought planning permission to use the application site (the Site) for proposed minor relaxation of plot ratio and building height restrictions for permitted residential development (**Plan A-1**).
- 1.2 On 22.3.2019, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer a decision on the application for 2 months, as requested by the applicant, so as to allow time for the applicant to address departmental and public comments.
- 1.3 On 19.6.2019, the applicant further requested the Committee to defer a decision on the application for two months in order to allow time to address departmental

comments. On 5.7.2019, the Committee agreed to defer a decision on the application for a further two months as requested by the applicant (**Appendix I**).

- 1.4 On 14.5.2019, 28.5.2019, 12.8.2019, 13.9.2019, 9.10.2019 and 18.10.2019, the applicant submitted six further information (FI) to address departmental and public comments. The application is scheduled for consideration by the Committee of the Board at this meeting.

2. Request for Deferment

On 24.10.2019, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for 2 months so as to allow time to address departmental comments (**Appendix II**).

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. Since the last deferment on 5.7.2019, the applicant has submitted a number of FI to address departmental comments. The applicant has indicated that more time is needed for the preparation of submission of FI in response to further comments of the government departments.
- 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 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 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 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 this is the third deferment, the applicant should be advised that the Committee has allowed a total of six months including the previous deferments 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

Appendix I	Letter dated 19.7.2019 from the Secretary of the Board
Appendix II	Letter dated 24.10.2019 from the applicant's representative
Plan A-1	Location Plan

**PLANNING DEPARTMENT
NOVEMBER 2019**