

**REVIEW OF APPLICATION NO. A/K18/325**  
**UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE**  
***(2<sup>nd</sup> Deferment)***

- Applicant** : Golden Fook Company Limited represented by Lanbase Surveyors Limited
- Site** : 3 Flint Road, Kowloon Tong, Kowloon
- Site Area** : About 1,114.82m<sup>2</sup>
- Lease** : (a) Lot No. NKIL No. 2637, lease term extended up to 30.6.2047  
(b) Subject to the following main restrictions:  
(i) one house of European type designed for the occupation of one family;  
(ii) design and disposition clause;  
(iii) building height limitation of 35 ft;  
(iv) will not alter any building on the lot; and  
(v) will not erect any building within 10 feet of any public road.
- Plan** : Approved Kowloon Tong Outline Zoning Plan (OZP) No. S/K18/21
- Zoning** : “Residential (Group C) 3” (“R(C)3”)  
  
[maximum plot ratio (PR) of 1.65 and maximum building height (BH) of 10.67m or the PR and height of the existing building, whichever is the greater]
- Application** : School (Kindergarten)
- MPC’s Decision** : Rejected  
**[Date of Consideration]** [18.5.2018]
- Subject of Review** : To review the Metro Planning Committee (MPC)’s decision to reject the application

**1. Background**

- 1.1 On 4.12.2017, the applicant sought planning permission for conversion of the ground floor (G/F) and first floor (1/F) of an existing building for ‘School

(Kindergarten)' use at the application site (the Site) (**Plan R-1**) under section 16 of the Town Planning Ordinance (the Ordinance). On 18.5.2018, the MPC of the Town Planning Board (the Board) rejected the application.

- 1.2 On 21.6.2018, the applicant's representative applied, under section 17(1) of the Ordinance, for a review of the MPC's decision to reject the application. On 14.9.2018, at the request of the applicant, the Board agreed to defer making a decision on the review application for two months as requested by the applicant to allow adequate time for the preparation of a written representation with justifications, including observation of kerbside utilisation in the new academic year (2018-19). On 14.11.2018, the applicant submitted a written representation including a Traffic Impact Assessment (TIA) with revised proposed traffic mitigation measures in support of the review application. The review application is scheduled for consideration by the Board at this meeting.

## 2. **Request for Deferment**

On 16.1.2019, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for another two months to allow adequate time for preparation of further information (FI), including analysis of video recordings of the traffic conditions, to address departmental comments (**Appendix I**).

## 3. **Planning Department's Views**

- 3.1 The application has been deferred once at the request of the applicant to allow two months for preparation of FI. Since the first deferment on 14.9.2018, the applicant submitted a written representation including a TIA with revised proposed traffic mitigation measures. According to the applicant, more time is required to address the further comments from government departments.
- 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 interest of other relevant parties.
- 3.3 Should the Board agree to defer making a decision on the review application, the application will be submitted to the Board for consideration within three 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 Board's consideration. The applicant should be advised that the Board has allowed a total of four months for preparation of

submission of FI, and no further deferment would be granted unless under very special circumstances.

**4. Decision Sought**

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

**5. Attachments**

**Appendix I** Letter dated 16.1.2019 from the applicant's representative requesting for deferment

**Plan R-1** Location plan

**PLANNING DEPARTMENT  
JANUARY 2019**