

REVIEW OF APPLICATION NO. A/K7/115
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE
(1st Deferment)

- Applicant** : Mr. Yeung Wah Keung represented by Ove Arup & Partners Hong Kong Limited
- Site** : 5 – 7 Ho Man Tin Street, Kowloon
- Site Area** : About 701.40m²
- Lease** : Kowloon Inland Lot No. 9171 (KIL 9171) governed by the Conditions of Exchange No. 8595 with the following conditions:
- (i) for private residential purpose;
 - (ii) not exceeding 11 storeys in height;
 - (iii) parking of motor vehicles not less than two cars per floor; properly accessible car ports under the building will be permitted in addition to the number of storeys stated in (ii);
 - (iv) no building shall be erected within 16 feet of Ho Man Tin Street; and
 - (v) not exceeding a height of 300 feet above principal datum.
- Plan** : Approved Ho Man Tin Outline Zoning Plan (OZP) No. S/K7/24
- Zoning** : “Residential (Group B)1” (“R(B)1”)
- (a) maximum plot ratio (PR) of 3.3 and maximum building height (BH) of 12 storeys over car parks, or the PR and height of the existing building, whichever is the greater; and
 - (b) provisions for application for minor relaxation of the PR/BH restrictions
- Application** : Proposed Minor Relaxation of the Existing BH (“11 Storeys over 1 Storey of Car Park”) to “11 Storeys over 2 Storeys of Car Park” for a Permitted Residential Development
- MPC’s Decision** : Rejected
[Date of Consideration] : [2.8.2019]
- Subject of Review** : To review the Metro Planning Committee (MPC)’s decision to reject the application

1. **Background**

- 1.1 On 26.10.2018, the applicant submitted an application to seek planning permission for minor relaxation of the existing BH (“11 storeys over 1 storey of car park”) to “11 storeys over 2 storeys of car park” for a permitted residential development at the application site (the Site) (**Plan R-1**) under section 16 of the Town Planning Ordinance (the Ordinance). On 2.8.2019, the MPC of the Town Planning Board (the Board) rejected the application.
- 1.2 On 3.9.2019, the applicant’s representative applied, under section 17(1) of the Ordinance, for a review of the MPC’s decision to reject the application. The review application is scheduled for consideration by the Board on 22.11.2019.

2. **Request for Deferment**

On 6.11.2019, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for two months to allow adequate time for the preparation of supplementary information to address comments from various Government departments (**Appendix I**).

3. **Planning Department’s Views**

- 3.1 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 address departmental comments, the deferment period is not indefinite and the deferment would not affect the interest of other relevant parties.
- 3.2 Should the Committee agree to defer making a decision on the application, the application will be submitted to the Committee for consideration within three months upon receipt of further information 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 the Committee’s consideration. The applicant should be advised that the Committee has allowed two months for preparation of submission of further information, 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 R-1**

Letter received on 6.11.2019 from the applicant's representative
Location Plan

**PLANNING DEPARTMENT
NOVEMBER 2019**