

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H19/80
(for 1st Deferment)

<u>Applicant</u>	Rostar Company Limited represented by Prudential Surveyors International Limited
<u>Site</u>	7 Stanley Market Road and 78 and 79 Stanley Main Street, Stanley (Stanley Lots 427 and 428 and Stanley Inland Lot 124)
<u>Site Area</u>	About 523 m ²
<u>Lease</u>	Stanley Lots 427 and 428 - 'building' subject to non-offensive trade restriction - Stanley Block Government Lease for a term of 999 years from 1894 Stanley Inland Lot 124 - restricted to agricultural or garden purpose - Condition of Lease Extension for a term of 50 years commencing from 1.10.2008
<u>Plan</u>	Approved Stanley Outline Zoning Plan (OZP) No. S/H19/12
<u>Zonings</u>	"Commercial (1)" ("C(1)") and an area shown as 'Pedestrian Precinct/Street' ('PPS')
<u>Application</u>	Proposed Minor Relaxation of Building Height (BH) Restriction for Permitted Commercial Development within "C(1)" Zone and Proposed 'Eating Place' and 'Shop and Services' Uses within an area shown as 'PPS'

1. Background

- 1.1 On 9.1.2020, the Town Planning Board (the Board) received a planning application for proposed minor relaxation of BH restriction for "C(1)" zone and proposed 'Eating Place' and 'Shop and Services' uses within an area shown as 'PPS' at 7 Stanley Market Road and 78 and 79 Stanley Main Street, Stanley (the Site) on the approved Stanley OZP No. S/H19/12 (**Plan A-1**) for a proposed commercial development.

- 1.2 The Site was the subject of five previous planning applications submitted by the same applicant with one in 2016 (No. A/H19/74), two in 2017 (Nos. A/H19/75 and A/H19/76) and two in 2018 (Nos. A/H19/77 and A/H19/78) for minor relaxation for BH restriction for permitted commercial development within “C(1)” zone and proposed commercial uses within an area shown as ‘PPS’ similar to the current application. For three of these applications (Nos. A/H19/74, A/H19/77 and A/H19/78), the applicant had submitted at least two rounds of further information and made request for deferment not less than twice, but the applications were subsequently withdrawn by the applicant before they were submitted to the Metro Planning Committee (the Committee) of the Board for consideration. The remaining two applications were also withdrawn by the applicant within four months from the date of their submissions. Besides, majority of the public comments received for these applications were against the proposals. For the current application, the applicant submitted further information on 14.2.2020 which has been published for public inspection.
- 1.3 In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 3.4.2020 for consideration of the application has been rescheduled, and the Committee has agreed to defer consideration of the application. The application is now scheduled for consideration by the Committee at this meeting.

2. **Request for Deferment**

On 23.3.2020, the applicant’s representative wrote to the Secretary of the Board and requested the Committee to defer making a decision on the application for two months in order to allow time for preparation of further information to address relevant departmental comments (**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 respond to relevant government departments in resolving major technical issues, the deferment period is not indefinite, and the deferment would not affect the interests of other relevant parties. In view of the history of the previous planning applications for similar proposals at the Site, as highlighted in paragraph 1.2 above, it is recommended that no further deferment would be granted.
- 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 two months upon receipt of further submission 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 a period of two months for preparation of further information, and no further deferment would be granted.

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 from the applicant's representative dated 23.3.2020
Plan A-1 Location Plan

**PLANNING DEPARTMENT
MAY 2020**