

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PH/794
(3rd Deferment)

- Applicant** : Mr. Malik Afsar Khan represented by Metro Planning and Development Company Limited
- Site** : Lots 208 (Part), 209 S.D, 209 S.E, 209 S.F, 209 S.G (Part), 209 RP (Part) and 215 S.B ss.2 (Part) in D.D. 111, Sheung Che, Pat Heung, Yuen Long
- Site Area** : About 1,500 m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Village Type Development” (“V”)
[maximum building height of 3 storeys (8.23m)]
- Application** : Proposed Temporary Public Vehicle Park for Private Cars for a Period of 3 Years

1. Background

- 1.1 On 22.10.2018, the applicant submitted the subject application to seek planning permission to use the application site (the Site) (**Plan A-1**) for temporary public vehicle park for private cars for a period of 3 years.
- 1.2 On 21.12.2018, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application, as requested by the applicant, to allow two months’ time for the applicant to prepare further information to address the departmental comments. Subsequently, on 20.2.2019 and 8.3.2019, the applicant submitted further information on traffic aspect to address departmental comments.
- 1.3 On 22.3.2019, the Committee agreed to defer a decision on the application, as requested by the applicant, to allow two months’ time to address departmental comments. Subsequently, on 26.3.2019, the applicant submitted further information including traffic arrangement in response to departmental comments. The application is scheduled for the Committee’s consideration on 3.5.2019.

2. Request for Deferment

On 18.4.2019, the applicant's representative wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the application so as to allow two months' time for preparation of further information in response to further comments from the Transport Department (**Appendix I**).

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 to allow more time to prepare further information to address the departmental comments. Since the second deferment on 22.3.2019, the applicant submitted further information on 26.3.2019 to address departmental comments. The applicant explains that he needs more time to address further departmental comments.

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 further information 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 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 Committee's consideration. The applicant should be advised that the Committee has allowed further two months for the applicant to prepare the submission of further information. Since it is the third deferment of the application, the applicant should be advised that the Committee has allowed a total of six months for preparation of submission of further information as requested by the applicant, 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 for the Committee's consideration at the next meeting.

5. **Attachments**

Appendix I Email dated 18.4.2019 from the applicant's representative
 requesting for deferment

Plan A-1 Location Plan

**PLANNING DEPARTMENT
MAY 2019**