

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/FSS/276
(2nd Deferment)

<u>Applicant</u>	: Faith Luck Corporation Limited and Win Million International Limited represented by Lanbase Surveyors Limited
<u>Site</u>	: Various Lots in D.D. 51, Fanling, New Territories
<u>Site Area</u>	: About 9,987m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/24
<u>Zoning</u>	: "Village Type Development" ("V") [maximum building height of 3 storeys (8.23m)] ¹
<u>Application</u>	: Proposed House and Social Welfare Facility (Residential Care Home for the Elderly) and Minor Relaxation of Building Height Restriction

1. Background

- 1.1 On 12.3.2020, the applicant submitted the application to seek planning permission for development of houses with an ancillary clubhouse and a social welfare facility (residential care home for the elderly (RCHE)) on the application site (**Plan A-1**) and minor relaxation of building height restriction for the proposed houses.
- 1.2 On 24.4.2020, 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 two months, as requested by the applicant, to allow time to prepare further information (FI) to address departmental comments. On 10.6.2020, the applicant submitted FI to address departmental comments. In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 7.8.2020 for consideration of the application has been rescheduled, and the Board has agreed to defer consideration of the application. The application is now scheduled for consideration by the Committee at this meeting.

¹ According to the Notes of the OZP, the building height restriction is applicable to 'House' use, but not applicable to 'Social Welfare Facility' use.

2. Request for Deferment

On 24.7.2020, 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 in order to allow time to prepare FI in response to comments from Transport Department (TD) and Environmental Protection Department (EPD) (**Appendix I**).

3. Planning Department’s View

3.1 The application has been deferred once for two months at the request of the applicant to allow more time to address departmental comments. Since the first deferment on 24.4.2020, the applicant has submitted FI on 10.6.2020 to address departmental comments. However, the applicant indicates that more time is needed to prepare FI in response to further comments from TD and EPD.

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 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 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 for the Committee’s consideration at the next meeting.

5. Attachments

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| Appendix I | Letter received on 24.7.2020 from the applicant’s representative requesting for deferment |
| Plan A-1 | Location Plan |