

REVIEW OF APPLICATION NO. A/H19/80
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

(For 1st Deferment)

- Applicant** : Rostar Company Limited represented by Prudential Surveyors International Limited
- Site** : 7 Stanley Market Road and 78 and 79 Stanley Main Street, Stanley (Stanley Lots 427 and 428 and Stanley Inland Lot 124)
- Site Area** : About 523 m²
- Lease** : 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
- Plan** : Draft Stanley Outline Zoning Plan (OZP) No. S/H19/13 (currently in force)
- Approved Stanley OZP No. S/H19/12 (at the time of submission of s.16 planning application)
- Zonings** : "Commercial (1)" ("C(1)") and an area shown as 'Pedestrian Precinct/Street' ('PPS')
- Application** : 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'
- MPC's Decision** : Rejected on 18.9.2020
- Subject of Review** : To review the Metro Planning Committee (MPC)'s decision to reject the application

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 R-1**) for a proposed commercial development. On 18.9.2020, the MPC of the Board rejected the application.

1.2 On 21.10.2020, the applicant 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 15.1.2021.

2. Request for Deferment

On 23.12.2020, the applicant’s representative wrote to the Secretary of the Board and requested the Committee to defer making a decision on the review application for two months in order to allow time for preparation of further information (FI) to address comments from relevant government departments (**Annex 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.

3.2 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 FI submitted by the applicant is not substantial and can be processed within a shorter time, the applicant could be submitted to an earlier meeting for Board’s consideration. The applicant should be advised that the Board has allowed two months for the preparation and 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 application will be submitted to the Board for consideration at the next meeting.

5. Attachments

Annex I Letter dated 23.12.2020 from the applicant's representative
Plan R-1 Location Plan

**PLANNING DEPARTMENT
JANUARY 2021**