

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H3/442
(for 4th Deferment)

- Applicant** : Grand Connaught Company Limited represented by Ove Arup & Partners Hong Kong Limited
- Site** : 92-103A Connaught Road West and 91, 99 and 101 Des Voeux Road West, Sheung Wan, Hong Kong
- Site Area** : About 1,878.805m²
- Lease** : Marine Lot (ML) 398 RP, ML 399, ML 400 RP, ML 401 s.A, ML 402 RP, ML 403 RP, ML 404 s.A RP, ML 404 RP, ML 478 RP, ML 479 s.A, ML 479 RP, ML 483, ML 484 s.A and ML 484 RP, and Inland Lot (IL) 2217, IL 2231 RP, IL 2963 and IL 3035
- (a) virtually unrestricted subject to the standard non-offensive trades clause;
 - (b) removal of 5 non-offensive trades, namely sugar-baker, oilman, butcher, victualler and tavern-keeper under a no-objection letter for ML 401 s.A and ML 402 RP;
 - (c) subject to a right-of-way clause (for ML 478, ML 479, ML 483, ML 484, IL 2963 and IL 3035 only); and
 - (d) lot owner is required to provide yard in erecting of any building(s) on the lot, and the depth of which shall be subject to the depth of the building(s) (for ML 479 and IL 2963 only).
- Plan** : Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan (OZP) No. S/H3/34
- Zoning** : “Commercial”
- (a) restricted to a maximum building height (BH) of 120mPD, or the height of the existing building, whichever is the greater
 - (b) provision for application for minor relaxation of the BH restriction
- Application** : Proposed Minor Relaxation of Building Height Restriction (BHR) for Permitted Office, Shop and Services and Eating Place Uses

1. Background

- 1.1 On 20.1.2021, the applicant submitted the current application to seek planning permission for minor relaxation of BHR from 120mPD to 136mPD for a proposed commercial development at the subject site (**Plan A-1**).

- 1.2 On 12.3.2021, 25.6.2021 and 15.10.2021, the Metro Planning Committee (the Committee) of the Town Planning Board (Board) agreed to defer making a decision on the application for two months for each deferment, as requested by the applicant, to allow sufficient time to address departmental comments and public comments. On 18.3.2021, 30.4.2021, 25.8.2021, 5.10.2021 and 14.12.2021, the applicant submitted further information (FI) to address departmental comments and public comments. The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 13.1.2022, the applicant's representative wrote to the Secretary of the Board and requested the Board to further defer making a decision on the application for a period of two months in order to allow more time for preparation of FI to refine the proposed design and to address the comments from government departments (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred three times for a total of six months at the request of applicant. Since the last deferment on 15.10.2021, the applicant has submitted FI on 14.12.2021, including responses to departmental comments, revised design and supplementary technical information for the proposed pedestrian access to address departmental comments. As concerned departments have raised further comments on the latest FI submitted, the applicant requests more time to prepare FI to address their concerns.
- 3.2 The Planning Department has no objection to the request for deferment as the justification 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. 33A)¹ in that the applicant needs more time to prepare FI to address 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 FI from the applicant. If the FI 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. Since it is the fourth deferment of the application, the applicant should be advised that the Committee has allowed a total of eight months for preparation of submission of FI as requested by the applicant, and no further deferment would be granted.

4. Decision Sought

¹ The number of deferments to be granted stipulated under TPB PG-No.33A is not applicable to this application which was received before the promulgation of the revised guidelines on 24.8.2021.

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 dated 13.1.2022 from the applicant's representative

Plan A-1

Location Plan

PLANNING DEPARTMENT

JANUARY 2022