

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H5/414
(for 2nd Deferment)

<u>Applicant</u>	Board Profit Limited and Come First Limited represented by Masterplan Limited
<u>Site</u>	33 – 35 Kennedy Road, Wan Chai, Hong Kong
<u>Site Area</u>	About 715.7m ²
<u>Lease</u>	Inland Lot (IL) 1923 S.C ss.1 and IL 1923 S.C ss.2 - Permit for development of European type and design subject to the standard non-offensive trade clause and rate and range clause
<u>Plan</u>	Draft Wan Chai Outline Zoning Plan (OZP) No. S/H5/28
<u>Zoning</u>	“Residential (Group B)” (“R(B)”) – about 686.37m ² (95.9%) (a) Subject to a maximum building height (BH) of 120mPD or the height of the existing building, whichever is the greater (b) Minor relaxation of the BH restriction may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance Area shown as ‘Road’ – about 29.33m ² (4.1%)
<u>Application</u>	Proposed Minor Relaxation of BH Restriction for Permitted Flat Use

1. Background

- 1.1 On 26.11.2020, the Town Planning Board (the Board) received an application seeking planning permission for proposed minor relaxation of BH restriction for permitted flat use at the application site (**Plan A-1**).
- 1.2 On 22.1.2021, the Metro Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months, as requested by the applicant, to allow sufficient time to address departmental comments. Subsequently, the applicant submitted further information on 4.3.2021 and 18.3.2021 providing responses to departmental comments, Traffic Technical Note, revised floor plans, location plans of existing trees and proposed landscaping area, and section drawings of the special floors, etc.. The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 13.4.2021, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for a period of two months so as to allow time for preparation of further information to address the comments from the Transport Department (TD) (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred once for two months at the request of the applicant. Since the first deferment on 22.1.2021, the applicant has submitted further information including Traffic Technical Note, revised floor plans, location plans of existing trees and proposed landscaping area, and section drawings of the special floors to address departmental comments. As there are further comments from TD, the applicant has indicated that more time is needed to prepare further information to address TD's 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 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 maximum period of two months for the preparation of submission of further information. Since it is the second deferment of the application, the applicant should also be advised that the Committee has allowed a total of four months for the preparation of submission of further information, 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 to the Committee for consideration at the next meeting.

5. Attachments

Appendix I	Letter dated 13.4.2021 from the applicant's representative
Plan A-1	Location plan

**PLANNING DEPARTMENT
APRIL 2021**