

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K5/847
(for 2nd Deferment)

- Applicant** : Swanco Limited represented by Fruit Design & Build Limited
- Site** : 850-870 Lai Chi Kok Road, Cheung Sha Wan, Kowloon and adjoining Government Land
- Site Area** : About 1,407m²
- Lease** : New Kowloon Inland Lot (NKIL) No. 5566
- (a) held under Conditions of Sale No. 10583 dated 8.2.1974 as varied or modified by a Modification Letter dated 28.12.1981
- (b) restricted to industrial or godown purposes or both excluding offensive trades, a maximum building height (BH) of 150 feet above Hong Kong Principal Datum (HKPD) and no gross floor area restriction under lease
- (c) a No-objection Letter dated 4.10.1993 has relaxed, for the lifetime of the existing building, the height restriction to 53.125m above HKPD for erection of one additional storey as ancillary office
- Plan** : Draft Cheung Sha Wan Outline Zoning Plan (OZP) No. S/K5/38
[*currently in force*]
- Approved Cheung Sha Wan OZP No. S/K5/37
[*at the time of application*]
- Zoning** : “Other Specified Uses” annotated “Business”
- (a) maximum plot ratio (PR) of 12
- (b) maximum building height of 120 metres above Principal Datum
- [*No change in zoning and development restrictions for the Site under the two aforesaid OZPs*]
- Application** : Proposed Minor Relaxation of PR Restriction for Permitted Office, Eating Place, Shop and Services Uses

1. **Background**

- 1.1 On 29.12.2021, the applicant submitted the current application to seek planning permission for proposed minor relaxation of PR restriction for permitted office, eating place, shop and services uses at the subject site (**Plan A-1**).
- 1.2 On 18.2.2022, the Metro Planning Committee (the Committee) agreed to defer making a decision on the application for two months, as requested by the applicant, to allow time to address departmental comments.
- 1.3 On 23.5.2022, the applicant submitted further information including a new Sewerage Impact Assessment and responses to departmental comments. The application is scheduled for consideration by the Committee at this meeting.

2. **Request for Deferment**

On 29.6.2022, the applicant's representative wrote to the Secretary, Town Planning Board (the Board) and requested the Board to further defer making a decision on the application for two months in order to allow more time to mainly prepare the Traffic Impact Assessment (**Appendix I**).

3. **Planning Department's Views**

- 3.1 The Planning Department has no objection to the request for the second 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. 33A) in that the deferment would allow more time for the applicant to prepare further information to address outstanding issues.
- 3.2 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 could 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 total of four months for preparation of the submission of further information. The second deferment should be the last deferment and no further deferment would be granted unless under very special circumstances and supported with strong justifications.

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 Letter from Applicant's representative dated 29.6.2022

Plan A-1 Location plan

**PLANNING DEPARTMENT
JULY 2022**