

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATIONS NO. A/NE-LYT/744 and 745

(for 3rd Deferment)

<u>Applicants</u>	:	- Mr. TANG Hin Fung (Application No. A/NE-LYT/744) - Mr. WAN Keith Man Kit (Application No. A/NE-LYT/745) Both represented by Sunford Construction Engineering Limited
<u>Sites</u>	:	- Lot 1588 S.A (Application No. A/NE-LYT/744) - Lot 1588 S.B (Application No. A/NE-LYT/745) All in D.D. 83, Tung Kok Wai, Lung Yeuk Tau, Fanling, New Territories
<u>Site Area</u>	:	- 192 m ² (about) (Application No. A/NE-LYT/744) - 191.95 m ² (about) (Application No. A/NE-LYT/745)
<u>Land Status</u>	:	- Block Government Lease (demised for agricultural use) - The subject lots are covered by Modification of Tenancy No. 37214
<u>Plan</u>	:	Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan (OZP) No. S/NE-LYT/17
<u>Zonings</u>	:	“Agriculture” (“AGR”) and “Village Type Development” (“V”)
<u>Applications</u>	:	Proposed House (New Territories Exempted House (NTEH) - Small House)

1. Background

- 1.1 On 2.2.2021, the applicants seek planning permission to build a NTEH (Small House) on each of the application sites (**Plan A-1**).
- 1.2 On 26.3.2021 and 23.7.2021, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer making a decision on the applications for two months each, as requested by the applicants, to allow time for the applicants to prepare Further Information (FI) to address the departmental comments. The applicants submitted FI on 21.9.2021 to address the comments of Transport Department (TD). The applications are scheduled for consideration by the Committee on 12.11.2021.

2. Request for Deferment

On 10.11.2021, the applicants' representative wrote to the Secretary of the Board and requested the Board to defer the consideration of the applications for two months in order to allow time to prepare further information (FI) to address the comments of Environmental Department (EPD) and Drainage Services Department (DSD) (**Appendix I**).

3. Planning Department's Views

- 3.1 The applications have been deferred twice for a total of four months at the request of the applicants to allow more time to address the departmental comments. Since the last deferment on 23.7.2021, the applicants have submitted FI on 21.9.2021 to address comments from TD. Nevertheless, the applicants need more time to prepare FI to address comments from EPD and DSD.
- 3.2 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. 33A¹) in that the applicants need 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 applications, the applications will be submitted to the Committee for consideration within two months upon receipt of further submission from the applicants. If the FI submitted by the applicants is not substantial and can be processed within a shorter time, the applications could be submitted to an earlier meeting for the Committee's consideration. The applicants should be advised that the Committee has allowed two months for preparation of submission of FI. Since it is the third deferment of the applications, the applicants should be advised that the Board has allowed a total of six 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 applicants' request for deferment. If the request is not acceded to, the applications will be submitted to the Committee for consideration at the next meeting.

5. Attachments

Appendix I	Letter dated on 10.11.2021 from the applicants' representative
Plan A-1	Location Plan

**PLANNING DEPARTMENT
NOVEMBER 2021**

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.