

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-KTN/767**  
***(for 2<sup>nd</sup> Deferment)***

<b><u>Applicant</u></b>	: Sun Fung Garden Limited represented by Land Supreme Surveyors Limited
<b><u>Site</u></b>	: Lots 3391, 3393 S.A, 3393 RP, 3394, 3396, 3399, 3401, 3402, 3403, 3405, 3412, 3413, 3415, 3422 and 3439 in D.D. 104, Long Ha, Kam Tin North, Yuen Long
<b><u>Site Area</u></b>	: About 3,905.79m <sup>2</sup>
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	: Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/9
<b><u>Zoning</u></b>	: “Comprehensive Development Area” (“CDA”) (90%) [Maximum plot ratio of 0.4 and building height of 4 storeys]  “Conservation Area” (“CA”) (10%)
<b><u>Application</u></b>	: Proposed Temporary Shop and Services (Landscaping and Gardening) with Ancillary Storage of Machinery and Materials, and Ancillary Class of Craftsmanship for a Period of 3 Years

**1. Background**

- 1.1 On 22.4.2021, the applicant submitted the subject application to seek planning permission to use the application site (the Site) (**Plan A-1**) for proposed temporary shop and services (landscaping and gardening) with ancillary storage of machinery and materials, and ancillary class of craftsmanship for a period of 3 years.
- 1.2 On 11.6.2021, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application, as requested by the applicant, to allow two months’ time for the applicant to prepare further information (FI) to address departmental comments. The application is scheduled for consideration by the Committee at this meeting.

## **2. Request for Deferment**

On 2.8.2021, the applicant's representative wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the application for further two months so as to allow time for preparation of FI in response to departmental comments (**Appendix I**).

## **3. Planning Department's Views**

- 3.1 The application has been deferred once for two months at the request of the applicant. The applicant has indicated that more time is needed for preparation of FI to address the departmental 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 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 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 Committee's consideration. Since it is the second deferment of the application, the applicant should be advised that the Committee has allowed a total of four months for preparation of submission of FI as requested by the applicant, 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 for the Committee's consideration at the next meeting.

## **5. Attachments**

<b>Appendix I</b>	Letter dated 2.8.2021 from the applicant's representative requesting for deferment
<b>Plan A-1</b>	Location Plan

**PLANNING DEPARTMENT  
AUGUST 2021**