

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

**APPLICATION NO. A/YL-KTN/858**  
***(for 2<sup>nd</sup> Deferment)***

<b><u>Applicant</u></b>	: Tomorrow View (Investment) Limited represented by Ms. LO Lai-wah
<b><u>Site</u></b>	: Various Lots in D.D.103 and Adjoining Government Land, Ko Po Tsuen, Kam Tin, Yuen Long
<b><u>Site Area</u></b>	: About 1,472m <sup>2</sup> (including about 607m <sup>2</sup> of Government land)
<b><u>Land Status</u></b>	: (i) Block Government Lease (demised for agricultural use) (about 59%) (ii) Government land (about 41%)
<b><u>Plan</u></b>	: Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/9 at the time of submission  Draft Kam Tin North OZP No. S/YL-KTN/10 currently in force [The zoning and development restrictions for the Site remain unchanged on the current draft OZP No. S/YL-KTN/10]
<b><u>Zoning</u></b>	: “Village Type Development” (“V”) [maximum building height of 3 storeys (8.23m)]
<b><u>Application</u></b>	: Temporary Shop and Services, Eating Place and Outside Seating Accommodation of a Restaurant with Ancillary Parking Spaces for a Period of 3 Years

**1. Background**

- 1.1 On 15.8.2022, the applicant submitted the application to seek planning permission for temporary shop and services, eating place and outside seating accommodation of a restaurant with ancillary parking spaces for a period of 3 years at the application site (**Plan A-1**).

- 1.2 On 14.10.2022, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application, as requested by the applicant, for two months to allow time for the applicant to prepare further information to address departmental comments. On 30.11.2022, the applicant submitted further information to address departmental comments. The application is scheduled for consideration by the Committee at this meeting.

## **2. Request for Deferment**

On 5.1.2023, 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 two more months for the applicant to prepare further information in response to departmental comments (**Appendix I**).

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

- 3.1 The Planning Department has no objection to the request for the second 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 Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33A) in that the applicant needs more time to prepare further information to address departmental comments, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties.
- 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 information 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 total of four months for preparation of 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 to the Committee for consideration at the next meeting.

**5.     Attachments**

**Appendix I**                      Email from the applicant's representative dated 5.1.2023

**Plan A-1**                        Location Plan

**PLANNING DEPARTMENT  
JANUARY 2023**