

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL/276
(for 3rd Deferment)

<u>Applicant</u>	: Wealthy Path Development Limited represented by DeSPACE (International) Limited
<u>Site</u>	: Lot 1846 RP in D.D. 120 and adjoining Government Land (GL), Ma Tin Pok, Yuen Long, New Territories
<u>Site Area</u>	: 1,103.9m ² (including GL of about 303.2m ² or 27.5%)
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/25 (current in force) Draft Yuen Long OZP No. S/YL/24 (at the time of submission)
<u>Zoning</u>	: "Government, Institution or Community(1)" ("G/IC(1)") (about 87.3%) <i>[restricted to a maximum building height (BH) of 3 storeys (or 8 storeys for 'School' and 'Hospital' uses) excluding basement(s)]</i> "Government, Institution or Community (5)" ("G/IC(5)") (about 12.7%) <i>[restricted to a maximum BH of 95mPD]</i>
<u>Application</u>	: Proposed Minor Relaxation of Building Height Restriction for Permitted Social Welfare Facility (Residential Care Home for the Elderly)

1. Background

- 1.1 On 7.6.2021, the applicant sought planning permission for proposed minor relaxation of building height restriction for permitted social welfare facility (residential care home for the elderly) at the application site (the Site) (**Plan A-1**).
- 1.2 On 23.7.2021 and 15.10.2021, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer making a decision on the application each for two months, as requested by the applicant, to allow time for the applicant to prepare further information (FI) to address

departmental comments. Upon receipt of the applicant's FI on 20.1.2022, the application is scheduled for consideration at this meeting.

2. Request for Deferment

On 1.3.2022, the applicant's representative wrote to the Secretary of the Board requesting the Board to further defer making a decision on the application for two months in order to prepare FI to address departmental comments (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred twice for a total period of four months at the request of the applicant. Since the last deferment on 15.10.2021, the applicant has submitted FIs including revised layout plan and revised technical assessments, to address departmental comments. The applicant has indicated more time is needed for consultation with relevant departments and preparation of FI to address the respective 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. 33A)¹ 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 making 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 the Committee's consideration. The applicant should be advised that the Committee has allowed a further period of two months for preparation of submission of FI. Since it is the third deferment of the application and the Committee has allowed a total of six months for the preparation of submission of FI, 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.

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.

5. Attachments

Appendix I Letter dated 1.3.2022 from the applicant's representative

Plan A-1 Location plan

**PLANNING DEPARTMENT
MARCH 2022**