



Enquiries

Marius Buskes

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File ref: 18/2022/PB

30 January 2020

Email

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Via Registered Mail

Keith Lurie Architectural Services
P.O Box 115
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6603

Dear Sir,

PROPOSED PERMANENT DEPARTURE: ERF 2022 PLETTENBERG BAY, DIVISION KNYSNA, BITOU MUNICIPALITY

1. The Acting Director Economic Development and Planning made the following decision on 30/01/2020:
2. That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:
 - a) A permanent departure to relax the aggregate building line from 4.5m to 3.14m in terms of Section 15 (2)(b) to accommodate the as-built structures on site.
3. The above approval is subject to the following conditions imposed in terms of Section 66 of the Bitou Municipality Land Use Planning Bylaw (2015):
 - i. *That the approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;*
 - ii. *That the proposed development be in accordance to the Site Development Plan dated March 2017, drawn by Keith Lurie Architecture;*
 - iii. *The restrictive lateral title deed building lines of 1.57m shall be adhered to;*
 - iv. *The applicant is to ensure that all proposed building work is permitted in terms of the National Building Regulations;*
 - v. *This approval does not absolve the applicant from compliance with the requirements of any other legislation related to land development.*
4. Reasons for the above decision are as follows:
 - a) The proposal is consistent and complies with applicable principles, norms and Standards in Chapter 2 of SPLUMA and Planning Principles in Section 59 of LUPA;
 - b) The proposal is consistent with the Bitou SDF (2017);
 - c) The proposal will not adversely affect the current land use rights enjoyed by surrounding property owners;

- d) The proposal will not detract from the character of the surrounding area;
 - e) The restrictive lateral title deed building lines of 1.57m will not be encroached;
 - f) The impact on the view gap from the properties south west is minimal and will not be ruined by the encroaching structures;
 - g) No impact municipal infrastructure;
 - h) The extent of the encroaching structure on the western boundary will make no difference on the bulk appearance of the structure from properties south west of the application area;
 - i) The redevelopment of the dwelling house contributes to the urban renewal within the Plett CBD.
5. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
6. Such an appeal must be submitted in writing to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, within 21 days of registration of this letter.
7. The attached appeal form must be completed and should be directed to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, within 21 days of notification of this decision together with proof of payment of the appeal fee.
8. If you exercise your right to appeal, you are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
9. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of registration of this letter.
10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
11. A notification in terms of Section 61 of the Bitou Municipality Land Use Bylaw (2015) will confirm the coming into operation of the approval, if no appeals were received within 21 days of registration of this letter.

Yours faithfully



Chris Schliemann

Acting Director: Economic Development and Planning