



**Enquiries
Town Planning**

**Contact details
044 501 3303/3470/3317**

**E-mail
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Our ref: 18/1866/PB

2 November 2023

Sir/Madam

**PROPOSED REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURES,
AN ADDITIONAL DWELLING, ERF 1866, ROCHE BONNE AVENUE, PLETTENBERG
BAY**

The Manager: Land Use Management made the following decision on 1 November 2023 in terms of Section 60 of the Bitou Land Use Planning Bylaw:

- i. A permanent departure to allow a relaxation of the 1.5m eastern lateral building line to accommodate the existing buildings (dwelling house & outbuilding) and the proposed additions & alterations to the existing buildings
- ii. A permanent departure to allow a relaxation of the 3m western lateral building line to accommodate the proposed outbuilding;
- iii. A permanent departure to allow an outbuilding of two storeys within the 3m western lateral building line
- iv. A permanent departure to allow a relaxation of the 4.5m aggregate side space to accommodate the existing and proposed buildings.
- v. A permanent departure to allow a relaxation of the 4.5m street building line to accommodate the existing swimming pool & deck.
- vi. Removal of restrictive condition E(4)(a-e), that limits the property to restrictive development parameters, as contained in Deed of Transfer T13887/2021 of Erf 1866 Plettenberg Bay from the Title Deed,
- vii. A permanent departure to allow a second dwelling.

Conditions in terms of Section 66 of the Bitou Municipality: Land Use Planning Bylaw (2015)

1. 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;

REASONS FOR DECISION:

- The Removal of Restrictive Title Conditions will have no impact on the rights enjoyed by other property owners.
- No comments or objections were received from the adjoining property owners.
- The second dwelling unit is already part of the existing house.
- The Zoning Scheme allows for the garage and servant's quarters addition.

Appeals:

- a) You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
- b) Such an appeal must be submitted in writing to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600 or electronically to the case officer (cschliemann@plett.gov.za), within 21 days of date of e-mail/ publication of this letter.
- c) The 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 date of e-mailed notification of this decision together with proof of payment of the appeal fee.
- d) 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.
- e) Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
- f) 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 e-mailed notification of this letter.
- g) Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
- h) 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 this letter being sent by e-mail.
- i) You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
- j) Such an appeal must be submitted in writing to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600 or electronically to the case officer (cschliemann@plett.gov.za), within 21 days of date of e-mail/ publication of this letter.
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- o) Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
- p) 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 this letter being sent by e-mail.

Your Faithfully

A handwritten signature in black ink, consisting of several loops and a trailing line, representing the name Chris Schliemann.

Chris Schliemann

ACTING DIRECTOR: ECONOMIC DEVELOPMENT & PLANNING