



Enquiries

Mzwanele Saphuka

Contact details

044 501 3470

E-mail

msaphuka@plett.gov.za

File ref: 18/26/431

18 December 2023

Via email: beaconsurvey@mweb.co.za

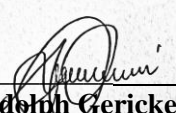
Dear Sir or Madam,

APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE: PORTION 26 OF THE FARM 431, MATHUYSBOSCH, BITOU MUNICIPALITY

1. The Acting Director: Planning and Development made the following decision on 18/12/2023:
2. That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:
 - 2.1 Consent Use, to allow an additional dwelling unit; and
 - 2.2 Permanent departure: relaxation of the building line along the eastern boundary from 30m to 10m to accommodate the proposed additional dwelling unit;
 - 2.3 Relaxation of the building line along the eastern boundary from 30m to 19,04m to regularise the existing barn on the property.
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 developer shall make an arrangement with the Engineering Services Department to discuss services demand and SLA process.*
 - ii. *That the access to Portion 26 of the farm 431 must remain limited to the existing access via an existing servitude right of way; and*
 - iii. *That the developer must accept to cover all costs towards the establishment of the proposed application.*
 - iv. *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;*
 - v. *The use of the premises be limited to agricultural purposes and ancillary uses as permitted by the Bitou Zoning Scheme Bylaw 2023.*
 - vi. *Formal Building plans to be submitted to Council, in terms of Section 4 of the National Building Regulation and Building Standard Act 1977 (Act 103 of 1977).*
4. Reasons for the above decision are as follows:
 - a) No objections were received from any interested or affected parties
 - b) The building line departure will not have an impact on any of the surrounding property, owners are still to enjoy their existing land use rights.

- c) The proposed application will not have bad impact on the character of the area.
 - d) The proposal is consistent with the relevant spatial planning legislation
 - e) The proposed application adheres to the development principles contained in SPLUMA.
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 this letter was emailed or sent to the electronic address.
 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 this letter was emailed or sent to the electronic address.

Yours faithfully

pp 
Ludolph Gericke

Acting Director: Planning and Development