



**Enquiries**

Mzwanele Saphuka

**Contact details**

044 501 3470

**E-mail**

[msaphuka@plett.gov.za](mailto:msaphuka@plett.gov.za)

File ref: 18/2899/PB

01 March 2024

Email: [llew@architects.co.za](mailto:llew@architects.co.za)

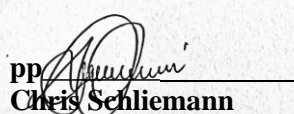
Dear Sir,

**PROPOSED PERMANENT DEPARTURE BUILDING LINE RELAXATION: ERF 2899,  
PLETTENBERG BAY, BITOU MUNICIPALITY**

1. The Manager: Land Use and Environmental Management made the following decision on 01/03/2024:
2. That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:
  - a) Permanent departure to relax the western street building line from 4.5m to 0m.
  - b) Relaxation of the northern later building line from 3m to 0m.
  - c) Relaxation of the southern later building line from 1.5m to 0m.
3. That the approval be refused in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for;
  - a) Relaxation of the boundary wall height from 1.8m to 3.3m above NGL
4. 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 height of the northern boundary wall be altered into normal height as recommended in Section 21(a) of the Bitou Zoning Scheme By-Law, to at least be 2.1 metres of the General Provisions. The last section of the wall (closest to the street) should have another 'step' in it. The starting point at the street corner should have the same height than the wall on the neighbouring property, and that height should be maintained up to a distance of 4m from the street corner, thereafter the height could be increased.*
  - iii. *The use of the premises be limited to residential purposes and ancillary uses as permitted by the Bitou Zoning Scheme Bylaw 2023.*
  - iv. *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).*
5. Reasons for the above decision are as follows:
  - a) There are no objections received from affected parties for relaxation of the building lines.
  - b) The proposal for relaxation of the building lines will not affect any neighbouring property.
  - c) The above-mentioned proposal is consistent with the relevant spatial planning legislation.

- d) The Use and Zoning is consistent with the character of the neighbourhood area.
  - e) The height of the boundary wall exceeds the recommended zoning parameters for boundary walls, approval will create an undesirable precedence.
- 6. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
  - 7. 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.
  - 8. 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.
  - 9. 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.
  - 10. 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.
  - 11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
  - 12. 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  
**Chris Schliemann**  
**Manager: Land Use and Environmental Management**