



Enquiries

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File ref: 18/1596/PB

16 May 2024

Marika Vreken

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Dear Madam

PROPOSED AMENDMENT OF RESTRICTIVE TITLE DEED CONDITIONS, AND BUILDING LINE DEPARTURES, ERF 1596, TARBET NESS AVENUE, PLETTENBERG BAY

The Acting Director: Planning and Development approved the following on 15 May 2024, in terms of Delegated Authority from Council, in terms of Section 60 of the Land Use Planning Bylaw, 2015:

That approval be granted in terms of Section 60 of the Bitou Municipality Land Use Planning Bylaw (2015) for:

1. Proposed amendment of a restrictive title deed (T64598/2021) condition D(4)(d) in terms of Section 15(2)(f) of the Bitou Municipality By-law on Municipal Land Use Planning (2015) as follows:
 - a. Substitute the wording “1.57 metres” with the wording “0 metres”.
 - b. Substitute the wording “3.15 metres” with the wording “2.2 metres”.
2. Application is also made in terms of Section 15(2)(b), for the following;
 - a. Relaxation of the prescribed aggregate side space from 4.5m to 3m
 - b. Relaxation of the northern lateral building line from 1.5m to 0m

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 amendment 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 building line departure pertains to a retaining wall only.
- The bedroom and bathroom extension complies with the newly adopted Bitou Municipality Integrated Zoning Scheme.

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. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
- e) 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.
- f) Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
- g) 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.



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Chris Schliemann
Manager: Land Use Management