



Enquiries

Marius Buskes

Contact details

044 501 3436

E-mail

mbuskes@plett.gov.za

File ref: 18/321/PB

31 January 2025

Email

camille@valgis.co.za

Dear Sir,

PROPOSED PERMANENT DEPARTURES AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS: ERF 321 PLETTENBERG BAY, BITOU MUNICIPALITY

1. The Acting Director: Planning and Development made the following decision on 31/01/2025:
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 datum line height restriction from 6m to 7.41m in terms of Section 15(2)(b) of the Bitou Land Use Planning Bylaw (2015) to allow for the extension of the Entertainment Room and the Bathroom on the 1st Floor.
 - b) A permanent departure to relax the number of Floors from 2 to 3 in terms of Section 15(2)(b) of the Bitou Land Use Planning Bylaw (2015) to allow for the extension of the Entertainment Room and the Bathroom on the 1st Floor.
 - c) A permanent departure to relax the height restriction from 8.5m to 10.65m above NGL , in terms of Section 15(2)(b) of the Bitou Land Use Planning Bylaw (2015) to allow for the extension garage on the ground floor
 - d) Application is further made in terms of Section 15(2)(b) for a permanent departure from the provisions of the Zoning Scheme to allow for the proposed addition. These relaxations on the floor level are as follows:

1st Floor

- i. Allow for the relaxation of the Street building Line from 4m to 2.58m
- ii. Allow for the relaxation of the Eastern Lateral boundary from 2m to 1.17m.
- iii. To relax the maximum height of the existing roof from 8.5m to 9.85m above the natural ground level (NGL).

Lower Ground Floor

- iv. Allow for the relaxation of the Street Building line from 4m to 0.78m
- v. Relaxation of the southern lateral building line from 2m to 1.77m
- e) Removal of the Conditions B.1(c) & B.1(d) as contained indeed of Tittle T25758/2004, in terms of Section 15(2)(f) of the Bitou Land Use Planning Bylaw (2015) to allow for the proposed alterations.

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. *The applicant is to ensure that all proposed building work is permitted in terms of the National Building Regulations.*
 - ii. *The encroachments must be in accordance with the Site Development Plan No: 24-02_FNA dated 24 May 2024 drawn by Skin Architects/Interiors, Danie Steenkamp.*
 - iii. *That no point of the garage may encroach 10,65m above NGL*
 - iv. *No Further extension be permitted on the First floor without the necessary permissions in terms of the conditions of approval.*
 - v. *The extension of the Garage shall not contain any windows along the southern lateral Boundary*
 - vi. *That the windows in the northern extension be limited to a Height of 525mm to maximise the privacy to the abutting property Erf 320.*
4. Reasons for the above decision are as follows:
 - a) The site has unique site circumstances that warrant a Datum line departure
 - b) The site circumstances warrant a height departure to accommodate the garage extension.
 - c) The extension on the northern section of the site will reflect a 2-storey building from the street scape.
 - d) Windows along the lateral boundaries have been omitted and reduced in size to ensure privacy to abutting neighbours
 - e) The extension of the garage on the southern line will not affect any of the surrounding property owners use rights or view lines to the surrounding area
 - f) Relaxation of the datum line to accommodate the minor extension on the northern section of the site will not lead to a monotonous design.
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 the notification was served.
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

A handwritten signature in black ink, appearing to read 'M. Schliemann', written over a horizontal line.

Chris Schliemann

Acting Director: Planning and Development