



**Enquiries**

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For Attention: Lizemarie Botha,

**PROPOSED PERMANENT DEPARTURE: ERF 378 KEURBOOMSTRAND**

1. The Acting Director: Development and Planning made the following decision on 01/07/2025:
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 following building lines regulated by a Single Residential Zone I in terms of Section 15(2)(b) of the Bitou Municipality Land Use Planning Bylaw:
    - i. Relax the western lateral building line from 2m to 0.24m in order to permit the transgressing bedroom and scullery.
    - ii. Relax the rear building line from 2m to 0m in order to permit the planned encroaching bathroom
    - iii. Relax the rear building line from 2m to 1.4m in order to permit the proposed contravening pergola
  - b) A permanent departure from the provisions of Sections 41 (4) (a) and 41 (4) (b) of the Bitou Zoning Scheme By-Law, in terms of Section 15(b) of the land use planning bylaw to allow for an additional access from the main road to two open parking bays in front of the House as indicated on the Site Plan Nr: 2024-01-MS-01.
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. *This 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 approval does not constitute building plan approval in terms of the National Building Regulations and Building Standards Act 1977.*
  - iii. *The applicant is to ensure that all proposed building work is permitted in terms of the National Building Regulations and Building Standards Act 1977;*
  - iv. *The existing as-built structures should be reflected on the site development plan upon building plan submission.*
  - v. *That development occurs broadly in accordance with the site development plan: Plan No 2024-01-MS-01 dated 24 April 2024 drawn by Roberto Boni Architects.*

vi. *This approval does not absolve the applicant from compliance with the requirements of any other legislation related to land development.*

4. Reasons for the above decision are as follows:

- a) This 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;
- b) That the approval does not constitute building plan approval in terms of the National Building Regulations and Building Standards Act 1977.
- c) The applicant is to ensure that all proposed building work is permitted in terms of the National Building Regulations and Building Standards Act 1977;
- d) The existing as-built structures should be reflected on the site development plan upon building plan submission.
- e) That development must occur as per the site development plan: Plan No 2024-01-MS-01 dated 24 April 2024 drawn by Roberto Boni Architects.
- f) This approval does not absolve the applicant from compliance with the requirements of any other legislation related to land development.

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**



**Ludolph Gericke**

**Acting Director: Development and Planning**