PROPOSED REZONING AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS: ERF 2025 PLETTENBERG BAY

1. The Director: Economic Development and Planning made the following decision on 25/09/2020:

   a) The rezoning of Erf 2025 from ‘Single Residential’ to ‘Minor Business’ in order to allow ‘Doctors’ consulting rooms on the property in accordance with the Proposed Site Development Plan.

   b) The removal of Condition B(5)(b) contained in Title Deed T2446/2019 that limits the use of the property to a single dwelling.

   c) The removal of Condition B(5)(d) contained in Title Deed T2446/2019 that imposes a 3.15m rear building line.

2. 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. Any further encroachments over the lateral title deed or Zoning Scheme building lines which are not indicated on the layout plan (DWG No: WSA-A101-2025, dated 10 March 2019 drawn by P. Rudolph) will require additional applications for removal/suspension or departures in terms of the relevant planning bylaw;

   iii. This approval does not constitute building plan approval in terms of the National Building Regulations and Building Standards Act 1977.

   iv. The owner will responsible for the cost for the upgraded supply network (water, sewage, electricity), if necessary, to the satisfaction of the Municipality.

   v. The applicant is to ensure that all proposed building work is permitted in terms of the National Building Regulations and Building Standards Act 1977;

   vi. Driveway encroachment agreement with a maximum entrance width of 6m shall be finalised with the Manager: Roads & Stormwater before building plan submission.

   vii. 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) The development proposal is consistent with the land development principles contained in SPLUMA and LUPA.
   b) Removal of the restrictive conditions is in the public interest and is relevant to the particular proposed development.
   c) No objections were received from the public.
   d) The proposal will have no noticeable impact on demand of municipal service infrastructure.
   e) The development proposal will contribute to urban regeneration.
   f) The development proposal will contribute to integration of land uses.
   g) The removal of the restrictive title condition B(5)(d) contained in Title Deed T2446/2019 is to regularise the existing encroachment subject to Building Plan Approval in terms of the National Building Regulations and Building Standards Act No 103 of 1977.

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.


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

[Signature]

David Friedman
Director: Economic Development and Planning