Dear Madam,

PROPOSED DEPARTURE FROM THE 6M HEIGHT/ TWO FLOOR RESTRICTION AND REMOVAL OF CONDITIONS OF APPROVAL: ERF 1703, LONGSHIPS DRIVE, EXTENSION 5, PLETtenberg Bay

The Manager: Land Use Management made the following decision under delegated authority:

That approval be granted in terms of Section 60 of the Bitou By-law on Municipal Land Use Planning 2015 for:

1. A departure from the provisions of the Zoning Scheme to allow a 1,33m relaxation of the height restriction of not more than two floors within a height of 6m.
2. Removal of restrictive Condition D(1) and Condition D(2), contained in the Title Deed (T42990/2018) that restricts the roof material and prevents the construction of flat, lean-to or monopitch roofs.

The above recommendations is subject to the following conditions in terms of Section 66 of the Bitou Land Use Planning Bylaw:

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. This approval will lapse after a period of five (5) years from the date that this approval comes into operation.

Reasons for decision

a. The proposed height departure will not adversely affect the character of the surrounding area, and will not have a detrimental effect on the privacy or views of neighbouring property owners in comparison with a dwelling built within the zoning parameters and Title Deed Restrictions.
b. The overall height of 8,5m, coverage and building lines will be adhered to.
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 (astander@plett.gov.za), within 21 days of date of e-mail of this letter.

c. 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 date of e-mailed notification of this decision.

d. 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.

e. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

f. 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.

Obo D FRIEDMAN  
DIRECTOR: ECONOMIC DEVELOPMENT & PLANNING