Mr Bruce Barnardo
3751 Swarthout Road, New Horizons
Plettenberg Bay
6600
brucebarnardo@gmail.com

Dear Sir

PROPOSED PERMANENT DEPARTURE FROM DEVELOPMENT PARAMETERS OF THE
ZONING SCHEME – REAR AND LATERAL BUILDING LINE RELAXATION, ERF 3751
NEW HORIZONS (166 SWARTHOUT ROAD)

The Manager: Town Planning made the following decision under delegated authority on 12 October 2018:

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

   1.1. A permanent departure from the development parameters of the Plettenberg Bay Town Planning Scheme to allow for the as-built structures (double garage, pergola, servants room and bath & laundry) within the northern and western building lines, from 1m to 0m (north) and 1m to 0m (west), as per plan “AS BUILT ALTERATIONS ON HOUSE ON ERF 3751 FOR MR. BRUCE BARNARDO SWARTHOUT ROAD NEW HORIZONS PLETT. BAY 6600” (no date).

2. Conditions in terms of Section 66 of the Bitou By-law on Municipal Land Use Planning 2015

   2.1. 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;
   2.2. This approval will lapse after a period of five (5) years from the date that this approval comes into operation, if building plans for the proposed additions have not been approved, or if any of these conditions of approval have not been complied with;
   2.3. No windows allowed within 1m from the property boundary.
2.4. If any Municipal services are found to traverse the affected portion of the property, the services might have to be relocated at the cost of the applicant to the satisfaction of the Municipality.

3. **Reasons for decision**

3.1. Letters of no objection were received from all neighbouring property owners.
3.2. No municipal services are affected by the proposed encroachments, as confirmed by Engineering Services.
3.3. The property is only 321 m² in extent. The departures will ensure better utilisation of the property. This supports the principle of “efficiency” in terms of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA), as it optimises the use of existing resources and infrastructure.
3.4. There is still ample space for on-site parking on the property, without the risk of vehicles obstructing Swarthout Road.

4. **Annexures**

Annexure A: Plan “AS BUILT ALTERATIONS ON HOUSE ON ERF 3751 FOR MR. BRUCE BARNARDO SWARTHOUT ROAD NEW HORIZONS PLETT. BAY 6600” (no date).

5. **Appeals**

5.1. A person whose rights are affected by this decision may appeal against it or any of the conditions of approval to the Appeal Authority within 21 days of notification of this decision, in terms of Section 79 & 80 of the Bitou By-law on Municipal Land Use Planning 2015. Such appeal, with reasons therefor, must be submitted in writing to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600.
5.2. If an appeal is lodged, the operation of the approval/ refusal of an application is suspended pending the decision of the Appeal Authority, except if an appeal is lodged only against conditions of approval, in which case the authorised employee who imposed the conditions may determine that the approval of the application is not suspended.

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Chris Schliemann

**MANAGER: TOWN PLANNING**