

Menslike Nedersettings, Beplanning en Ontwikkeling
Human Settlements, Planning and Development

Collaborator No.: 3225735
Reference / Verwysing: Erf 18816, George
Date / Datum: 31 January 2025
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MARLIZE DE BRUYN
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6530

APPLICATION FOR PERMANENT DEPARTURE (BUILDING LINE RELAXATION): ERF 18816, GEORGE

Your application in the above regard refers.

The Senior Manager: Town / Spatial Planning (Authorised Official) has, under delegated authority, 4.17.1.24 of 30 June 2022 decided that the following applications applicable to Erf 18816, George:

1. **Permanent departure** in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023 for the relaxation of the northern side boundary building line from 3m to 1,8m for the existing retaining wall and platform;
2. **Permission** in terms of Section 15(2)(g) of the Land Use Planning By-law for George Municipality, 2023 to allow for existing earth banks and retaining walls constructed higher than 2m from the natural ground level, at heights of 2,7m and 2,1m respectively;

BE APPROVED in terms of Section 60 of the said By-law for the following reasons:

REASONS:

1. The relaxation of the building line and permission as applied for will not have an adverse impact on the character of the area or the streetscape.
2. The proposal will not have a negative impact on the amenities of the surrounding properties in terms of privacy, overshadowing and views.
3. All neighbours were notified regarding the proposal, and no negative comments were received.
4. The applicable structures are normal additions to a dwelling house and can be accommodated within the boundaries of the property.

Subject to the following conditions imposed in terms of Section 66 of the said By-law, namely:

CONDITIONS:

1. That in terms of the provisions of the Land Use Planning By-law for George Municipality 2023, the above-mentioned approval shall lapse if not implemented within a period of two (2) years from the date when the approval comes into operation or if the conditions are not complied with.
2. This approval shall be taken to cover only the departure and permission application as applied for and as indicated on the site layout plan number **22.08-04 M001 Revision 2** dated **8 August 2023**, drawn by **MSMITH Architectural Group** and attached as "**Annexure A**", which bears Council's stamp and shall not be construed as to depart from any other Council requirements or legal provisions.
3. The approval will be considered as implemented on approval of building plans.

Notes:

- *Building plan to be submitted in terms of Section 4 of the National Building Regulations and Building Standards Act, 103 of 1977, for the development.*
- *Building plans to comply with SANS 10400, and any other applicable legislation.*
- *No construction may commence until such time as a building plan has been approved.*
- *The property may only be use for the intended purpose once a Certificate of Occupation has been issued.*
- *Stormwater must be dispersed responsibly, and the storm water management and erosion measures must be addressed on the building plans.*
- *The owner must take note of the existing stormwater system located on the property.*
- *The owner must take note that according to the National Building Regulations Part R and SANS 10400 Part F4(2), and the applicable clauses in the George Municipality's Stormwater By-Law, the owner may not change/amend or cause surface runoff on the erf to collect/pond/discharge, and which may potentially cause damage to or unduly inconvenience a neighbouring property.*
- *Specific reference is made to the George Municipality By-Law relating to Stormwater, clauses 26.2 and 32 to 35 relating to stormwater between two adjoining properties.*

You have the right to appeal to the Appeal Authority against the decision of the Authorised Employee in terms of Section 79(2) of the Land Use Planning By-Law for George Municipality, 2023.

A detailed motivated appeal with reasons should be directed to the Appeal Authority and received by the Director: Human Settlements, Planning and Development, P O Box 19, George, 6530 or Directorate: Human Settlements, Planning and Development, 5th floor, Civic Centre, York Street, George **on or before 21 FEBRUARY 2025** and simultaneously submit a copy of the appeal on any person who commented, made representations or objected to the application in the above regard. *Please also note that the appeal must be e-mailed to the administrative officer mentioned above.*

An appeal that is not lodged within the applicable period mentioned above or that does not comply with Section 79 of the Land Use Planning By-Law for George Municipality, 2023, will be deemed invalid in terms of Section 80 of said By-Law.

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

Please also note that in terms of Section 80(14) of the Land Use Planning By-Law for George Municipality, 2023, the above decision is suspended until such time as the period for lodging an/appeal(s) has lapsed, any appeal(s) has been finalised and you have been advised accordingly.

Yours faithfully

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ACTING SENIOR MANAGER: TOWN PLANNING

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