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

Collaborator No.: 3190519
Reference / Verwysing: Farm 191 portion 27, Division George
Date / Datum: 04 April 2025
Enquiries / Navrae: Marisa Arries

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PLETTENBERG BAY
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**APPLICATION FOR DEPARTURE (BUILDING LINE RELAXATION):
FARM 191 PORTION 27, DIVISION GEORGE**

Your application in the above regard refers.

The Deputy Director: Town Planning (Authorised Official) has, under delegated authority, 4.17.1.17 of 30 June 2023 decided the following:

- A.** That, the application for Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for the relaxation of the southern boundary building line from 10m to 0m to accommodate an existing deck and 3.37m to accommodate an existing yoga studio on portion 27 of the Farm 191, Division George; **BE REFUSED** in terms of Section 60 of said By-law for the following reasons:

REASONS FOR DECISION

- a) The need as motivated for the relaxation of the southern boundary building line and placement of the deck and yoga studio at this location are not justified as ample space within the development footprint is available along the southern boundary for the development thereof.
 - b) By allowing development to occur beyond the boundary building lines of the site (along the coast) will result in unnecessary harm to the coastal dune system / natural environment.
 - c) The proposal is in conflict with the Spatial Planning Policy documents for the area in relation to the protection of sensitive natural areas, with specific reference to dunes and coastal lines.
 - d) The property falls within the Littoral Active Zone and the proposal is in conflict with the objectives of the Integrated Coastal Management Amendment Act (Act 36 of 2014).
 - e) The proposal will disrupt natural coastal movements, increases the risk of erosion and impact on accretion processes has not been addressed.
 - f) Development in coastal zones would set an unwarranted precedent at the expense of sensitive coastal areas and compromise the long-term environmental and socio-economic health of coastal regions.
- B.** That, notwithstanding the objections received, the application for Departure in terms of Section 15(2)(b) of the Land Use Planning By-Law for George Municipality, 2023 for the relaxation of the western side



boundary building line from 10m to 4.18m to accommodate the existing dwelling house on portion 27 of the Farm 191, Division George **BE APPROVED** in terms of Section 60 of said By-Law for the following reasons:

REASONS FOR DECISION

- a) The proposed development will not have a significant adverse impact on surrounding neighbours' rights in terms of privacy, views, and sunlight.
- b) The proposed additions form part of residential development and can be accommodated within the property.
- c) The encroachments and alterations are minor in nature and follow the historic development pattern of the existing dwelling house.
- d) The dwelling house is located above the CML and high-water mark and more than approximately 65m away from the southern property boundary/coastal dune.

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

CONDITIONS OF THE DIRECTORATE: HUMAN SETTLEMENTS, PLANNING AND DEVELOPMENT

1. That in terms of the Land Use Planning By-law for the George Municipality, 2023, the approval shall lapse if not implemented within a period of two (2) years from the date it comes in operation.
2. This approval shall be taken to cover only the Departures as applied for and indicated on the site layout plan (GEO27-191_Viljoen SDP.pln) dated 23 October 2024, drawn by HG architectural design & drafting attached as "**Annexure A**" which bears Council's stamp and shall not be construed as to depart from any other Council requirements or legal provision.
3. The owner to remove the deck and yoga studio within the southern boundary building line and rehabilitate the area with indigenous vegetation in accordance with Environmental legislation.
4. An Environmental Control Officer (ECO) to be appointed to oversee the rehabilitation of the areas as mentioned in condition 3. A confirmation letter from the ECO to be submitted with the building plans.
5. The above approval will be considered as implemented on the issuing of an occupation certificate in accordance with the approved building plan.

Notes

- a) *A building plan must be submitted for approval in accordance with the National Building Regulations (NBR).*
- b) *All other illegal structures to be placed on building plan or removed.*
- c) *Stormwater management needs to be addressed to the satisfaction of the Civil Engineering Department as part of the Building Plans.*
- d) *The developer is to adhere to the requirements of all relevant Acts, as well as all conditions stipulated by any other authority whose approval is required and obtained for this proposed development.*
- e) *The applicant is to comply with the National Forestry Act, Act No 84 of 1998, should it be required.*
- f) *Electrotechnical Services: Please note that should there be any electrical infrastructure, the required safety clearances need to be adhered to.*

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 25 APRIL 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.



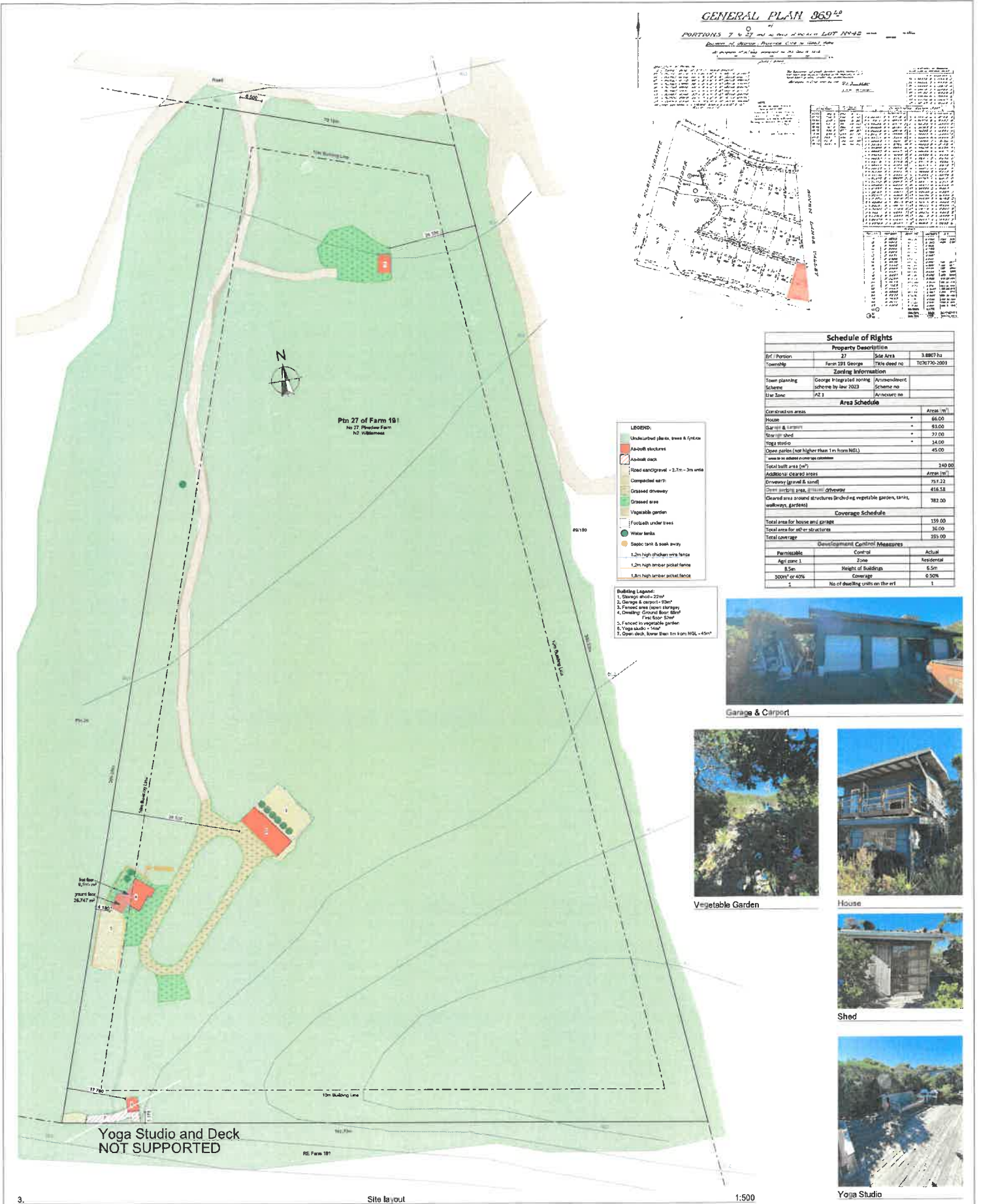
Please also note that in terms of Section 80(14) of the Land Use Planning By-Law for George Municipality, 2023, the above decision is suspended until such time as the period for lodging an/appeal(s) has lapsed, any appeal(s) has been finalised and you have been advised accordingly.

Yours faithfully


I. HUYSER

ACTING SENIOR MANAGER: TOWN PLANNING

C:\Marisa\Decisions_New By-Law Pro formas_(applicant)\Farm 192 portion 27(departure refused and _approved)\valgis technologies cc.docx



GENERAL PLAN 969/20

PORTIONS 7 to 27 and all other portions in LOT 1942

Division of Survey, Pretoria Office (1982), done in pursuance of the provisions of the Deeds Act, 1937.

PLAN 1982/100

Portion	Area (m ²)	Area (ha)
1	10000	1.0000
2	10000	1.0000
3	10000	1.0000
4	10000	1.0000
5	10000	1.0000
6	10000	1.0000
7	10000	1.0000
8	10000	1.0000
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100	10000	1.0000

Schedule of Rights			
Property Description			
Erf / Portion	27	Site Area	3.8807 ha
Township	Farm 191 George	Title deed no.	TC/740-2003
Town planning Scheme	George Integrated zoning scheme by law 2023	Amendment Scheme no.	
Use Zone	AZ 1	Interventive no.	
Area Schedule			
Construction areas		Area (m ²)	
House		66.00	
Garage & Carport		93.00	
Shed		27.00	
Yoga studio		34.00	
Open patios (not higher than 1m from NGL)		45.00	
Area to be added coverage common		140.00	
Total built area (m ²)		352.00	
Additional cleared areas		Area (m ²)	
Driveway (gravel & sand)		757.22	
Open parking area, shared driveway		416.58	
Cleared area around structures (including vegetable gardens, tanks, walkways, garages)		782.00	
Coverage Schedule			
Total area for house and garage		159.00	
Total area for shed & structures		30.00	
Total coverage		199.00	
Development Control Measures			
Permissible	Control	Actual	
Agri zone 1	Zone	Residential	
8.5m	Height of Buildings	6.5m	
300% or 40%	Coverage	0.50%	
1	No of dwelling units on the erf	1	

- LEGEND:**
- Unsuburb plant, trees & fynbos
 - As-built structures
 - As-built open
 - Road kerbside - 2.7m - 3m wide
 - Completed earth
 - Grassed driveway
 - Grassed area
 - Vegetable garden
 - Foothold under trees
 - Water tanks
 - Septic tank & soak away
 - 1.2m high chicken wire fence
 - 1.2m high timber post fence
 - 1.8m high timber post fence
- Building Legend:**
- Garage/shed - 27m²
 - Garage & septic - 93m²
 - Fenced area (open storage)
 - Driveway (Gravel & Sand) First floor 50m²
 - Fenced vegetable garden
 - Yoga studio - 34m²
 - Open deck, more than 1m from NGL - 45m²



Garage & Carport



Vegetable Garden



House



Shed



Yoga Studio

Yoga Studio and Deck NOT SUPPORTED

Site layout

1:500

MUNISIPALITEIT GEORGE MUNICIPALITY

Approved in terms of Section 60 of the George Municipality Land Use Planning By Law (2023) subject to the conditions contained in the covering letter.

2025/04/04

DATE

SENIOR MANAGER: TOWN PLANNING

SENIOR BESTUURDER: STATSBEPANNING



OCCUPANCY CLASSIFICATION = H4

REVISION	DATE	REVISION DETAILS
1	01/04/2024	SDP - issued for submission
2	23/10/2024	Update men house area - issued for submission

PROJECT: As-built structures on Ptn 27, Farm 191, for owner: Paula Viljoen

DRAWING TITLE: Site Development Plan

DRAWING: QED27-191_Viljoen SDP_T-01n

SCALE: as shown

PAPER SIZE: A1

REVISION: 1 of 1

HG architectural design & draughting

HG Architectural Design & Draughting
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