

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

Collaborator No.: 2553068
Reference / Verwysing: Boven Lange Valley 189 portion 143, Division George
Date / Datum: 17 November 2023
Enquiries / Navrae: Marisa Arries

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MARLIZE DE BRUYN TOWN PLANNER
PO BOX 2359
GEORGE
6530

**APPLICATION FOR CONSENT USE AND DEPARTURE:
PORTION 143 OF THE FARM BOVEN LANGE VALLEY 189, DIVISION GEORGE**

Your application in the above regard refers.

The Deputy Director: Planning (Authorised Official) has, under delegated authority, 4.16.18.1 of 30 June 2023 decided the following;

- (a) That, notwithstanding the objections received, the application for Consent Use in terms of Section 15(2)(o) of the Land Use Planning By-law for George Municipality, 2023 to permit a second dwelling on Portion 143 of the Farm Boven Lange Valley 189, Division George;

BE APPROVED in terms of Section 60 of said Planning By-Law.

REASONS:

- i. Since the promulgation of the amended Integrated Zoning Scheme Bylaw, 2023, a second dwelling unit is a primary right of the property and by implication, no longer demands land use approval.
- (b) That, the application for Departure in terms of Section 15(2)(b) of the Land Use Planning By-law for the George Municipality, 2023 for the relaxation of the southern building line from 20m to 5m for the second dwelling on Portion 143 of the Farm Boven Lange Valley 189, Division George;

BE REFUSED in terms of Section 60 of said Planning By-Law for the following reasons.

REASONS

- a) The need as motivated for the relaxation of the southern boundary building line and placement of the second dwelling at this location are not justified as it is considered that ample space within the development footprint is available for the development of the second dwelling.

- b) By allowing development to occur beyond the present development envelope of the site will result in unnecessary harm to the coastal dune system / natural environment as the impact is not localised to the position of the unit but includes the infrastructure that needs to be installed to service the unit.
- c) There is sufficient disturbed space on the property, within the building lines, to develop the second dwelling.
- d) 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 areas.
- e) The applicant has not addressed the applicability of the Integrated Coastal Management Act and did not provide justification for deviation from the prescripts related to coastal sites. There is no evidence in the application that confirms that potential long-term risks to this property and other properties from increased coastal activity at the foot of the dune has been regarded and mitigated.
- f) Support for the proposed departure will set a negative precedent that will undermine and negate the protection of sensitive natural areas and corridors along the coastline.
- g) The property is within an ecological support corridor where disturbance to the natural area should be avoided.

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 08 December 2023** 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



C. PETERSEN
SENIOR MANAGER: TOWN PLANNING

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