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> Beplanning en Ontwikkeling **Planning and Development**

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Reference / Verwysing: Erf 21181, George 04 July 2025 Date / Datum:

Enquiries / Navrae: Marisa Arries

MR. DAMON VAN HEERDEN **8 MOLEN CLOSE** GEORGE 6530

Collaborator No.:

APPLICATION FOR PERMANENT DEPARTURE (BUILDING LINE RELAXATION): **ERF 21181, MOLEN CLOSE, GEORGE**

Your application in the above regard refers.

The Deputy Director: Town Planning (Authorised Official) has, under delegated authority, 4.17.1.17 of 24 April 2025 decided that, notwithstanding the objection received, the application for 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 eastern side boundary building line from 1.5m to 0.0m to accommodate a braai area on Erf 21181, George;

BE APPROVED in terms of Section 60 of said Bylaw for the following reasons:

REASONS:

- The proposed departure consists of minor residential additions, which are functionally and spatially aligned with the primary land use of the property.
- The northern boundary of Erf 21181, George already permits a 0m building line which abuts Erf 21182, George. The encroachments are for a small section in the north-eastern corner of the site to allow for the extension of the stoep and braai area by 1.5m onto the eastern side boundary.
- The proposed encroachments will have minimal impact on the neighbouring property owners' rights and amenity in terms of loss of views, overshadowing and privacy.
- Most of the structure complies with the zoning scheme and potential impacts in terms disturbances or nuisances can be mitigated.
- The proposed addition will not impact on the character of the area or streetscape as it is located towards the back Ε. of the property and not visible from the street.

Subject to the following conditions imposed of Section 66 of said Bylaw, namely:

CONDITIONS:

- 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 five (5) years from the date it comes into operation.
- This approval shall be taken to cover only the Departure as applied for and as indicated on the site layout plan (unnumbered) drawn by H.P. Grobbelaar dated 23 September 2021 (2x plans) & 27 June 2023 (1x plan) 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.







- Appropriate measures must be implemented and illustrated on the building plans to mitigate potential disturbance or nuisance caused by noise and/ or smoke.
- The above approval will be considered as implemented on the issuing of the occupation certificate in accordance with the approved building plans.

Note:

- A building plan be submitted for approval in accordance with the National Building Regulations (NBR).
- All areas and dimensions to be indicated on the plans.
- Stormwater must be dispersed responsibly, and the stormwater management and erosion measures must be addressed on the building plans.
- Note, 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.

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 JULY 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

SENIOR MANAGER: SPATIAL PLANNING

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