

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

Collaborator No.: 3497147
Reference / Verwysing: Erf 1080, Wilderness
Date / Datum: 15 August 2025
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APPLICATION FOR PERMANENT DEPARTURE: ERF 1080, WILDERNESS

Your application in the above regard refers.

The Deputy Director: Development and Environmental Management (Authorised Official) has, under delegated authority, 4.17.1.17 of 24 April 2025 decided that, notwithstanding the objections received, the following applications applicable to Erf 1080, Wilderness:

1. Departure, in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023, for the relaxation of the following building line applicable to Erf 1080, Wilderness:
2. North-eastern street boundary building line from 4m to 3.4m for existing stairs and to 3.5m for an existing staircase landing.
3. Departure, in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality, 2023, for the relaxation of the following height restrictions applicable to Erf 1080, Wilderness:
 - a. Increase the maximum height of the wall plate from 6.5m to ± 7.31 m (north-east elevation).
 - b. Increase the maximum height to top of the ridge of the roof from 8.5m to ± 9.51 m (north-east elevation).
 - c. Increase the maximum height of the wall plate from 6.5m to ± 7.94 m (north-west elevation).
 - d. Increase the maximum height to top of the ridge of the roof from 8.5m to ± 10.14 m (north-west elevation).
 - e. Increase the maximum height of the wall plate from 6.5m to ± 7.94 m (south-west elevation).
 - f. Increase the maximum height to top of the ridge of the roof from 8.5m to ± 10.14 m (south-west elevation).

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

REASONS

- a. The proposed additions align with the approved height envelope of existing buildings and does not involve expansion of the footprint of the building. From a visual perspective, the roofline remains unchanged, maintaining the architectural rhythm and avoiding any additional vertical dominance.

- b. The increased height ensures that the new bedrooms and laundry integrate seamlessly with the house's original 1980s design, preserving architectural coherence and the established character of Beacon Road and Wilderness.
- c. The structure is not visible from key scenic corridors like the N2 and will not interfere with skylines or scenic vistas.
- d. No removal of vegetation is required, and mitigation measures (painting in "World Heritage-green," charcoal roof, vertical greening, and indigenous tree planting) will further support integration of the building into its natural surroundings.
- e. The only potentially affected neighbour is on Erf 2088, Wilderness. The main dwelling, which was situated at a significantly higher elevation, burnt down. Even if rebuilt, their main dwelling would retain unobstructed views over Erf 1080, Wilderness. Privacy, sunlight access, and enjoyment of property will not be compromised. According to records, it is unclear whether the second dwelling (now main dwelling) is legal. However, the super-imposition of the addition proposed, indicates that it will not remove a special view from Erf 2088, Wilderness at that location. Furthermore, vegetation screens the line of sight, and the main view is not in the direction of the proposed addition.
- f. The proposal aligns with the George Municipal Spatial Development Framework, 2023 and the Wilderness/Lakes/Hoekwil Local Spatial Development Framework, 2015, which encourage context-sensitive development, preservation of environmental quality, and enhancement of residential areas within the urban edge.
- g. The departures accommodate functional family living needs without significantly expanding the building footprint or intensifying the land use. The addition is a logical extension of the dwelling house without compromising the natural area (using an existing disturbed / built area).
- h. Conditions are imposed to mitigate potential visual impacts and increase vegetation cover.
- i. Departure from height restrictions is not supported in general, however, the scale and massing of the development on the property can be managed by imposing additional restrictions. Therefore, conditions are proposed to cap site coverage at 35%, and to ensure no precedent for excessive bulk is set.

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

CONDITIONS OF THE DIRECTORATE: PLANNING AND DEVELOPMENT

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 five (5) years from the date of when the approval comes into operation or if the conditions of approval are not complied with.
2. This approval shall be taken to cover only the departure application as applied for and as indicated in accordance with Drawing no's 2024/102/1080/10N (dated 15 October 2024), 2024/102/1080/8N (dated 29 June 2025) and 2024/102/1080/6N (dated 29 June 2025) drawn by ARCPLAN & ASSOCIATES 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 house must be painted to blend in with the environment (such as from white to a soft 'World Heritage-green' colour as proposed by the applicant). The roof must be painted to blend with the natural environment (such as charcoal colour as stated by the applicant).
4. Notwithstanding the development parameters in the Zoning Scheme, the coverage will be restricted to a maximum of 35%. This condition shall be registered against the title deed of the property.
5. A copy of the title Deed Endorsement must be submitted to the Municipality for record purposes.
6. To mitigate any massing concerns and to integrate with the natural landscape, vertical greening methods, such as trellis systems with only indigenous climbing plants, must be incorporated along the external walls of the addition. The Municipality may demand the appointment of a qualified ECO if these conditions are not met to satisfaction.
7. Additional mature indigenous trees at least 200l in size, with a canopy reaching at least up to the first storey of the proposed addition, must be planted within the property boundaries. The Municipality may demand the appointment of a qualified ECO if these conditions are not met to satisfaction.
8. The approval will be considered as implemented on the commencement of building works in accordance with the approved building plan.

Notes:

- a) A building plan must be submitted for approval in accordance with the National Building Regulations.
- b) The additions must be in accordance with the conditions stipulated in the title deed, as outlined in the Conveyancer's Certificate.
- c) Conditions 3 – 5 must be illustrated on a 3D rendering with submission of building plans.
- d) Compliance with Conditions 3 – 5 must be confirmed prior to an occupation certificate being issued for the proposed additions.
- e) Building plans to comply with SANS 10400 and any other applicable legislation.
- f) No construction may commence until such time as a building plan has been approved.
- g) The property may only be used for the intended purpose once a Certificate of Occupation has been issued.
- h) Further comments will be provided on submission of building plans.
- i) Additional building plan application fees, calculated in terms of the approved tariffs, will be applicable should structures already be commenced with or completed without the approval of the Local Authority.
- j) It is noted that building work has already been commenced with.
- k) Please note that no protected trees may be trimmed, cut or removed without a license issued in terms of the National Forests Act No. 84 of 1998.
- l) Appropriate temporary erosion and sediment control measures must be implemented for the duration of the construction phase. These measures must (i) prevent soil loss from exposed areas, and (ii) prevent sediment-laden runoff entering adjacent vegetation.
- m) Runoff must be dispersed using sustainable drainage solutions, such as (i) stone-filled trenches, splash pads, or rain gardens at the base of downpipes or drip edges; (ii) level spreaders or perforated piping to distribute runoff evenly over a broad area; and/ or (iii) vegetated swales or buffers to slow and infiltrate stormwater.
- n) Stormwater run-off from roofs and paved areas must be captured in rainwater harvesting tanks and used on site for landscape irrigation and domestic use.
- o) Ambient lighting on the property must be designed and managed to prevent light spill onto adjacent properties and public areas.
- p) All outdoor lighting must be downward-directed, low-intensity, and shielded where necessary to minimise disturbance to nocturnal fauna and preserve natural light conditions in the surrounding environment.
- q) Spray or spotlights is prohibited. Use warm-coloured LED bulbs (3000K or lower) in outdoor areas to minimise blue light emissions, which can be disruptive to both wildlife and human circadian rhythms. Outdoor lighting must be shielded and oriented downward. Pathway and track lighting should also be downward-oriented and not extend more than 500 mm above the ground. Install timers or smart lighting systems to ensure lights are off during unnecessary hours, particularly late at night. Position lights to illuminate only necessary areas such as pathways, entrances and driveways to prevent unnecessary illumination of large areas.
- r) Eradication and control of alien invasive vegetation on the property must be ongoing and must comply with requirements of the approved Alien Invasive Species Control Management and Eradication Plan for the property authorised in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 Of 2004) Alien and Invasive Species Regulations.
- s) The owner is reminded of the Duty of Care in Section 28 of the National Environmental Management Act 107 of 1998, to prevent environmental degradation and take reasonable measures to rectify any damage caused.
- t) Stormwater management needs to be addressed on submission of the building plan, to the satisfaction of the Civil Engineering Department.

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 05 SEPTEMBER 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



C PETERSEN
SENIOR MANAGER: TOWN PLANNING

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