

Collaborator No.: 3408053
Reference / Verwysing: Erf 562, Herolds Bay
Date / Datum: 15 August 2025
Enquiries / Navrae: Primrose Nako

Email: planning@mdbplanning.co.za

MARLIZE DE BRUYN CONSULTING
P O BOX 2359
GEORGE
6530

APPLICATION FOR PERMANENT DEPARTURE (BUILDING LINE RELAXATION): ERF 562 HEROLDS BAY

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.

- A.** That the applicant be informed that the following Departures applied for on Erf 562, Herolds Bay **CANNOT BE APPROVED** by the George Municipality:
- (a) Relaxation of southwestern internal street boundary building line from 1.5m to 1m to accommodate a dwelling unit on Erf 562, Herolds Bay (Architectural Guidelines).
 - (b) Relaxation of eastern internal side boundary building line from 1.0m to 0m on Erf 562, Herolds Bay 0m (Architectural Guidelines).

For the following reasons:

REASONS:

1. These building lines are not zoning scheme parameters applicable to the property nor do they relate to conditions of approval applicable to the Dutton's Cove development.
 2. These parameters or restrictions are only contained in the architectural guidelines for the Dutton's Cove development. The architectural guidelines cannot be deemed development parameters for the purposes of a group housing development. Such provisions only apply to estate housing developments.
 3. Thus, any deviation from the architectural guidelines must be authorised by the HOA under whose authority it falls. In terms of the provisions of said guidelines as read with their Constitution.
 4. It is noted that the HOA consented to / supported the above deviations.
- B.** That, the application for Permanent Departure in terms of Section 15 (2)(b) of the Land Use Planning Bylaw for George Municipality, 2023 for the following on Erf 562, Herolds Bay:

- (a) Relaxation of northwestern perimeter street boundary building line from 3m to 2m to accommodate a dwelling unit on Erf 562, Herolds Bay;
- (b) Increase in the height of the dwelling unit on Erf 562, Herolds Bay from 8.0m to approximately 8.545m as calculated in accordance with the provisions of section 8.6 of the Group Housing Code dated October 1977 (condition of approval applicable to Dutton's Cove development);

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

REASONS:

1. The proposed departures align with what the municipality has historically been approved in the Dutton's development, due to these properties' bio-physical constraints, as well as said development's approved Architectural Guidelines. The architectural guidelines were established to facilitate the development of houses of an appropriate scale and massing on the remaining vacant erven in the development.
2. The ground floor of the proposed dwelling unit is mostly positioned below the public street level and thus, will appear as a 2-storey structure from said street. The building line relaxation is only on the street side and all internal building lines are 0m. Thus, the proposed dwelling unit cannot have any significant adverse impact on coastal views experienced from said street, the residential character of the area or the streetscape.
3. Erf 562, Herolds Bay is situated on the outer edge of the development, adjacent to a public street. Only agricultural land with limited development potential is located to the north of the property and the property is not visible from Herolds Bay beach. Therefore, the proposed height departure is unlikely to cause significant visual impact.
4. The proposed development will not have a negative impact on the rights or amenities of the affected neighbouring properties in terms of privacy, overshadowing and/or views. Written consent was also obtained from the owners of the affected neighbouring properties and the Dutton's Cove Village HOA.

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

CONDITIONS:

1. That in terms of Section 18(2) 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 thereof.
2. This approval shall be taken to cover only the departure application as applied for and as indicated on the site plan **Project Number 1 - Sheet A & B**, drawn by **Quintus Truter of SAS Architecture** dated **03 March 2025** 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 above approval will be considered implemented on commencement of building works in accordance with the approved building plan.

Town Planning Notes:

- I. The height approved is equivalent to 11.086m if measured in accordance with the provisions of the GIZS.*
- II. The owner is to comply with the requirements of OSCA. An OSCA permit application may be required before building plans are submitted if an approval for the development has not been issued.*
- III. It is incumbent on the owners / developers to ensure compliance with the approvals, permissions and authorisations granted by the respective provincial and national authorities e.g. environmental, removal or trimming of protected trees or vegetation, etc.*
- IV. Stormwater must be dispersed responsibly, and the stormwater management and erosion measures must be addressed on the building plans.*
- V. 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.*
- VI. Building plans to comply with SANS 10400, and any other applicable legislation.*
- VII. No construction may be commenced until such time as a building plan has been approved.*
- VIII. The property may only be used for the intended purpose once a Certificate of Occupation has been issued.*

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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NOTES TO OWNER AND CONTACTOR

No work to commence prior to approval of the drawings by the Local Authority.
No deviations from the approved plans are allowed and the Architectural Professional must be informed of any changes. The contractor must check all levels and dimensions prior to commencement of any work. Any discrepancies must be reported to the Architectural Professional. Do not scale the drawings. If in doubt - ask. All plumbing and electrical work to be carried out by registered persons and on completion must provide a certificate of completion and compliance. The owner is responsible for sole testing. The site must be identified, verified and the building must be set out by a registered land surveyor. All finishing products (window frames, roof tiles, tiles, cornices etc.) must be approved by the Owner prior to ordering and installation. All products must comply with SABS standards. The copyright on all drawings and designs are reserved. This drawing is to be read in conjunction with all relevant consultants drawings, details and specifications. Only the latest signed and approved drawings to be used. Never scale from this drawing.

Lighting and ventilation

Required lux levels as per SANS 10114-1. All rooms must have sufficient cross ventilation. Ventilation opening must be at least 5% of area of room any mechanical ventilation must be done by a mechanical engineer. No opening closer than 1m to any structural obstruction on air conditioners is not a source of natural air.

Drainage

All Plumbing material and sanitation fixtures must be SABS approved. Plumbers must be registered. The sewer layout must comply with NBR. All sanitary appliances to be supplied with antic suction traps and or ventilated according to NBR requirements. IE's at all bends, connections and changes of gradient with marked covers on ground level. Sufficient access panels to be installed in all shafts over IE's. All sanitary pipes to be accessible. Pool discharges must not lead to the municipal sewer system, but must discharge on to its own site or into the street storm water drain. Geyser as per SABS 10254. All sewer pipes to be in ducts, covered with fiber cement slats. 50% Of warm water supply must be from alternative source other than electricity. All warm water pipes must be insulated.

General Notes

All drawings and measurements must be checked and verified before ordering material or before any building takes place. Differences must be brought to the attention of the designer immediately. All work according to National Building Regulations and local authority rules. All building, electrical, storm-water and plumbing to comply with SANS 0-400 Regulations. The copyright on all drawings and designs are reserved. This drawing is to be read in conjunction with all relevant consultants drawings, details and specifications. Only the latest signed and approved drawings to be used. Never scale from this drawing.

OWNER'S SIGNATURE

[Signature]

DRAINAGE SECTION

1 : 100

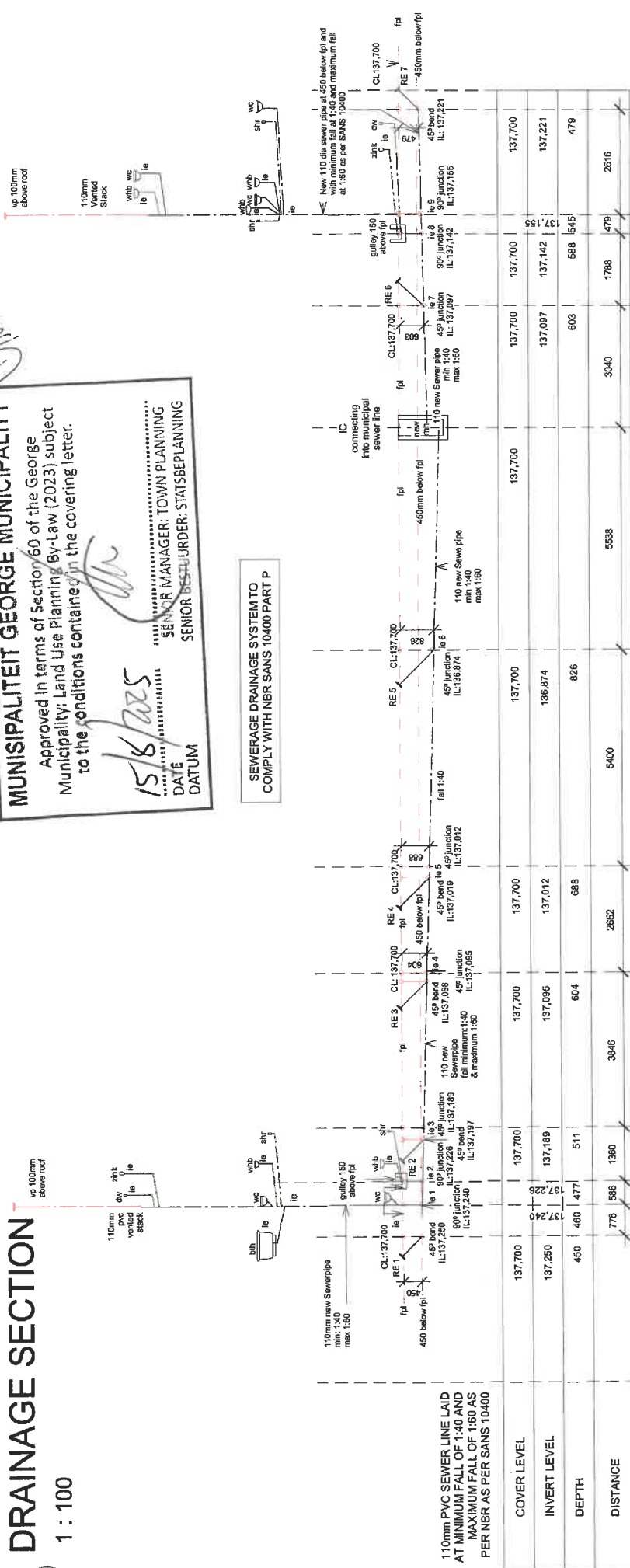
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Approved in terms of Section 60 of the George Municipality Land Use Planning By-Law (2023) subject to the conditions contained in the covering letter.

15/8/2025

DATE
SENIOR MANAGER: TOWN PLANNING
SENIOR DESIGNER: STATSBEPANNING

SEWERAGE DRAINAGE SYSTEM TO COMPLY WITH NBR SANS 10400 PART P



110mm PVC SEWER LINE LAID AT MINIMUM FALL OF 1:40 AND MAXIMUM FALL OF 1:60 AS PER NBR AS PER SANS 10400

COVER LEVEL	INVERT LEVEL	DEPTH	DISTANCE
137.700	137.250	450	776
137.700	137.095	604	511
137.700	137.012	688	2652
137.700	136.874	826	5400
137.700	137.097	603	3040
137.700	137.142	558	1788
137.700	137.221	479	479
137.700	137.221	479	2616

FOR OFFICIAL USE

NEW RESIDENCE FOR OWNERS ON ERF 562, DUTTONS COVE VILLAGE, HEROLDS BAY

DRAINAGE SECTION

SAS ARCHITECTURE
FIRMNESS DELIGHT
Salmon de Kock Senior Architectural Technologist 055 285 1546
SACAP Reg. no. P2247 21756411
samuel.gassarchitectural@gmail.com

Project number 1
Date 03.03.2025
Drawn by Quintus Truter
Checked by Salmon de Kock
Scale 1 : 100

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