

Collaborator No.: 3857332
Reference / Verwysing: Erf 834, Wilderness
Date / Datum: 08 May 2026
Enquiries / Navrae: Primrose Nako

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JAN VROLIJK TOWN PLANNER
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APPLICATION FOR PERMANENT DEPARTURE: ERF 834, 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 the application for Permanent Departure in terms of Section 15(2)(b) of the Land Use Planning By-law for George Municipality 2023, to increase the maximum wall plate height from 6.5m to 8.5m to accommodate a flat roof terrace on Erf 834, Wilderness;

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

REASONS

- a) The proposal is not reconcilable with the George Municipal Spatial Development Framework, 2023 and the Wilderness-Lakes-Hoekwil Local Spatial Development Framework, 2015, as it negatively impacts the scenic landscape and intrudes on the skyline.
- b) Approval for departures from development parameters must only be considered for site-specific occurrences to avoid development to generally undermine the intent of the George Integrated Zoning Scheme By-law, 2023 by effectively, in this instance, negating the distinction between permissible heights for flat and pitched roofs respectively.
- c) The proposal is not considered desirable, as reasonable development alternatives exist within the applicable development parameters.
- d) The Municipality's commitment to preserving the character and values of coastal settlements in the George area of jurisdiction is thoroughly expressed in the spatial planning policy and well embraced by the communities that have invested in these areas. Departure from these policies without firm justification, harms the confidence in spatial structuring instruments, which is not desirable nor is it promoting public interest.
- e) The concerns raised by interested and affected parties have not been adequately addressed and are considered to have merit.

- f) The proposal will have an adverse impact on the amenity of neighbouring properties, including overlooking, loss of privacy, visual intrusion, and potential nuisance.
- g) The development will exacerbate the visual prominence of the structure and negatively affect the character and streetscape of the area.
- h) The stairwell was approved only for access to the roof for maintenance purposes. The presence of the roof access cannot be used as justification to allow for the incremental expansion of space above the existing roof. Such rationale amounts to incremental planning, setting a negative precedent for future planning proposals in the surrounding area.
- i) The total height of the dwelling house, including the glass balustrades, is 6.85m, which exceeds the maximum height of 6.5m for a flat roof, and therefore using the roof for entertainment purposes requires a departure application, contrary to the statement by the applicant.
- j) The existing stairwell is already visually intrusive and was only permitted to enable roof access for maintenance purposes. The stairwell may under no circumstances be used to gain access to the roof for entertainment purposes.

Town Planning Note:

The erection of a balustrade to create an enclosed roof terrace is regarded as a general addition to a dwelling house. In terms of the zoning scheme, this proposed open entertainment area on the roof may not exceed 6.5m in height including the balustrades. The height of the open entertainment area exceeds 6.5m (departs from the zoning scheme parameters) but was not applied for.

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: Planning and Development, P O Box 19, George, 6530 or Directorate: Planning and Development, 46 Market Street (Old York Hostel Building), George **on or before 29 May 2026**, 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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