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SKOON OUDITS SEDERT 2010/11



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File ref: 15/3/4-11/Erf 1434

Enquiries:
Mr H L Olivier

23 March 2023

Ronéll Ackermann Architectural Design
9 Fouche Street
Riebeeck West
7306

For attention: Ronél Ackermann

Per Registered Post

Dear Sir/Madam

PROPOSED DEPARTURES ON ERF 1434, RIEBEEK KASTEEL

Your application, received by Swartland Municipality on 17 February 2023, on behalf of Mr P Laubscher, regarding the subject, refers.

By virtue of the authority delegated to the Senior Manager: Development Management in terms of Council Resolution No. 4.1, dated 28 March 2019, as determined by section 79(1) of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226, dated 25 March 2020), the application for the following departures from development parameters on Erf 1434, be refused in terms of Section 70 of the By-Law:

1. The departure from the 4m street building line to 0m in order to accommodate the proposed garage on the street boundary;
2. The departure from the 1,5m side building line to 0m in order to accommodate the proposed garage on the side boundary;
3. The departure of the 4m street building line to 0m in order to accommodate the proposed entrance pergola on the street boundary;
4. The departure of the 4m street boundary to 0m in order to accommodate the proposed visitors parking area pergola on the street boundary
5. The departure of the 1,5m side building line to 0m in order to accommodate the proposed visitors parking area pergola on the side boundary;
6. Departure from Par. 12.1(b) in order to accommodate a retaining structure holding back at least 2,8m of earth above natural ground level as indicated on the proposed building plan dated 26 July 2022 drawn by Ronéll Ackermann.

Reasons for the decision:

1. The architectural effect of the building line relaxation will not enhance the appearance of the public street, Fontein Street;
2. No similar building line departures have previously been approved on Fontein Street in the vicinity of the subject property;
3. Building lines are control measures that not only accommodate services but also preserve the nature and character of an area. The sheer extent of the proposed garage do not compliment the street scape of Fontein Street;

Rig asseblief alle korrespondensie aan:
Die Munisipale Bestuurder
Privaatsak X52
Malmesbury 7299

Darling Tel: 022 492 2237

Tel: 022 487 9400
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Epos/Email: swartlandmun@swartland.org.za

Moorreesburg Tel: 022 433 2246

Kindly address all correspondence to:
The Municipal Manager
Private Bag X52
Malmesbury 7299

Yzerfontein Tel: 022 451 2366

4. The favourable consideration of the departure proposal will negatively influence future street building line departure applications;
5. The elongation of the façade in such close proximity to the street scape will be detrimental to the human scale at street level that is appropriate in residential areas. It is noted that structures encroaching the street building line amounts to approximately 70% of the street boundary;
6. The proposed new garage is not considered to be consistent with the character of the street. While the proposed garage would be a single storey, the mass of the current proposal will not be consistent with the visual impact of the existing dwelling or that of the current street scape;
7. The clients need for a double garage can easily be accommodated by extending on to the existing garage with minimal departure of building lines;
8. Manipulating the natural ground level to such an extent, especially on the property boundary, is deemed not desirable.

The approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

Appeals against the Authorised Official's decision should be directed, in writing, to the Municipal Manager, Swartland Municipality, Private Bag X52, Malmesbury, 7299 or by e-mail to swartlandmun@swartland.org.za, no later than 21 days after registration of the approval letter. A fee of R4 500,00 is to accompany the appeal and section 90 of the By-Law complied with, for the appeal to be valid. Appeals that are received late and/or do not comply with the aforementioned requirements, will be considered invalid and will not be processed.

Yours sincerely


MUNICIPAL MANAGER
per Department Development Services
HLOds

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