



CLEAN AUDITS SINCE 2010/11
SKOON OUDITS SEDERT 2010/11



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Lêer verw/ 15/4/2-2/Erf_3557

Navrae/Enquiries:
Ms D N Stallenberg

20 March 2023

JC Architectural Design Studio
91 Russel Street
Worcester
6850

By Registered Mail

Sir/Madam

PROPOSED DEPARTURE OF DEVELOPMENT PARAMETERS ON ERF 3557, DARLING

Your building plan application on behalf of Mr & Mrs L. Nankomar has reference.

- A. The Municipal Planning Tribunal has resolved at a meeting held on 8 March 2023 to refuse the application for a departure on Erf 3557, Darling in terms of section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020). The departures refused includes the following:

- (1) Departure of the 2 m rear building line to 0 m;
- (2) Departure of the 1,5 m side building line (north eastern boundary) to 0 m; and
- (3) Departure of the permissible coverage of 50% to 55%;

B. GENERAL

- (a) The illegal building work inside the 2 m rear and 1,5 m side building lines be demolished within 60 days after the decision making process on the application has been finalised;
- (b) The amended building plan be submitted to the Senior Manager: Development Management for consideration and approval within 30 days after the decision making process on the application has been finalised;
- (c) Appeals against the decision of the Municipal Planning Tribunal 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;

- C. The application be refused for the following reasons:

- (a) There are no similar building line and coverage departures in Fairview Close;
- (b) Departures from the permissible 50% coverage in this residential area is unprecedented;
- (c) The departure cannot be recommended as it will influence decision making on future departures of development parameters negatively;

- (d) The building work does not comply with the National Building Regulations with regards to safety distance of window openings in South East Elevation and North East Elevation and does not meet the requirement of Table 2 of Part T of SANS 10400.

Yours faithfully


MUNICIPAL MANAGER
via Department Development Services
/ds

Building Control Officer
Copies : *L.Nankomar, 68 Fairview Close, Darling 7345, mpirecivils@gmail.com*