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Reference: 15/4/1 (21176) P
Date: 28 November 2023
Coll no: 2021773

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APPLICATION FOR CONSENT USE: ERF 21176 PAARL

1. **Approval has been granted** in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for a consent use in order to regularise the use of a portion of the existing main dwelling for a place of instruction on Erf 21176 Paarl, as indicated on the site plan (**See Annexure C**).
2. The approval mentioned in Paragraph 1 above, is subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
 - 2.1 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services, in its letter dated 02 May 2023 reference number 15/4/1 (21176) P (493), (**See Annexure E**);
 - 2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Fire Services, in its letter dated 24 August 2023 reference number 17/9/5 – 2023/08/1263, (**See Annexure F**);
 - 2.3 The applicant takes note of the conditions laid down by the Cape Winelands District: Health Department, in its letter dated 29 March 2023 reference number 15/2/6/1, (**See Annexure G**);
 - 2.4 The following conditions are applicable from a town planning point of view:
 - 2.4.1 No new buildings are to be erected or existing structures altered without the approval of building plans by Council;
 - 2.4.2 This approval applies only to the consent use in question, and shall not be construed as authority to depart from any legal prescriptions or requirements;

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- 2.4.3 Any further amendments to the application are subject to the relevant approval;
- 2.4.4 That the ECD complies with all environmental health requirements;
- 2.4.5 That the ECD complies with all fire safety requirements;
- 2.4.6 That a maximum of 15 children may be accommodated within the ECD;
- 2.4.7 Operating hours for the crèche be limited to Monday-Friday, from 07:00 to 17:00; and
- 2.4.8 Should the applicant fail to comply with the any of the above-mentioned conditions of approval, the Council reserves the right to impose further

3. That the following be regarded as the reasons for the decision:

- 3.1 ECD's are considered to be suitable secondary land uses on conventional residential properties;
- 3.2 The proposal is not expected to negatively impact nor will it be out of scale or character of the immediate surrounding area;
- 3.3 All the relevant internal and external departments consented to the application, subject to certain conditions;
- 3.4 The existing building can easily revert back to a dwelling house if the proposed use ceases to exist;
- 3.5 The application is for the utilization of existing infrastructure to exercise a land use activity which is in-line with town planning principles and the Drakenstein Zoning Scheme Bylaw, 2018; and
- 3.6 The proposal is regarded as consistent with the Drakenstein Early Childhood Development Policy.

Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(3) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, by any person whose rights are affected by the decision, within **21 days** of notification of decision.

This provisional approval is therefore suspended until further notice. Please also notify (**email or per hand**) the **surrounding property owners** who were notified of the application during the initial public participation process and **the objectors** (if any), of their right of appeal – proof of notification **must** be provided. Should there be any appeals against the decision, the application title (heading) must be used as reference. The appeal procedures are set out in Section 80 of the above-mentioned bylaw (attached).

Your attention is drawn to the fact that all correspondence must be directed to the City Manager and also sent via our official email address.

Yours faithfully



H. G. STRIJDOM (PR. PLN A/1058/1998)

MANAGER: LAND DEVELOPMENT MANAGEMENT