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Reference: 15/4/1 (4408) P  
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CB/JA  
15/4/1(4408) P

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Sir

**APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE CONDITIONS AND PERMANENT DEPARTURE FOR BUILDING LINES AND HEIGHT RESTRICTIONS IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BYLAW ON MUNICIPAL LAND USE PLANNING, 2018: ERF 4408 PAARL**

I refer to my even-numbered letter dated 3 April 2023 and hereby confirm that no appeals have been lodged in this regard.

1. **Final** approval has now been granted in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018 for the removal of the following title conditions as contained in the Title Deed T16312/2021 for Erf 4408 Paarl:
  - 1.1 B(b) Only one dwelling together with such outbuildings as are ordinarily required to be used therewith, be erected on the erf;
  - 1.2 B(c) No more than half of this erf to be built upon; and
  - 1.3 B(d) No building or structure or any portion thereof, except boundary walls and fences shall be erected nearer than 4.75m to the street line which forms a boundary of this erf. No such buildings or structures shall be situated within 1.57m of the lateral boundary to any adjoining erf.

2./...

2. **Final** approval has now been granted in terms of Section 60(1)(a) of the Bylaw on Municipal Land Use Planning, 2018, for the permanent departure from building lines as indicated on the Site Development Plan (**Annexure C already in your possession**) as follows:

- 2.1 Relaxation of the 4.5m Bellevue Street building line to 2.850m for additions to the main house on lower ground and ground storey level;
- 2.2 Relaxation of the 4.5m Carletta Street building line to 1.095m for additions to the main house for a bedroom on top of the existing garage on the upper ground storey level;
- 2.3 Relaxation of the 4.5m Carletta Street building line to 3.4800m for additions to the main house staircase on lower ground and ground storey level;
- 2.4 Relaxation of the 4.5m Carletta Street building line to 3.55m for a new third dwelling unit;
- 2.5 Relaxation of the 4.5m Carletta Street building line to 0m for the entertainment deck and braai for the new third dwelling; and
- 2.6 Relaxation of the southern common building line with Erf 4409 Paarl, from 1.5m to 0.185m for the existing main building (as built) ground level.

3. **Final** approval has now been granted in terms of Section 60(1)(a) of the Bylaw on Municipal Land Use Planning, 2018, for the permanent departure from height restrictions as indicated on the elevation plans of the Site Development Plan (**Annexure C already in your possession**) as follows:

- 3.1 Relaxation of the 4m height restriction for the garage to 7.07m for a new additional storey and addition to the main dwelling above the existing garage;
- 3.2 Relaxation of the 2m wall plate height restriction to 2.22m for the replacement of the existing roof of the main dwelling and proposed additions; and
- 3.3 Relaxation of the 1.8m boundary wall height restriction to 3.115m along the southeastern corner of the property due to the topography for screening purposes.

4. The approvals mentioned in above paragraphs are subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018:
  - 4.1 Adherence to the conditions laid down by the Drakenstein Municipality: Electro Technical Services Division in its memorandum dated 15 October 2022 (**Annexure G already in your possession**);
  - 4.2 Adherence to the conditions laid down by Land Development Management:
    - 4.2.1 The development shall take place in accordance with the site development plan (**Annexure C already in your possession**);
    - 4.2.2 A minimum clearance distance from any existing electrical infrastructure is required:
      - 4.2.2.1 8m from the existing overhead electrical lines and
      - 4.2.2.2 3m from existing underground electrical services.
    - 4.2.3 No building or excavation work will be allowed beyond the erf boundary in close proximity to the existing electrical infrastructure along Carletta Street;
    - 4.2.4 No buildings or structures may be erected, or existing structures altered, without the approval of building plans by Council; and
    - 4.2.5 Should the applicant fail to comply with the any of the above-mentioned conditions of approval, the Council reserves the right to impose further conditions in future if deemed necessary.
5. The applicant shall be responsible for the cost of the publication, in the Provincial Gazette, of the final notice regarding the removal of restrictive title deed condition, which should be attended to by the applicant, prior to the submission of building plans for approval;
6. The applicant shall be responsible for the Submission of the original title deed to the Cape Town Deeds Office for the necessary endorsement by the Registrar of Deeds, together with a copy of the final removal notice as published in the Provincial Gazette. A copy of the endorsed title deed must be supplied to the municipality for record keeping purposes;

Kindly note that the above-mentioned approval shall lapse if it is not exercised, including compliance with all relevant conditions, within five years from the date hereof.

The approved land use rights will furthermore only vest once all relevant conditions have been complied with. Non-compliance with the said conditions will therefore result in the land use rights not being in place, resulting in a Zoning Scheme By-law Transgression, which may lead to legal action if necessary.

Yours faithfully

A handwritten signature in black ink, appearing to read 'HG Strijdom', is written over a horizontal line.

**HG STRIJDOM**  
**MANAGER: LAND USE DEVELOPMENT MANAGEMENT**