



Enquiries: C. van der Bank
Contact number: 021 807 4832
Reference: 15/4/1 (4408) P
Date: 03 April 2023

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

NuPLAN Africa Town Planners
PO Box 3603
TYGER VALLEY
7536

dirk@nuplanafrica.co.za

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

Your above mentioned application refers.

1. Approval has been granted in terms of Section 60(1)(a) of the 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. Approval has 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) 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./...

- 2.2 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. Approval has 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**) 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 south-eastern corner of the property due to the topography for screening purposes.
4. The approvals mentioned 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 set by the Drakenstein Municipality: Electro Technical Services Division as set out in its memorandum dated 15 October 2022 (**Annexure G**).
 - 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**);
 - 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;
 - 7. The following be regarded as the reasons for the decision
 - 7.1 The proposed redevelopment of Erf 4408 is in line with the permitted land uses for properties zoned Conventional Housing Zone.
 - 7.2 The objection from the surrounding property owners has been considered as well as the applicant's response thereto. The proposed additions to the existing dwelling on Erf 4408, as depicted in the Site Development Plan is considered to be compatible with the character of the surrounding residential area where extensive dwellings have been developed.
 - 7.3 The proposed removal of certain restrictive Title Deed Conditions is supported, seeing that the development parameters it will be superseded by the Zoning Scheme Bylaw, 2018;
 - 7.4 The proposed departures are supported as it has no negative impact on the natural and built environment.
 - 7.5 The re-development of the existing dwelling as proposed is supported due to the physical challenges of the site and the topography of the area.

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 By-law on Municipal Land Use Planning, 2018, any person whose rights are affected by the decision, within **21 days** from the date of the registration of the letter.

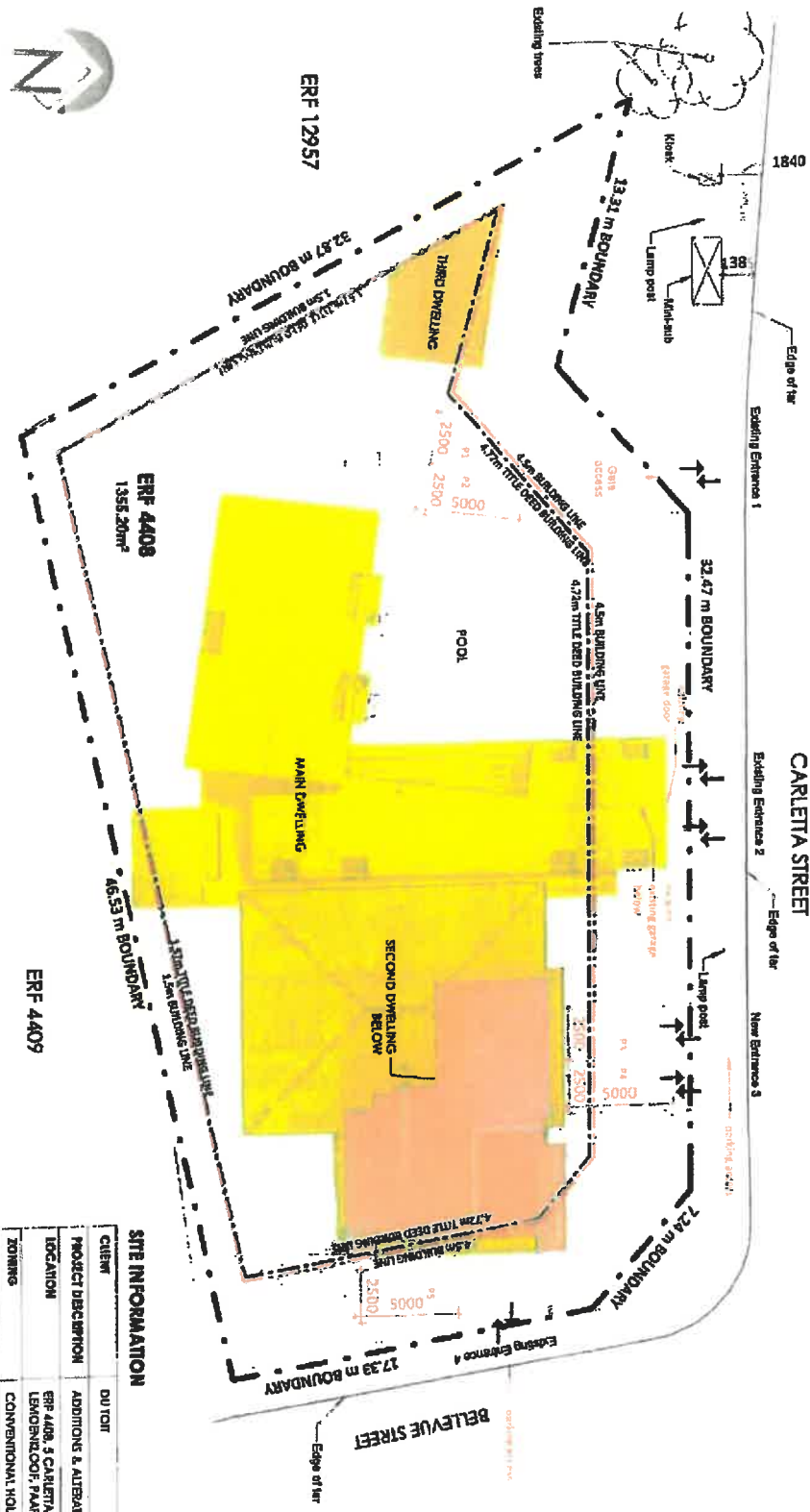
The approval is therefore suspended until further notice. Please also notify (**email or per hand**) the surrounding property owners who were notified of the application during the public participation process, the **objectors (Mr Bolam and Mr Bester)** and the **Portfolio Holder, Cllr Van Niekerk**, of their general right of appeal – proof of notifications **must** be provided. The appeal procedures are set out in Section 80 of the above-mentioned by-law (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
MANAGER: LAND USE DEVELOPMENT MANAGEMENT



SITE INFORMATION

CLIENT	DU TOIT
PROJECT DESCRIPTION	ADDITIONS & ALTERATIONS TO EXISTING HOUSE
LOCATION	ERF 4408, 5 CARLETTA STREET, LEMOENKOP, PAARL
ZONING	CONVENTIONAL HOUSING ZONE
ERF SIZE	1 355,50 m ²
COVERAGE	59,4%
AREAS	EXISTING: 379m ² ADDITION: 374,5m ²
PARKING	NEW TOTAL: 773,4m ² REQUIRED & PROVIDED: 7

House Du Toit

5 Carletta street, Lemoenkop, Paarl

SITE PLAN - DEPARTURE PLAN

SD02_000

REVISION D
2013-11-09

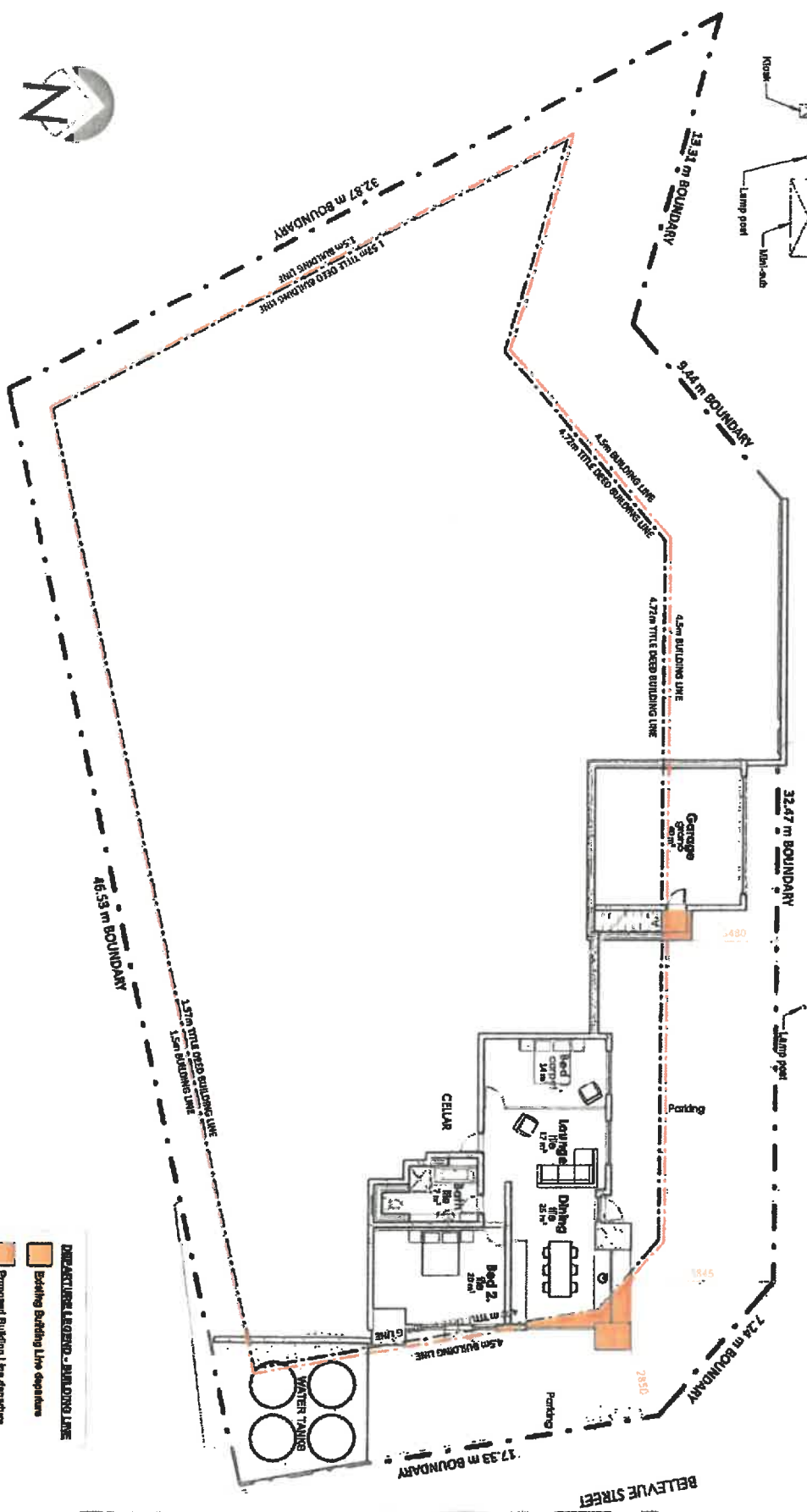
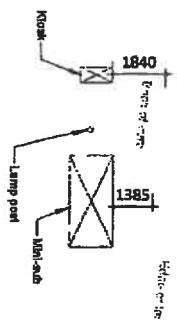


Annexure C

3950 1950 900 3200 5035 5000 11080 8030 4000

CARLETTA STREET

ETOP 01/18



- DEDUCTIBLE LANDSCAPE BUILDING LINE
- Existing Building Line departure
- Proposed Building Line departure



-01 LOWER GROUND

Scale 1:250

House Du Toit

5 Carleita Street, Lamontsoek, Paarl

LOWER GROUND STOREY - DEPARTURE PLAN

SD02_100

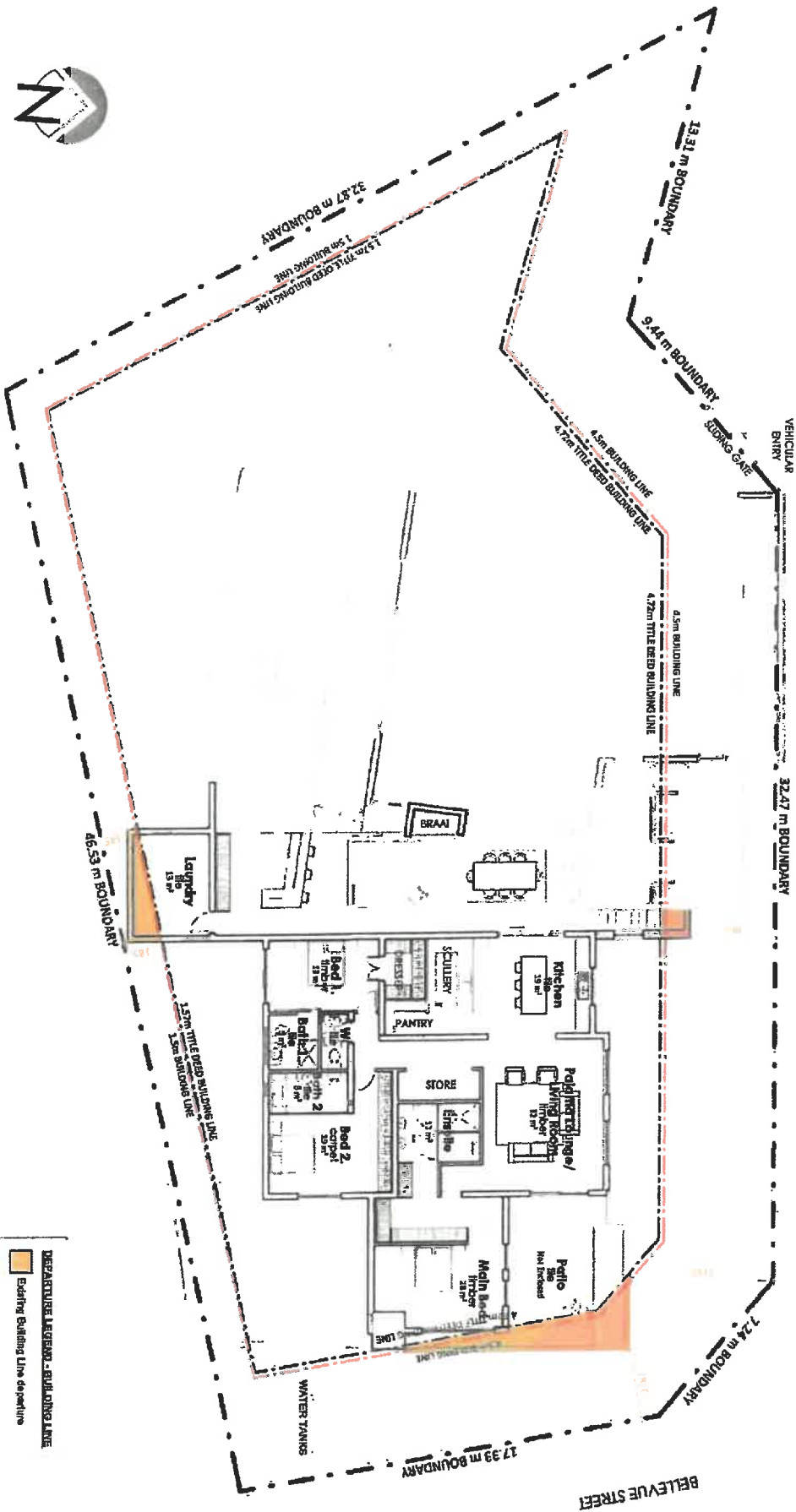
REVISION A
2022-11-11



BOWER ARCHITECTS

BELLEVUE STREET

CARLETTA STREET



01 GROUND STOREY P/L
 Scale: 1:150

House Du Toit

5 Carletta Street, Lompotihoek, Paarl

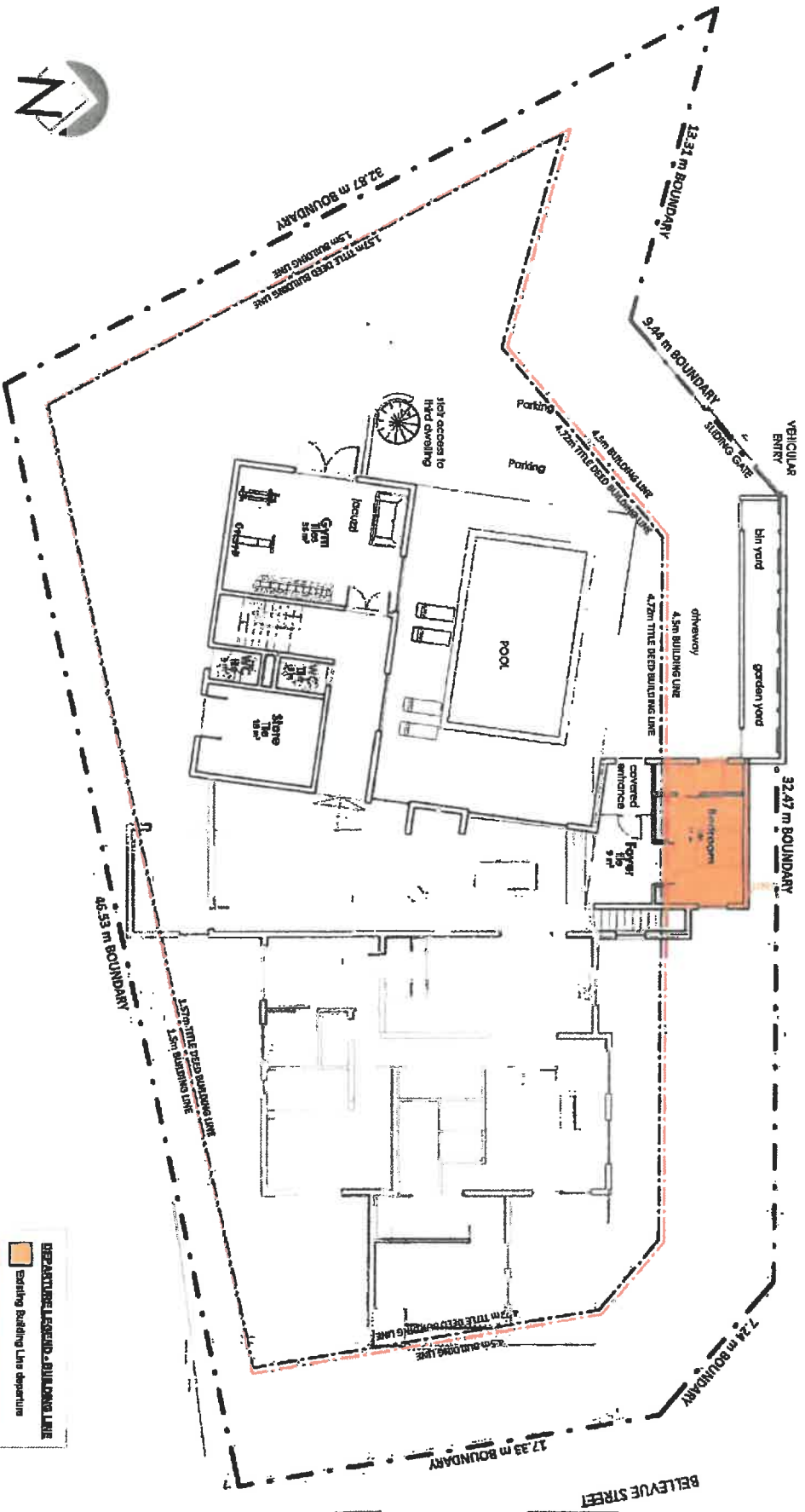
GROUND STOREY - DEPARTURE PLAN

SD02_101

REVISION A
 2023.11.11



CARLETTA STREET



DEPARTURE LEGEND - BUILDING LINE

	Departure Building Line
	Existing Building Line
	Proposed Building Line

02 UPPER GROUND FH
Scale 1:1250

House Du Toit

8 Carletta street, Llanoohoek, Paarl

UPPER GROUND STOREY - DEPARTURE PLAN

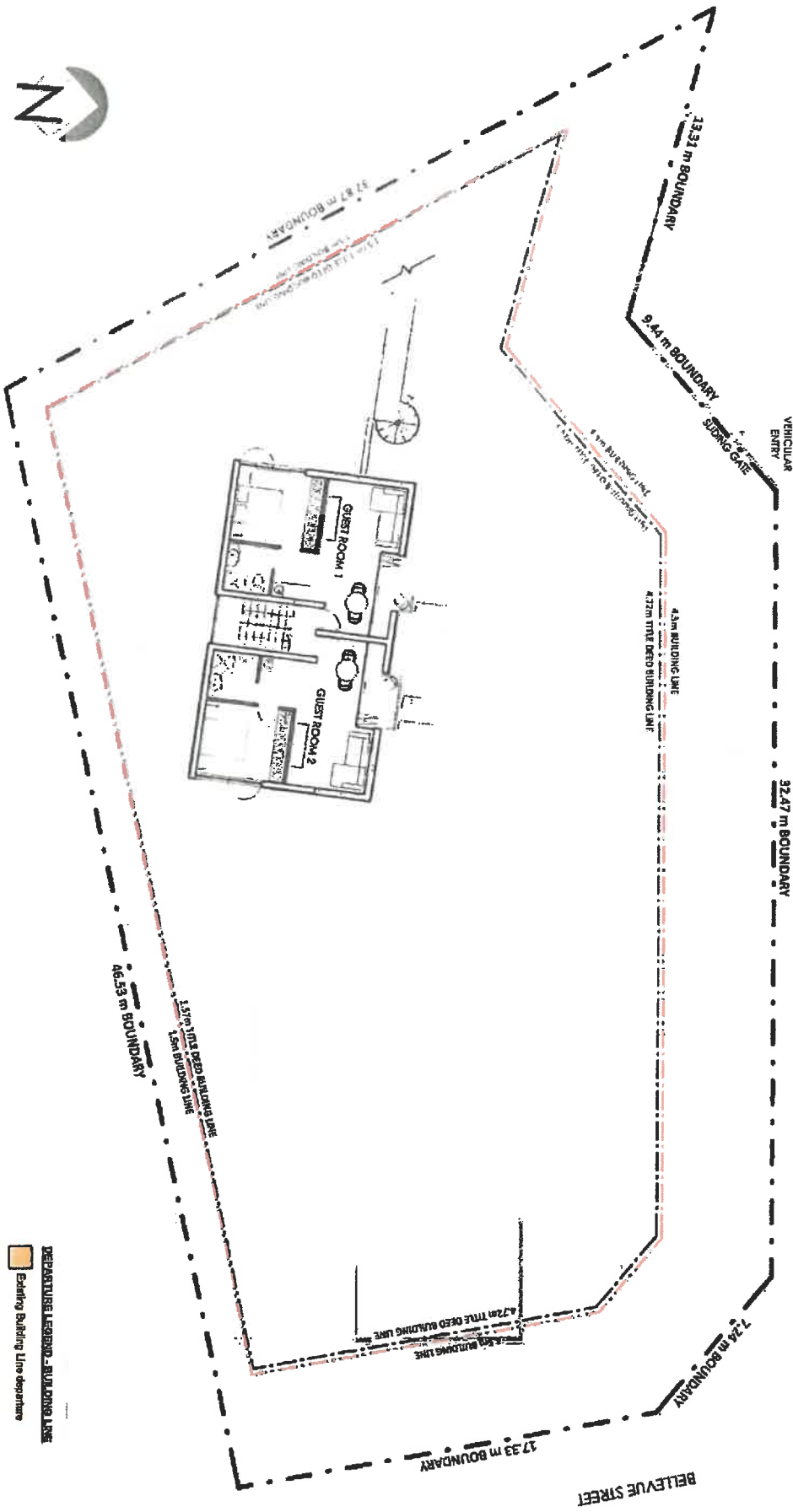
SD02_102

REVISION A
2022-11-11

BOUWER ARCHITECTS



CARLETTA STREET



- DEPARTURE LEGEND - BUILDING LINE**
- Existing Building Line departure
 - Proposed Building Line departure

03 FIRST STOREY FH1
 Scale: 2:1250

House Du Toit

8 Carlton street, Lamontsoff, Pretoria

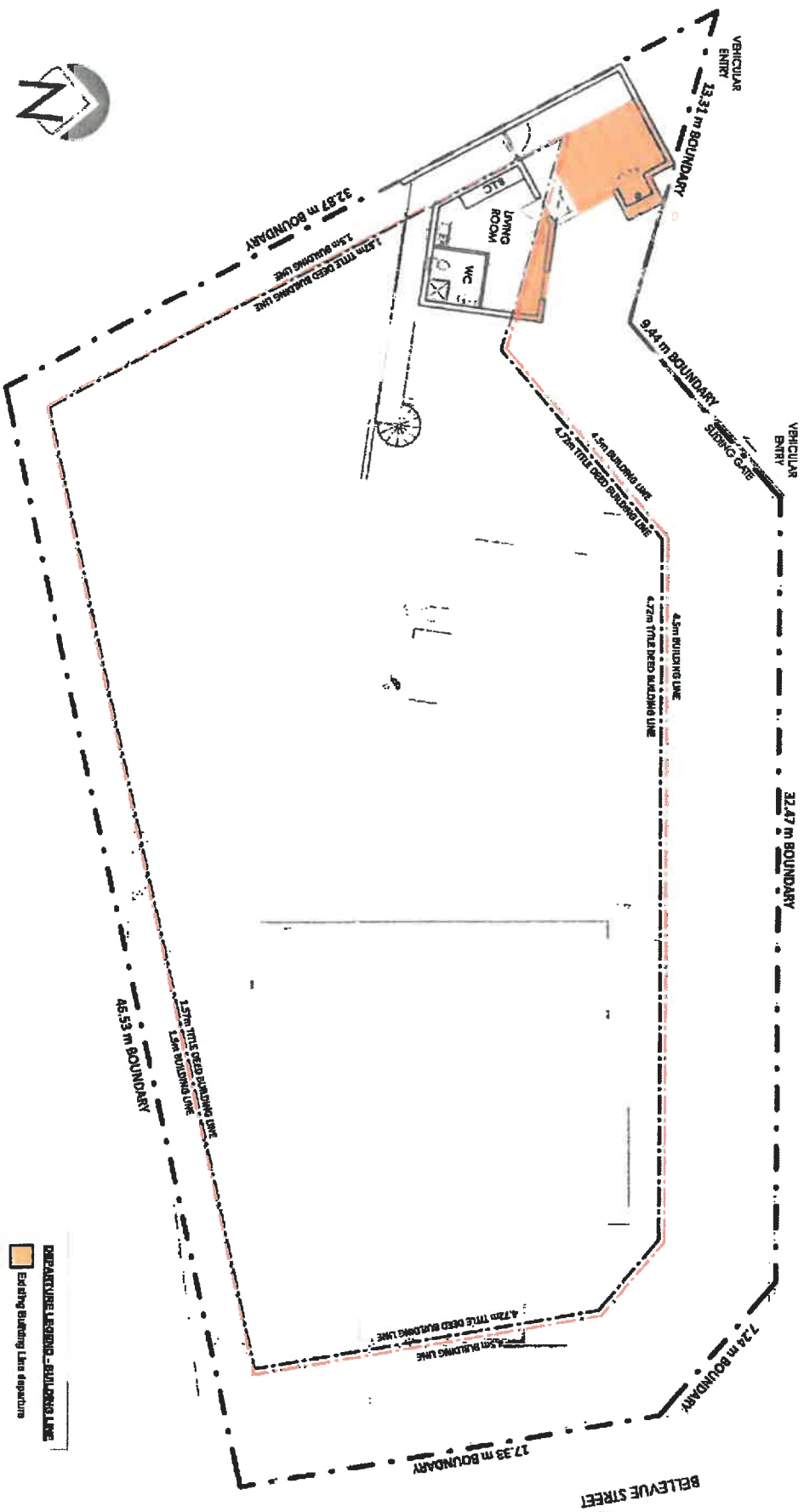
FIRST STOREY - DEPARTURE PLAN

SD02_103

REVISION A
 2023-11-11

BOUWER ARCHITECTS

CARLETTA STREET



04 SECOND STOREY FFL
Scale 1 : 250



House Du Toit

8 Carletta street, Lando outlook, Pretori

SECOND STOREY - DEPARTURE PLAN

SD02_104

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2022-11-11

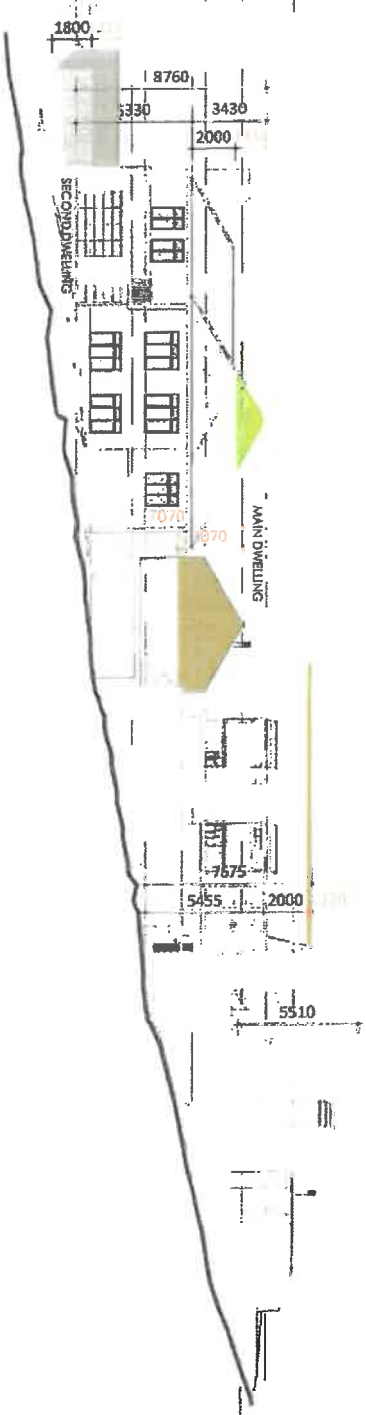


BOUWER ARCHITECTS

- 03 MEZZANINE
- 181520
- ROOF RIDGE
- 188950
- 04 SECOND STOREY FR.
- 182220
- 05 FIRST STOREY FR.
- 186550
- Wedgeplate
- 279000
- 02 UPPER GROUND FR.
- 372800
- 01 GROUND STOREY FR.
- 377320
- Garage FR.
- 375320
- 01 LOWER GROUND
- 174500

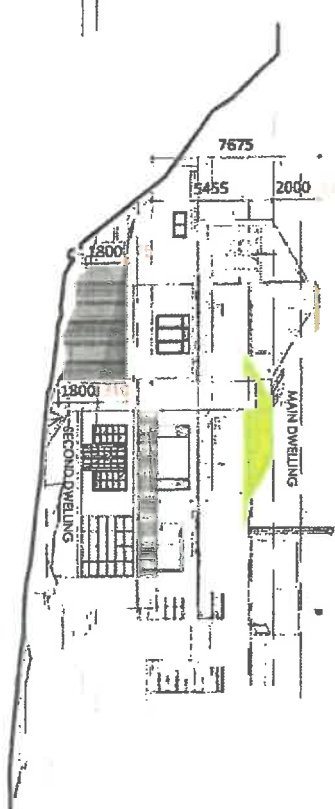
North Elevation
Scale: 1:200

THIRD DWELLING



- 05 MEZZANINE
- 181520
- ROOF RIDGE
- 218350
- 04 SECOND STOREY FR.
- 182220
- 03 FIRST STOREY FR.
- 186550
- Wedgeplate
- 179920
- 02 UPPER GROUND FR.
- 277800
- 01 GROUND STOREY FR.
- 272120
- Garage FR.
- 375320
- 01 LOWER GROUND
- 174500

East Elevation
Scale: 1:200



- DEPARTURE LEGEND - HERMIT RESERVATION**
- Building Height restriction departure
 - Proposed height restriction departure

House Du Toit
5 Carthage Street, Lamontsoek, Paarl

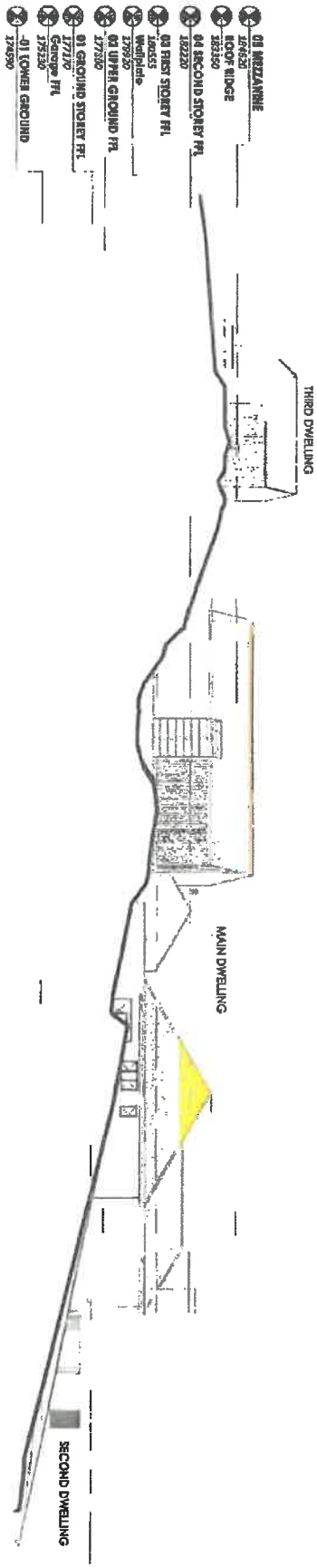
ELEVATIONS - DEPARTURE PLAN

SD02_200

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2022-11-11

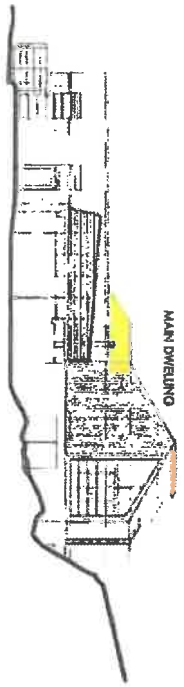


BOUWER ARCHITECTS



South Elevation
Scale: 1:200

- 03 MEZZANINE
284620
- 04 ROOF RIDGE
383350
- 04 SECOND STOREY FFL
482220
- 03 FIRST STOREY FFL
379520
- 04 UPPER GROUND FFL
379520
- 01 GROUND STOREY FFL
377120
- 01 GROUND FFL
379520
- 01 LOWER GROUND
378590



West Elevation
Scale: 1:200

DEPARTURE LEGEND - HEIGHT RESTRICTIONS

	Existing Height restriction departure
	Proposed Height restriction departure

House Du Toit

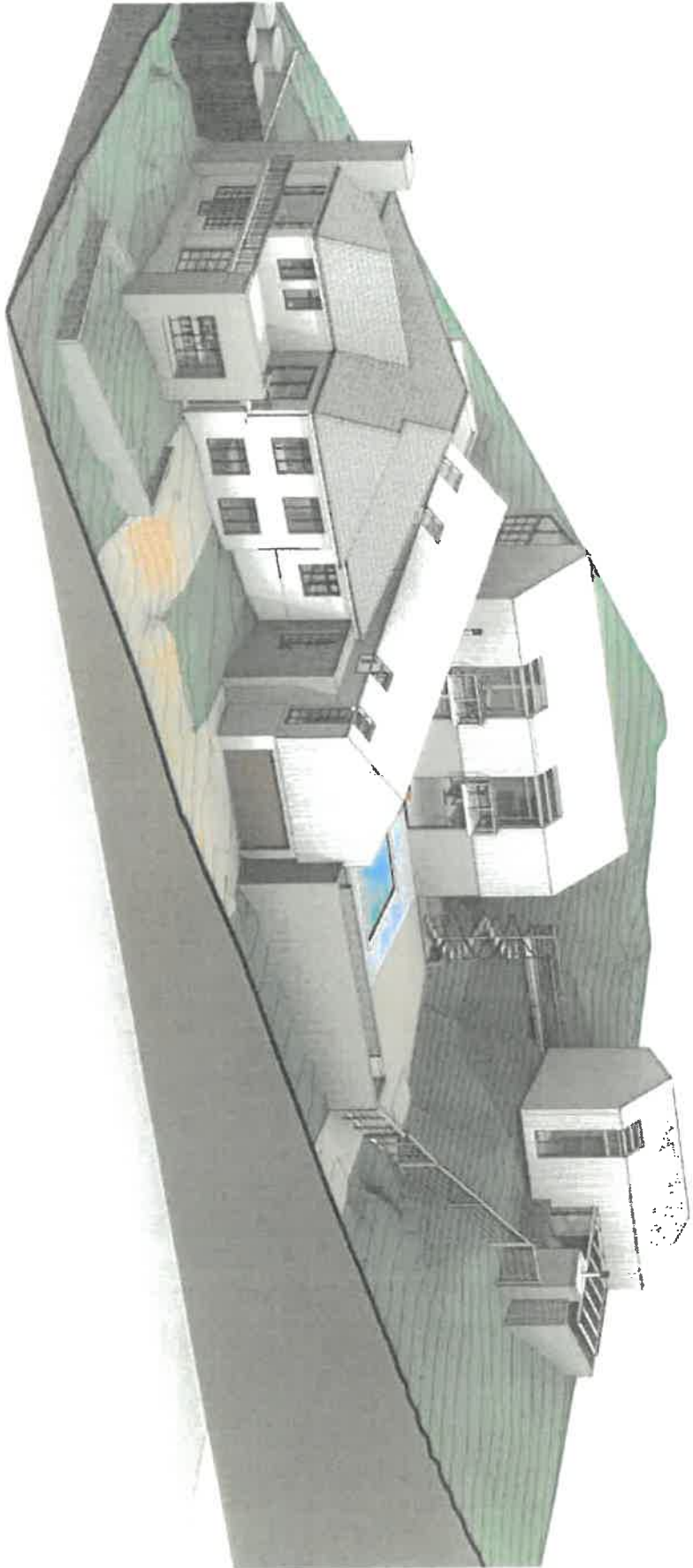
5 Cardale Street, Lamontsoek, Paarl

ELEVATIONS - DEPARTURE PLAN

SD02_201

REVISION A
2022-11-11





House Du Toit

5 Carleton street, Lamontville, Pieter

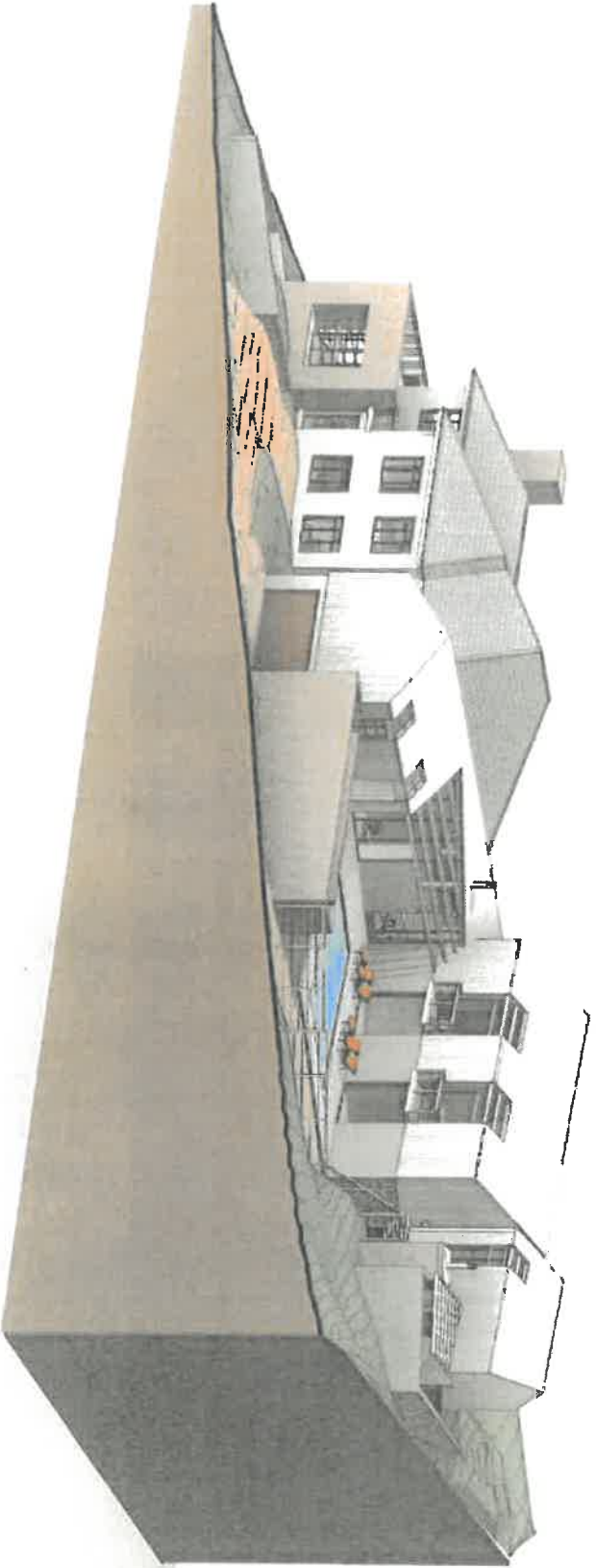
3D Views

SD02_300

REVISION A
2023-11-11



BOUWER ARCHITECTS



House Du Toit

5 Gordale street, Lammembok, Paarl

3D Views

SD02_301

REVISION A
2022-11-11



BOUWER ARCHITECTS