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Reference: 15/4/1 (15894) P
Date: 09 June 2025

CP/CS
15/4/1 (15894) P

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APPLICATION FOR CONSENT USE IN TERMS OF SECTION 15(2)(n) OF THE DRAKENSTEIN BYLAW ON MUNICIPAL LAND USE PLANNING, 2018: ERF 15894 PAARL

1. **Approval** is hereby 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 and garage for a place of instruction (ECD) on Erf 15894 Paarl, as indicated on the site plan, **(See Annexure B)** which is to be read in conjunction **(See Annexure K)**
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 This approval only applies to the application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 2.2 The proposal take place largely in accordance with the site development plan, **(See Annexure B)**
 - 2.3 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services, in its letter dated 03 April 2025 reference number 15/4/1 (15894) P (336), **(See Annexure C)**
 - 2.4 Adherence to the conditions laid down by the Drakenstein Municipality: Electrical Engineering Services, in its email dated 09 May 2024, **(See Annexure D)**

- 2.5 Adherence to the conditions laid down by the Cape Winelands District: Health Department Services, in its letter dated 13 August 2024 reference number 15/2/6/1, **(See Annexure F)**
3. The following conditions are applicable from a town planning point of view:
 - 3.1 No new buildings or alterations are to be erected or existing structures altered without the approval of building plans by Council;
 - 3.2 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;
 - 3.3 Any further amendments to the application are subject to the relevant approval;
 - 3.4 That the ECD complies with all environmental health requirements;
 - 3.5 That the ECD complies with all fire safety requirements;
 - 3.6 That a maximum of 18 children may be accommodated within the ECD;
 - 3.7 Operating hours for the ECD be limited to Monday-Friday, from 07:00 to 17:30 on Mondays till Thursdays and 07:00-16:00 on Fridays; and
 - 3.8 Should the applicant fail to comply with the any of the above-mentioned conditions of approval, the Council reserves the right to impose further conditions in future if deemed necessary.
4. The following be regarded as the reasons for the decision:
 - 4.1. ECD's are considered to be suitable secondary land uses on conventional residential properties;
 - 4.2 The proposal is not expected to negatively impact nor will it be out of scale or character of the immediate surrounding area;
 - 4.3 All the relevant internal and external departments consented to the application, subject to certain conditions;
 - 4.4 The existing building can easily revert back to a dwelling house if the proposed use ceases to exist;

- 4.5 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
- 4.6 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.

The applicant shall be required to notify (**by email or per hand**) the **surrounding property owners** who were notified of the application during the initial public participation process and **objectors**, 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

Please Address all correspondence to the City Manager, P O Box 1, Main Street, Paarl, 7622, or Customer care, e-mail, customercare@drakenstein.gov.za, Henk Strijdom, henks@drakenstein.gov.za