PLETTENBERG BAY ERF 2890

APPLICATION FOR:

REZONING &DEPARTURES

CLIENT: **EASY STAY SA (PTY) LTD**

PREPARED BY: **MARIKE VREKEN URBAN & ENVIRONMENTAL PLANNERS**

Marike Vreken
Urban & Environmental Planners
Stads & Omgewingsbeplanners

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SECTION A : BACKGROUND

1. BACKGROUND

Plettenberg Bay Erf 2890 is currently zoned 'Single Residential Zone' in terms of the Plettenberg Bay Zoning Scheme Regulations (1986). The subject property measures 841m² in extend; and is located at 8 Rainbow Place, Plettenberg Bay.

FIGURE 1: PLETTENBERG BAY ERF 2890

Dolphin Circle is a guest house currently operating on Plettenberg Bay Erf 2890. Being centrally located with less than 1km to the Plettenberg Bay CBD, Dolphin Circle is ideally situated for a tourist accommodation establishment.

The existing guest house is currently being operated unlawfully on Plettenberg Bay Erf 2890, as the existing land use right does not allow the property to be used for guest house purposes. The property owner wishes to lawfully allow Dolphin Circle guest house on the property, and therefore needs to apply for the rezoning of the property to allow it being used for guest house purposes.

Due to a difference in land use parameters from 'Single Residential Zone' to 'General Residential Zone', additional permanent departures have to be applied for alongside the proposed rezoning application.

In order to lawfully allow the existing guest house on Plettenberg Bay Erf 2890; it is necessary to submit an application for a rezoning to Bitou Municipality in terms of Section15(2)(a) and for permanent departures in terms of Section 15(2)(b) of the Bitou By-Law on Municipal Land Use Planning, for their consideration.

2. THE APPLICATION

Marike Vreken Urban and Environmental Planners has been appointed by **EASY STAY SA (PTY) LTD** (refer to **ANNEXURE A**: Power of Attorney) to prepare and submit the required application documentation (refer to **ANNEXURE B**: Application Form) for:

a) Rezoning of Plettenberg Erf 2890 from "Single Residential Zone" to "General Residential Zone" in terms of Section 15(2)(a) from the Bitou By-Law on Municipal Land Use Planning (2015), to allow a 'Residential Building' in order to operate a guest house;

b) A permanent departure in terms of Section 15(2)(b) from the Bitou By-Law on Municipal Land Use Planning (2015), to allow a building line relaxation of the northern boundary from 4,5m to 0,79m to allow the existing structures;

c) A permanent departure in terms of Section 15(2)(b) from the Bitou By-Law on Municipal Land Use Planning (2015), to allow a building line relaxation of the eastern boundary from 4,5m to 1,59m to allow the existing structures;

d) A permanent departure in terms of Section 15(2)(b) from the Bitou By-Law on Municipal Land Use Planning (2015), to allow a building line relaxation of the western boundary from 4,5m to 0m to allow the existing structures;

e) A permanent departure in terms of Section 15(2)(b) from the Bitou By-Law on Municipal Land Use Planning (2015), from the minimum required erf size for a 'General Residential Zone' property from 1000m^2 to 841m^2;

f) A permanent departure to allow the maximum coverage of 50% to 51,2%, in terms of Section 15(2)(b) from the Bitou By-Law on Municipal Land Use Planning (2015), to allow the existing structures.

The required pre-application consultation was conducted with the municipality. The pre-application consultation did not highlight any "red flags" regarding this application and is attached as **ANNEXURE E**.

3. PROPERTY DESCRIPTION, SIZE AND OWNERSHIP

A copy of the Title Deed (T59065/2018) & Windeed Copy that includes all the information outlined below, is contained in **ANNEXURE C**. A copy of the General Plan (S.G. No 4008/75) is contained in **ANNEXURE D**.

Erf Number:	ERF 2890
Title Deed Number:	T59065/2018
Property Owner:	Easy Stay SA (PTY) LTD
Property Description:	*Erf 2890 Plettenberg Bay in the Bitou municipality; Division Knysna Western Cape. Province*
Property Size:	841m^2 (Eight Hundred and Forty-One Square Meters)
Title Deed Restrictions:	There are no Title Deed restrictions that could prevent the proposed guest house (Residential Building).
Servitudes:	There are no servitudes registered over the property.
Bonds:	There is a bond registered over the property. Bond Holders Consent has been applied for and will be submitted in due course.

SECTION B : DEVELOPMENT PROPOSAL

4. DEVELOPMENT SPECIFICATIONS

(Refer to Plan 2: Site Development Plan)

Dolphin Circle is a 3.5-star guest house currently being operated on Plettenberg Bay Erf 2890. The guest house consists of (5) five luxury rooms with a communal lounge for the guests to relax and dine. Dolphin Circle accommodates caters for international tourists as well as local visitors.

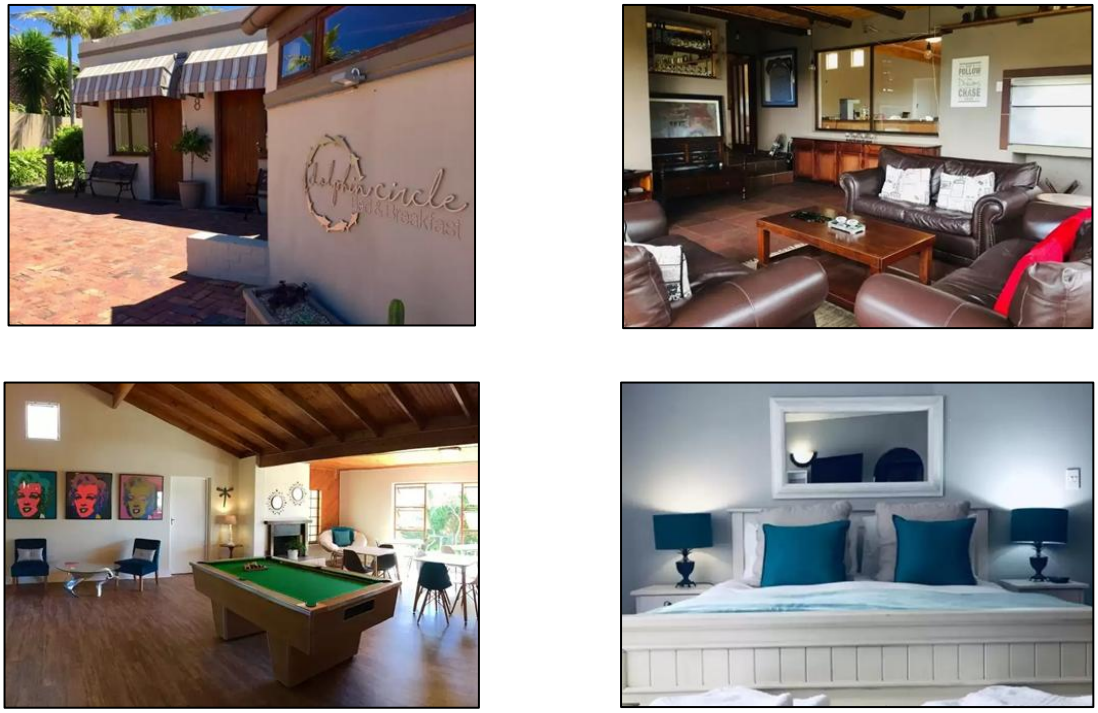


FIGURE 2: IMAGES OF DOLPHIN CIRCLE GUEST HOUSE

The guest house is operating within the existing dwelling unit on Plettenberg Bay Erf 2890. The intension of this application is to obtain land use rights to lawfully allow a guest house. No actual construction / development is proposed, as the existing dwelling house is already used for guest house purposes, the structure will remain as is. The existing building on Erf 2890 still defines to the definition of a "dwelling unit", and should the owner in the future wish to utilise the property as a dwelling house, the structure could easily revert back to a dwelling unit for single residential purposes.

A guest house manager will reside on the property in the Manager's Cottage, which is situated in the north-west corner of the property.

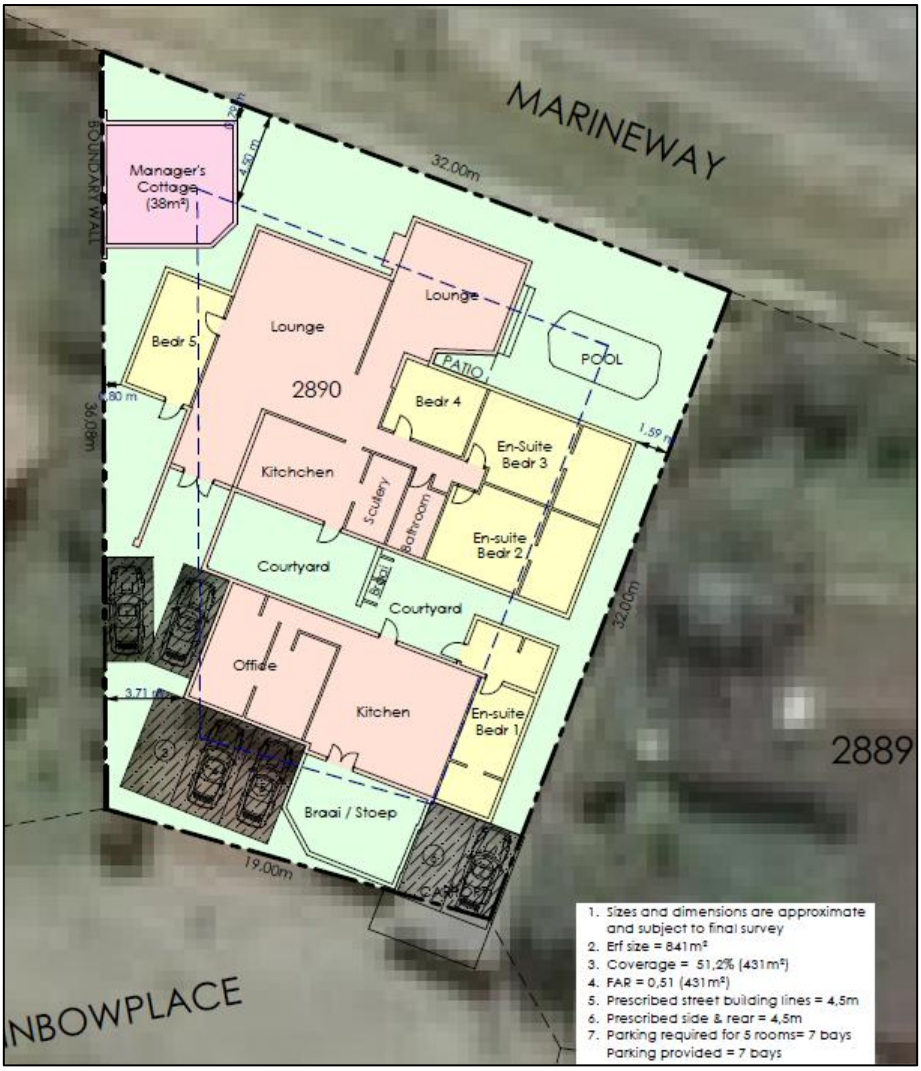


FIGURE 3: SITE DEVELOPMENT PLAN

5. ACCESS & PARKING

The existing access will be used to gain access to the property. Erf 2890 is located in Rainbow Place Street, which is at the end of a cul-de-sac. The existing access is more than sufficient to accommodate the use of a guest house on the property.

During the pre-application consultation the Municipality advised us to provide parking for the guest house at a ratio of *"1 parking bay per bedroom, plus 1 bay for every 4 bedrooms for visitors"*. With a total of five (5) bedrooms a total of (7) parking bays are required. The SDP allows for a total of (7) on-site parking bays.

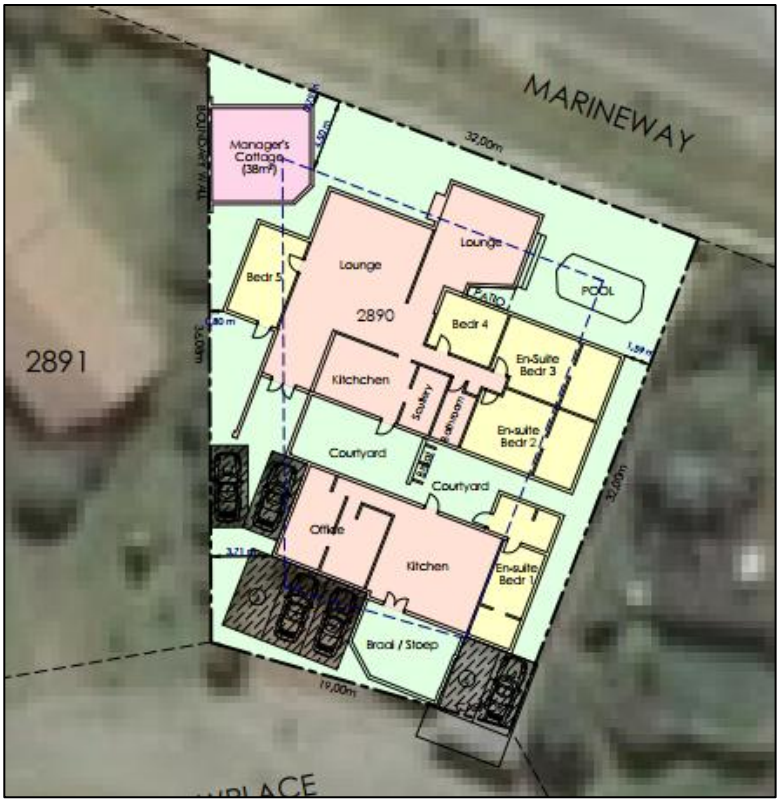


FIGURE 4: PARKING ON THE SITE DEVELOPMENT PLAN

According to the Site Development Plan (SDP) there is a total of five (5) bedrooms which equals to seven (7) parking bays required. The above figure indicate that the site can accommodate seven (7) parking bays.

FIGURE 5: PARKING ON PLETTENBERG BAY ERF 2890

6. STATUTORY SPECIFICATIONS

The following land development applications are lodged in terms of the Bitou Municipality By-law on Municipal Land Use Planning (2015), to achieve the desired outcome:

6.1. Rezoning to 'General Residential Zone'

The subject property is currently zoned 'Single Residential Zone', this zoning does not allow for the use of a guest house. Thus, it is necessary to rezone the property to 'General Residential Zone' to allow the use of a 'Residential Building', which is the only use that

would allow the use of a guest house. The Plettenberg Bay Zoning Scheme is very old and outdated; thus it does not have a specific zoning category that accommodate the use of a guest house. The only use in the current Zoning Scheme that could accommodate a guest house is a 'Residential Building'.

The Plettenberg Bay Zoning Scheme define 'General Residential' as; *"the restriction applying to flats, licensed hotels, residential buildings, institutional buildings and professional buildings"*.

A '**residential building**' is defined as; "*means a building (other than a dwelling house, block of flats or licensed hotel) for human habitation, together with such outbuildings as are ordinarily use therewith and includes tenement, residential clubs and hostels, but does not include any building mentioned whether by way of inclusion or exclusion in the definitions of "place of instructions" and " institutional building*".

In order to lawfully allow the existing guest house on Plettenberg Bay Erf 2890 an application for rezoning to 'General Residential Zone' in terms of Section 15(2)(a) from the Bitou By-Law on Municipal Land Use Planning (2015); to allow a 'Residential Building' is required.

6.2. Permanent Departures

6.2.1. Northern Building Line

The current building line for the northern boundary is 4,5m. The existing building encroaches the building line because of the new 'General Residential Zone' parameters; therefore a permanent departure for a building line relaxation from 4,5m to 0,79m needs to be submitted in terms of Section 15(2)(b) of the Bitou By-Law on Municipal Land Use Planning.

6.2.2. Eastern Building Line

The current building line for eastern side of the property is 4,5m. The existing building encroaches the building line because of the new 'General Residential Zone' parameters; therefore a permanent departure for a building line relaxation from 4,5m to 1,59m needs to be submitted in terms of Section 15(2)(b) of the Bitou By-Law on Municipal Land Use Planning.

6.2.3. Western Building Line

The current building line for the western side of the property is 4,5m. The existing manager's cottage encroaches the building line, thus a permanent departure must be submitted in terms of Section 15(2)(b) of the Bitou By-Law on Municipal Land Use Planning for a building line relaxation from 4,5m to 0m.

6.2.4. Minimum Erf Size

According to Plettenberg Bay Zoning Scheme the minimum required erf size for a general residential stand is 1000m². Plettenberg Bay Erf 2890 is only 841m² in extent.

A permanent departure must be submitted in terms of Section 15(2)(b) of the Bitou By-Law on Municipal Land Use Planning for the minimum of the erf size to be relaxed from 1000m² to 841m² to allow the proposed use on the subject property.

6.2.5. Maximum Coverage

The current coverage of Plettenberg Bay Erf 2890 is 51,2%. The maximum coverage allowed on a general residential site according to Plettenberg Bay Zoning Scheme is 50%. A permanent departure has to be submitted in terms of Section 15(2)(b) of the Bitou By-Law on Municipal Land Use Planning, to allow the proposed coverage of 51.2%.

6.3. Permanent Departures Summary

The proposed development will have to prescribe to the development parameters of "General Residential Zone" as set out in the Plettenberg Bay Zoning Scheme Regulations. The proposed development does not comply with all the parameter set out in the Zoning Scheme; thus, a number of departures is required.

Parameters	Zoning Scheme	Proposal	Compliance
Max. coverage	50%	51.2%	***Departure required***
Max. bulk	0.75	0.51	***Comply***
Min. size of site	1000m²	841m²	***Departure required***
Lateral & rear spaces	4.5m or half the height of the building, whichever is the greater.	North - 0,79m East - 1,59m West - 0m	***Departure required***
Height restriction	Max (3) floors – 10.3m	1 storeys	***Comply***
Outbuildings	11m measured from the rear boundary and being subject to a max width of 7m.	No outbuildings - dwelling will be inter leading and will be considered as one dwelling	***Not applicable***

FIGURE 6: GENERAL RESIDENTIAL ZONE PARAMETERS

7. SERVICES INFRASTRUCTURE

Given the fact that the application area is located within the existing urban fabric, and within an existing residential area, the guest house will not have any impact on the services provision. No development / construction is proposed, the guest house will not require any additional services and have no impact whatsoever on the existing services infrastructure capacity of Bitou Municipality.

SECTION C : CONTEXTUAL INFORMANTS

8. LOCALITY

Plettenberg Bay Erf 2890 is located in a residential area south of Plettenberg Bay CBD with only Marine Way Drive separating the CBD from the residential zones. Plettenberg Bay Erf 2890 is and

is located at 8 Rainbow Place, Plettenberg Bay and within walking distance of the CBD. The GPS coordinates for Plettenberg Bay Erf 2890 is; 34° 3'23.11"S and 23°22'10.02"E.

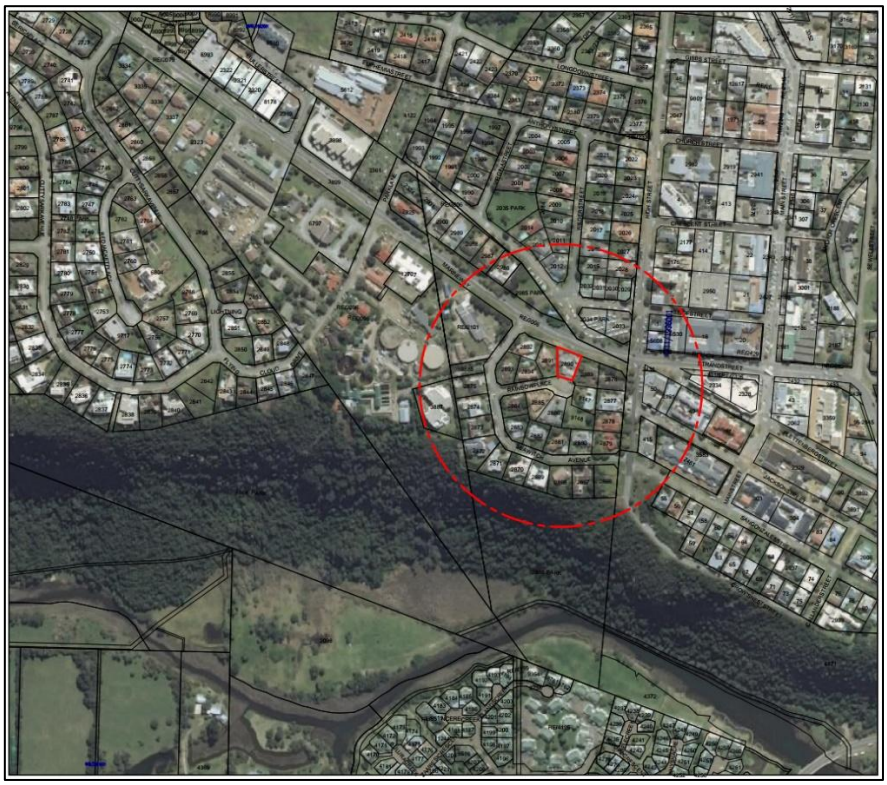


FIGURE 7: LOCALITY PLAN

9. CURRENT LAND USE AND ZONING

9.1. Land Use

Plettenberg Bay Erf 2890 consists of a main dwelling unit and a manager's cottage. The dwelling unit consists out of five (5) bedrooms and has a total coverage of 51.2%. Dolphin Circle is a 3.5-star guest house currently being operated on Plettenberg Bay Erf 2890.

FIGURE 8: LAND USE

9.2. Zoning

Plettenberg Bay Erf 2890 is currently zoned 'Single Residential Zone' in terms of Plettenberg Bay Zoning Scheme.

10. CHARACTER OF THE AREA

(Plan 3: Land Use Plan)

The area around the subject property is characterised by mainly residential uses. The area is located close to Plettenberg Bay CBD which is characterised with a mixed land use character.

Other than the residential units in the surrounding area, there are plenty of bed & breakfast, guest houses, backpackers and business uses in the surrounding area:

- (Erf 2986) - Amakaya Backpackers
- (Erf 2015) - Nothando Backpackers
- (Erf 2033) - Taxi rank
- (Erf 2886) - Danie Erasmus Makelaars
- (Erf 2876) - Von Zoe Salon & Spa
- (Erf 2877) - The Computer Shop
- (Erf 50) - Faith Love Hope and Tatoos
- (Erf RE/2101) - Local Authority

FIGURE 9: TAXI RANK

FIGURE 10: COMMERCIAL BUILDING

FIGURE 11: THE COMPUTER SHOP

FIGURE 12: LOCAL AUTHORITY

The immediate surrounding area is characterised with a residential character and further away the character changes to a mixed land use character. The use of a guest house remains residential; thus it will in no way detract or affect the existing character of the area.

11. EXISTING POLICY FRAMEWORKS

11.1. Western Cape Provincial SDF (2014)

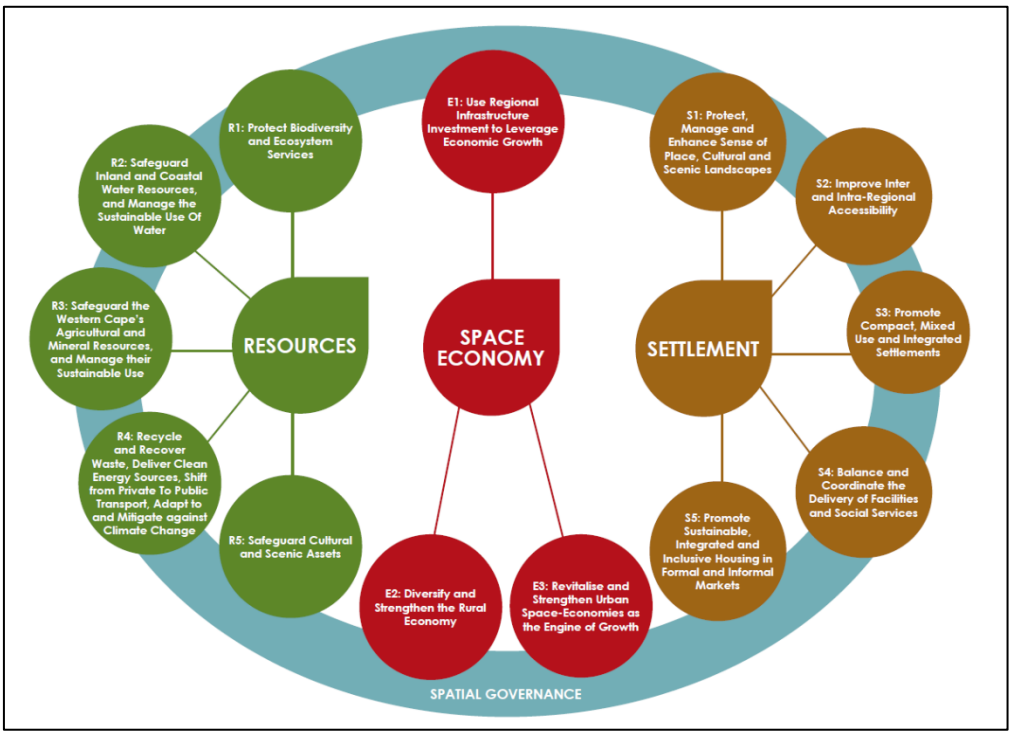
The Western Cape Provincial SDF was approved in 2014 by the Western Cape Parliament and serves as strategic spatial planning tool that communicates the Province's spatial planning agenda.

The recent shift in legislative and policy frameworks have clearly outlined the roles and responsibility of provincial and municipal spatial planning and should be integrated towards the overall spatial structuring plan for the province to create and preserve the resources of the province more effectively through sustainable urban environments for future generations. This shift in spatial planning meant that provincial inputs are in general limited to provincial scale planning.

The proposed development compliments the SDF spatial goals that aim to take the Western Cape on a path towards:

(i) Greater productivity, competitiveness and opportunities within the spatial economy;
(ii) More inclusive development in the urban areas;
(iii) Strengthening resilience and sustainable development.

However it is important to note some of the key policies laid down by the draft PSDF have a bearing on the application.



Policy E3: Revitalise and Strengthen Urban Space-Economies as the Engine of Growth

5. Existing economic assets (e.g. CBDs, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc.) should be targeted to levers the regeneration and revitalisation of urban economies.

7. Incentives should be put in place to attract economic activities close to dormitory residential areas, facilitate brownfields development.

Policy S3: Ensure Compact, Balanced & Strategically Aligned Activities & Land Uses

This policy reflects the main aim of the policy through targeting economic assists (e.g. Modal Interchanges underutilised strategically located land parcels) should be used as a lever to regenerate and revitalise urban settlements.

Promoting functional integration and mix land use to increase liability of urban areas. Thus the policy specifies the importance to- increase density of settlements and number of units in new housing projects; continue to deliver public investment to meet the needs in settlement developments; integrate packages of land, infrastructure and services as critical to promote densification and efficiency associated with agglomeration.

Planning Implication:
The Western Cape Spatial Development framework has a strong emphasis on revitalising urban spaces creating an urban living environment which is more convenient, efficient and aesthetically pleasing to residents. The proposed land use is on a brownfield site and upon operation of a guest house it will attract new economic activities within the established neighbourhood contributing to a functional and urban integrated living environment which is strategically aligned with the surrounding land uses of the residential neighbourhood. Therefore, the proposal complies with strategic objectives as set out by the Western Cape Spatial Development Framework.

11.2. Bitou Municipal Spatial Development Framework (2017)

The latest Bitou Spatial Development Framework (SDF) was approved by the Bitou Municipal Council during 2017. During January 2018 the Bitou Local Municipality commissioned the Review of the Bitou Municipal Spatial Development Framework 2013 in order to bring it in line with the content and process requirements of Spatial Planning and Land Use Management Act, Act 16 of 2013 (SPLUMA). The Draft Bitou SDF (2018) is currently out for public comments and does not have status yet, however, the compliance of the existing proposal therewith is briefly assessed and compared current SDF.

The SDF is the primary spatial tool for guiding development within the municipal area The SDF echoes the principles laid down by the provincial SDF including densification, the importance of compact settlements and walkability and the promotion of a mixture of uses in close proximity to one another.

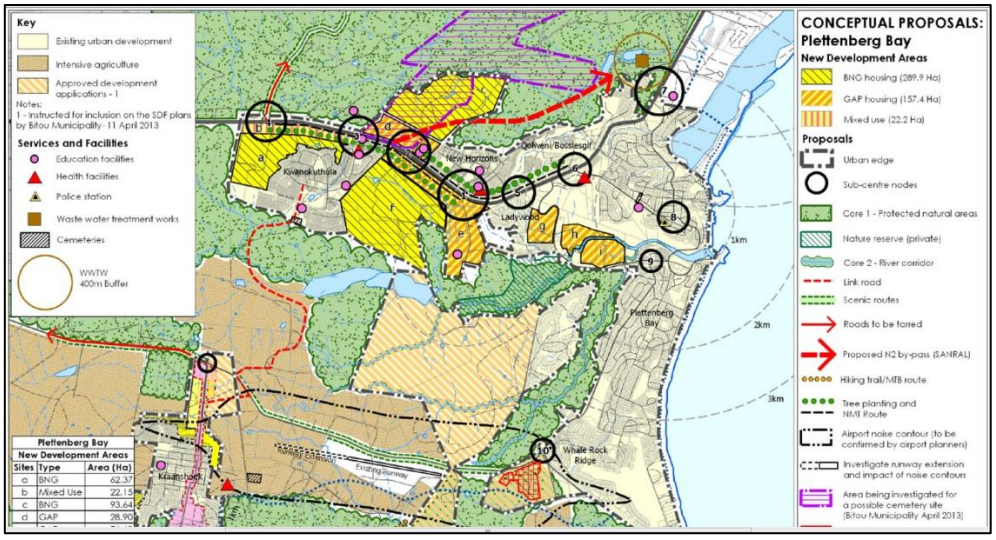


FIGURE 13: EXTRACT FROM THE BITOU SDF (2017)

As seen in above figure, the location of Plettenberg Bay Erf 2890 in located in **sub centre node 8** which is one of the key areas the SDF has identified for future growth and to promote mixed land use.

The Bitou SDF locates Erf 2890 within the urban edge for Plettenberg Bay, therefore the site has been identified as within the desired envelope of development for the settlement.

The following urban design guidelines are proposed to guide all future development in the Municipality:

- UD10 – Any proposals for the redevelopment of existing buildings should consider their heritage value, elements of the vernacular architecture and, where possible, retain these important elements. Similarly, the historical characteristics of existing buildings should be considered to draw from their elements that could be integrated into the design and construction of new buildings close by.
- UD14 – Ensure that the main streets of the urban areas are appropriately landscaped to encourage a pleasant gateway treatment into the settlements.

The following Smart Growth Principles in the Bitou SDF are applicable to the proposed development that should be used to help achieve integrated and efficient human settlements:

1. Provide for a mix of different kinds of land uses, e.g. residential, retail, business, and recreational opportunities.
2. Create well-designed compact neighbourhoods where the different activities are in close proximity to each other.
4. Create a variety of housing opportunities, i.e. in terms of function, form and affordability.

5. Encourage growth in existing communities this can be done through infrastructure upgrade, urban renewal, new amenities and densification.

9. Foster a unique neighbourhood identity building on the unique and diverse characteristics of each community.

From the above mentioned it is clear that the proposal is consistent with the Bitou SDF.

11.3. Draft Bitou SDF 2018

The current draft SDF for Bitou Municipality (2018) demarcates the subject property as 'Towns and Settlements' and inside the urban edge.

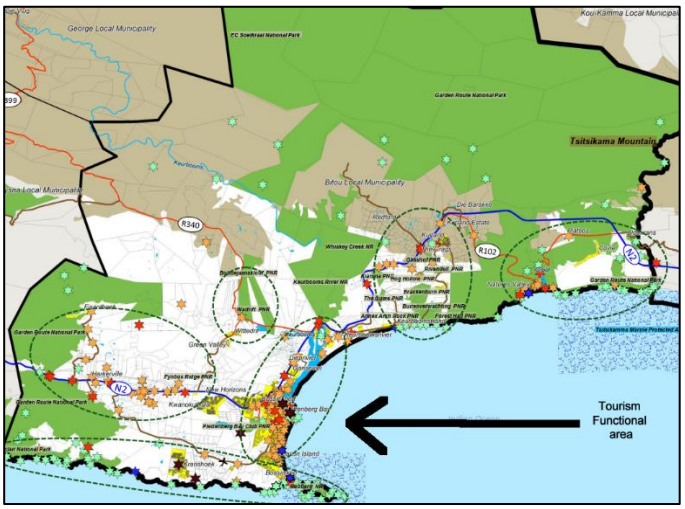


FIGURE 14: TOURISM FUNCTIONAL AREA

The Draft Bitou MSDF identifies the key tourism functional areas of Bitou; Erf 2890 is located directly within the one circle as indicated in Figure 14. The municipal SDF further indicates that Bitou area is one of the main tourist attraction locations in the Western Cape and must therefore put more emphasis to accommodate the tourists.

The SDF also encourages range of accommodation and entertainment options close to the Plettenberg Bay CBD in order to create unique tourist experiences and to strengthen the CBD area.

SECTION D : MOTIVATION

12. SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)

The Spatial Planning and Land Use Management Act (SPLUMA) came into effect on 1 September 2014. One of the main objectives of this act is to provide a framework for spatial planning and land use management to address past spatial and regulatory imbalances.

Section 42 of SPLUMA prescribe certain aspects that have to be taken into consideration when deciding on an application. These are:

- development principles set out in Chapter 2 of SPLUMA
- protect and promote the sustainable use of agricultural land
- national and provincial government policies
- the municipal spatial development framework; and
- take into account—

  (i) the public interest;

  (ii) the constitutional transformation imperatives and the related duties of the State;

  (iii) the facts and circumstances relevant to the application;

  (iv) the respective rights and obligations of all those affected;

  (v) the state and impact of engineering services, social infrastructure and open space requirements; and

  (vi) any factors that may be prescribed, including timeframes for making decisions.

SPLUMA sets out the following **5 main development principles** applicable to spatial planning, land use management and land development:

1. Spatial justice
2. Spatial sustainability
3. Efficiency (optimising the use of existing resources and infrastructure)
4. Spatial resilience (allow for flexibility in spatial plans)
5. Good administration

The motivation in this Section will also indicate how the proposed development will be consistent with the SPLUMA principles.

13. CONSISTENCY WITH SPATIAL PLANNING POLICIES

This rezoning application is consistent with the spatial policy framework applicable to this area:

- The proposed development complies with the Western Cape Provincial SDF (2014) as it aims to ensure compact, balanced & strategically aligned activities & land uses that are in line with the character of the surrounding area.
- The site is located within the existing urban edge of Plettenberg Bay – tourism opportunities / facilities is encouraged in the areas surrounding the CBD.
- The development encourage growth in existing community through infrastructure upgrade, urban renewal and densification. It also fosters a unique neighbourhood identity building on the unique and diverse characteristics of the community.
- The proposed development will strive to be as eco-sensitive as possible with sustainability as the main drive. Hence the proposal complies with the sustainability urban design guidelines and smart growth principles as promoted in the Bitou SDF.

14. LOCATION AND ACCESSIBILITY OF THE AREA

Erf 2890 is situated in Rainbow Place that runs parallel with Marine Drive which goes all the way down to the main beach. Marine Way Drive is one of Plettenberg Bay's main corridors that have direct access from the N2. Erf 2890 is very accessible and is within walking distance from Plettenberg Bay CBD. The centralisation of Erf 2890 makes it a prime location for tourists and will enable them to explore Plettenberg Bay by foot during day or night. The proposed change of use on Erf 2890 will not have any negative impact on the accessibility of the property.

FIGURE 15: ACCESS TO APPLICATION AREA

15. NO NEGATIVE ENVIRONMENTAL IMPACT

No negative environmental impacts will be created because of the new zoning. Erf 2890 is not located within any Critical Biodiversity area.

FIGURE 16: LOCATION OF CRITICAL BIODIVERSITY AREAS IN RELATION TO THE APPLICATION AREA

16. TOURISM

The tourism sector is one of the major economic drivers for the Plettenberg Bay area. The tourism sector has proven to be a major employment generator. Further downstream economic impacts include support to tour operators, local restaurants, and other tourism related businesses.

The proposed guest house will help to support Plettenberg Bay's growing tourism industry. The guest house on Erf 2890 can easily be accessed given its suitable location to primary and secondary feeder routes as in Marine Drive, this is evident throughout the area with numerous B&B's, lodging and guest houses which provide tourist with easy access to a variety of tourist associated facilities in and around Plettenberg Bay. The development of another accommodation establishment in the area, will not only complement the character of the area, but assist in the growth of the tourism industry of Plettenberg Bay.

17. POSITIVE ECONOMIC IMPACT

The rezoning to allow a guest house is a step in the right direction when it comes to the future of our country's GDP. For a country to improve economically it must start locally. As mentioned above tourism is one of the main attractions in Plettenberg Bay and the main focus must be to accommodate them.

A guest house will also have an impact on the local economy in terms of job creation. Additional employment opportunities like a guest house manager, chefs, cleaning staff and gardening services will be created.

The guest house has developed into a famous tourism landmark, that attracts tourist to stay overnight in Plettenberg Bay, and that results in additional tourism income for the local economy of Plettenberg Bay.

18. AVAILIBILITY OF SERVICES

Given the fact that the application area is located within the existing urban fabric, and within an existing residential area, the proposed guest house will not have any impact on infrastructure provision.

19. NO IMPACT ON EXISTING RIGHTS

The proposed application will not have any negative impacts on any neighbouring property.

The change of the land use to accommodate a guest house will not impact any right currently enjoyed by neighbouring properties as the main use of the building will be for residential purposes which is no different than the existing building being used for single residential purposes.

Several similar precedents exist in this area, is clear indication that the municipality has the view that the accommodation facilities in a residential neighbourhood does not negatively impact on established property rights.

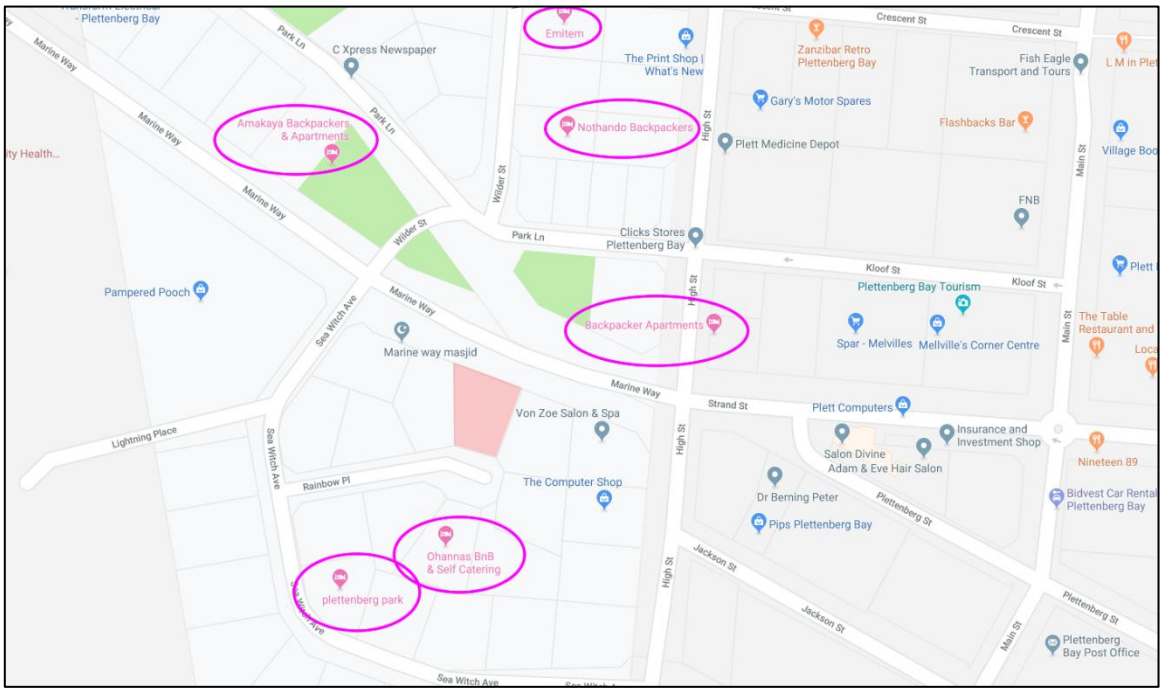


FIGURE 17: ACCOMMODATION ESTABLISHMENTS IN THE SURROUNDING AREA

19.1. Spatial Sustainability

Criteria	Compliance	Planning Implication
Promote land development that is within the fiscal, institutional and administrative means of the Republic.	**Comply**	The development aims to promote land development within the urban fabric of Plettenberg Bay. The development is within the urban edge of Plettenberg Bay. The proposed development is located adjacent a major movement corridor connecting a variety of tourist facilities, residential and business associated uses.
Ensure that special consideration is given to the protection of prime and unique agricultural land.	Not applicable	This policy is not applicable to the application area. Not agricultural land.
Uphold consistency of land use measures in accordance with environmental management instruments.	**Comply**	The application area is located within the urban edge of Plettenberg Bay. The proposed development is located adjacent a major movement corridor connecting a variety of tourist facilities, residential and business associated uses. The proposal will not contribute to any kind of urban sprawl.
Promote and stimulate the effective and equitable functioning of land markets.	**Comply**	The proposed development is consistent with the character of the surrounding area. The proposal is consistent with the existing land uses in the area; additional residential opportunities will allow for more expenditure in the area. The property value will increase and will not affect the value of any surrounding property. The proposed development will contribute to the character of the surrounding area.
Consider all current and future costs to all parties for the provision of infrastructure and social services in land developments.	**Comply**	The proposal will make use of existing service infrastructure. Proposed parking solution will result in additional public parking at no cost to the municipality.
Promote land development in locations that are sustainable and limit urban sprawl; and result in communities that are viable.	**Comply**	The proposed development is within an existing residential area. No urban sprawl will be created because of this land use application.

19.2. Spatial Efficiency

Criteria	Compliance	Planning Implication
Land development optimises the use of existing resources and infrastructure.	**Comply**	The proposed development will contribute to urban renewal and an aesthetical appearance which will contribute to the character of the surrounding area promoting tourist development in the Plettenberg Bay area. Proposal can fit in existing infrastructure. No new additional infrastructure is required.
Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts.	Not Applicable	The municipality should process this application within the prescribed time frames of the Bitou Municipality By-law.
Development application procedures are efficient and streamlined and **timeframes are adhered to** by all parties.	Not Applicable	The municipality should process this application within the prescribed time frames of the Bitou Municipality By-law.

19.3. Spatial Resilience

Criteria	Compliance	Planning Implication
Flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks	**Comply**	The proposal is in line with the various spatial plans, zoning scheme and policies, as motivated in the report. The development complies with the following spatial development frameworks. • Western Cape Provincial Development Framework 2014 • Plettenberg Bay Spatial Development Framework 2017

19.4. Good Administration

Criteria	Compliance	Planning Implication
All spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as	**Applicable to Bitou Municipality**	This principle has no direct bearing on the application; however, the Bitou Municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw. What is however important is that all decision

Criteria	Compliance	Planning Implication
embodied in this Act.		making is aligned with sound policies based on nation, provincial and local development policies.
All government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks.		
The requirements of any law relating to land development and land use are met timeously.		
The preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them.		
Policies, legislation and procedures must be clearly set in order to inform and empower members of the public.		

20. CONCLUSION

It must be noted, that it is not the intention of the owner to construct flats or high-density residential development as normally associated with 'General Residential' zones, but only change the zoning to 'General Residential' to accommodate a guest house. The building will still have the appearance of a residential dwelling unit, as per the definition of 'Residential Building'.

In light of this motivation, and the information contained in the foregoing report, it is clear that the application for:

a) Rezoning of Plettenberg Erf 2890 from "Single Residential Zone" to "General Residential Zone" in terms of Section 15(2)(a) from the Bitou By-Law on Municipal Land Use Planning (2015), to allow a 'Residential Building' in order to operate a guest house;

b) A permanent departure in terms of Section 15(2)(b) from the Bitou By-Law on Municipal Land Use Planning (2015), to allow a building line relaxation of the northern boundary from 4,5m to 0,79m to allow the existing structures;

c) A permanent departure in terms of Section 15(2)(b) from the Bitou By-Law on Municipal Land Use Planning (2015), to allow a building line relaxation of the eastern boundary from 4,5m to 1,59m to allow the existing structures;

d) A permanent departure in terms of Section 15(2)(b) from the Bitou By-Law on Municipal Land Use Planning (2015), to allow a building line relaxation of the western boundary from 4,5m to 0m to allow the existing structures;

e) A permanent departure in terms of Section 15(2)(b) from the Bitou By-Law on Municipal Land Use Planning (2015), from the minimum required erf size for a 'General Residential Zone' property from 1000m2 to 841m2;

f) A permanent departure to allow the maximum coverage of 50% to 51,2%, in terms of Section 15(2)(b) from the Bitou By-Law on Municipal Land Use Planning (2015), to allow the existing structures.

Meets the criteria as set out in The Spatial Planning and Land Use Management Act (SPLUMA) and the Bitou Land Use Planning Bylaw; is desirable and it is therefore recommended that the application for the proposal be supported by the relevant authorities and approved by Bitou Municipality.

Marike Vreken Urban and Environmental Planners
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