



MUNISIPALITEIT OVERSTRAND
ERF 2924, FRANKENSTRAAT 7, GANSBAAI:
AANSOEK OM OPHEFFING VAN BEPERKENDE
TITELAKTEVOORWAARDES,
VERGUNNINGSGEBRUIK EN BEPALING VAN 'N
ADMINISTRATIEWE BOETE: MNRE TOWN &
COUNTRY NAMENS ME KNOETZE

Kennis word hiermee gee ingevolge Artikel 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) van die volgende aansoeke van toepassing op bogenoemde erf, naamlik:

- aansoek om opheffing van beperkende titelaktevoorwaardes (I) C.4 (b) & (II) C.4 (b) soos vervat in titelakte T63185/2003 ingevolge Artikel 16(2)(f) van die Verordening, ten einde 'n residensiële gebou en plek van onderrig (studiesentrum) op die eiendom te akkommodeer;
- vergunningsgebruik ingevolge Artikel 16(2)(o) van die Verordening, om 'n plek van onderrig (studiesentrum) en 'n residensiële gebou op die eiendom te akkommodeer, en
- bepaling van 'n administratiewe boete ingevolge Artikel 16(2)(q) van die Verordening.

Besonderhede aangaande die voorstel lê ter insae gedurende weksdae tussen 08:00 and 16:30 by die Departement: Stadsbeplanning te Patersonstraat 16, Hermanus en by Gansbaai Biblioteek, Hoofweg, Gansbaai. Enige kommentaar moet skriftelik ingedien word in terme van Artikels 51 en 52 van die bogenoemde Verordening by die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za voor of op **26 Mei 2023**, vergesel van u naam, adres, kontak besonderhede, belang in die aansoek en redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Senior Stadsbeplanner, Mnr SW van der Merwe** by 028-313 8900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer.

Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, **HERMANUS**, 7200

Munisipale Kennisgewing Nr. 68/2023

OVERSTRAND MUNICIPALITY
ERF 2924, 7 FRANKEN STREET, GANSBAAI:
APPLICATION FOR REMOVAL OF RESTRICTIVE
TITLE DEED CONDITIONS, CONSENT USE AND
DETERMINATION OF AN ADMINISTRATIVE
PENALTY: MESSRS TOWN & COUNTRY ON
BEHALF OF ME KNOETZE

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of the following applications applicable to the above-mentioned erf, namely:

- application for removal of restrictive title deed conditions (I) C.4 (b) & (II) C.4 (b) as contained in Title Deed T63185/2003 in terms of Section 16(2)(f) of the By-Law, in order to accommodate a residential building and place of instruction (study centre) on the property;
- consent use in terms of Section 16(2)(o) of the By-Law, to accommodate a residential building and a place of instruction (study centre) on the property; and
- determination of an administrative penalty in terms of Section 16(2)(q) of the By-Law.

Detail regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning at 16 Paterson Street, Hermanus and Gansbaai Library, Main Road, Gansbaai. Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za on or before **26 May 2023** quoting your name, address, contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the **Senior Town Planner, Mr SW van der Merwe** at 028-313 8900. The Municipality may refuse to accept comment received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

Municipal Manager, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

Municipal Notice No. 68/2023

UMASIPALA ASE-OVERSTRAND
ISIZA SAMA- 2924, 7 FRANKEN STREET,
EGANSBAAI: ISICELO SOKUSUSA
IMIQATHANGO YETAYILE ETHINTELWEYO,
UKUSETYENZISWA KWEMVUME NOKUMISELA
ISOHLWAYO SOLAWULO: MESSRS TOWN &
COUNTRY EGAMENI ME KNOETZE

Isaziso sinikwe ngokuphathelele kwiCandelo lama-48 - lomThetho kaMasipala wesiLungise wase-Overstad kuYilo lokuSetyenziswa koMhlaba kaMasipala, 2020, (UmThetho kaMasipala) ukuba ezi zicelo zilandelayo zisebenze kwisiza esichazwe ngasentla ezizezi:

- isicelo sokususwa kwemiqathango yetayile ethintelweyo (I) C.4 (b) & (II) C.4 (b) njengoko kuqulethwe kule nombolo yeTayitile T63185/2003 ngokuphathelele kwiCandelo le-16(2)(f) lomThetho kaMasipala ukulungiselela isakhiwo sokuhlala nendawo yokufundisa (iziko lokufunda) kumhlaba;
- ukusetyenziswa kwemvume ngokuphathelele kwiCandelo le-16(2)(o) lomThetho bkaMasipala ukulungiselela isakhiwo sokuhlala nendawo yokufundisa (iziko lokufunda) kumhlaba; kunye
- nokumisela isohlwayo solawulo ngokuphathelele kwicandelo le-16(2)(q) lomThetho kaMasipala.

Iinkcukacha ezihambelana nesi siphakamisa ziyafumaneka kwiintsuku zaphakathi evekin ukuze zihlolwe phakathi kwentsimbi ye-08:00 ne- 16:30 kwiSebe: Izicwangciso ngeDolophu kwa16 Paterson Street, Hermanus nakwithala leencwadi lase Gansbaai. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelele zeSolotya lama-51 nelama-52 lomThethwan: kaMasipala ochazwe ngentla (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za ngomhla okanye ngaphambi komhla we **26 uMeyi 2023** uchaze igama lakho, idilesi, neenkukacha ofumanek: kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla. Imibuzo ngefowuni ingabuzwa: **kuMnu. SW van der Merwe kwa- 028-313: 8900**. UMasipala angala ukwamkela izimvo emva kokuvala. Nabani na ongakwaz ukufunda nokubhala angandwendwela kwiSebe leziCwangciso zeDolophu acele igosa limnced: ukufaka uluvo lwakhe ngokusemthethweni.

UMphathi kaMasipala, Overstrand Municipality P.O. Box 20, **HERMANUS**, 7200

Inothi kaMasipala iNomb. 68/2023

MOTIVATIONAL REPORT

PROPOSED REMOVAL OF A TITLE DEED CONDITION, A CONSENT USE FOR AN INSTITUTION AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF 2924, GANSBAAI

Ref. GAN/2817

1. INTRODUCTION

This office was appointed by Mr Norman Stevens, to prepare the town planning application for a removal of a title deed condition and consent uses on erf 2924. The application is required to accommodate the use of the existing house as a residential dwelling – that will allow for the house to be accommodated by themselves and for the rest of the rooms to be rented out to borders. The majority of the ground floor area will then be used as a study centre - where children are assisted after school with their homework. The proposed uses will be accommodated inside the existing building and no extensions are proposed.

2. APPLICATION

Application is made for:

- I. Removal of Restrictions, in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, to allow for the use of the property as a residential building and study centre.
- II. Consent use in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning for purposes of a place of instruction and a residential building.
- III. Determination of an Administrative Penalty in terms of Section 90(3) of the By-Law) of the Overstrand Municipality By-Law on municipal land use planning.

The Primary uses for a Single Residential property is crèche, dwelling house, guest rooms, home occupation, second dwelling unit and self-catering.

Consent Uses: day care centre, green house, guest house, house shop, institution, place of instruction, place of worship, residential building and intensive horticulture.

*Town & Country
#2817*

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03 MAR 2023

The definition for a “place of instruction” and “residential building” as given by the Overstrand Integrated Zoning Scheme:

“**place of instruction**” means a place for education at pre-school, school or postschool levels (including a day care centre, a crèche, a farm school, a nursery school, a primary school, a secondary school, a college, a lecture hall, a university, a research institute, an environmental research or other educational centre) and associated uses such as boarding hostels or a civic facility for the promotion of knowledge to the community such as a convent, a monastery, a public library, a public art gallery or museum or a place of instruction in sport or other physical discipline where the main objective is instruction (as opposed to participation by the public sector as competitors or spectators) but excludes a reformatory, industrial school, commercial conference facility, institution, health centre or in-house business training centre;

“**residential building**” means a building where lodging is provided for human habitation, together with such outbuildings ordinarily used therewith, where facilities are shared, restricted to boarding houses and old age homes;

3. PROPERTY DETAILS

TOTAL AREA	1526m ²
REGISTERED OWNER	Martin Edmund Knoetze
Boundaries: North	Erf 461
East	Erven 1172 and 2850
South	Franken Street and Erven 9 and 14
West	Germishuys Street and Erf 640

Erf 2924 is registered under title deed T63185/2003. It originally consisted of two erven.



Photo 1. Erf 2924 in a north-western direction from Franken Street.

4. SITE DESCRIPTION AND SURROUNDING AREA

Erf 2924 is located on the corner of Germishuys and Franken Street. The erf is generally flat and developed with a house and outside buildings. Since the property was previously consolidated it is generally larger than most surrounding erven and also has two existing access points.

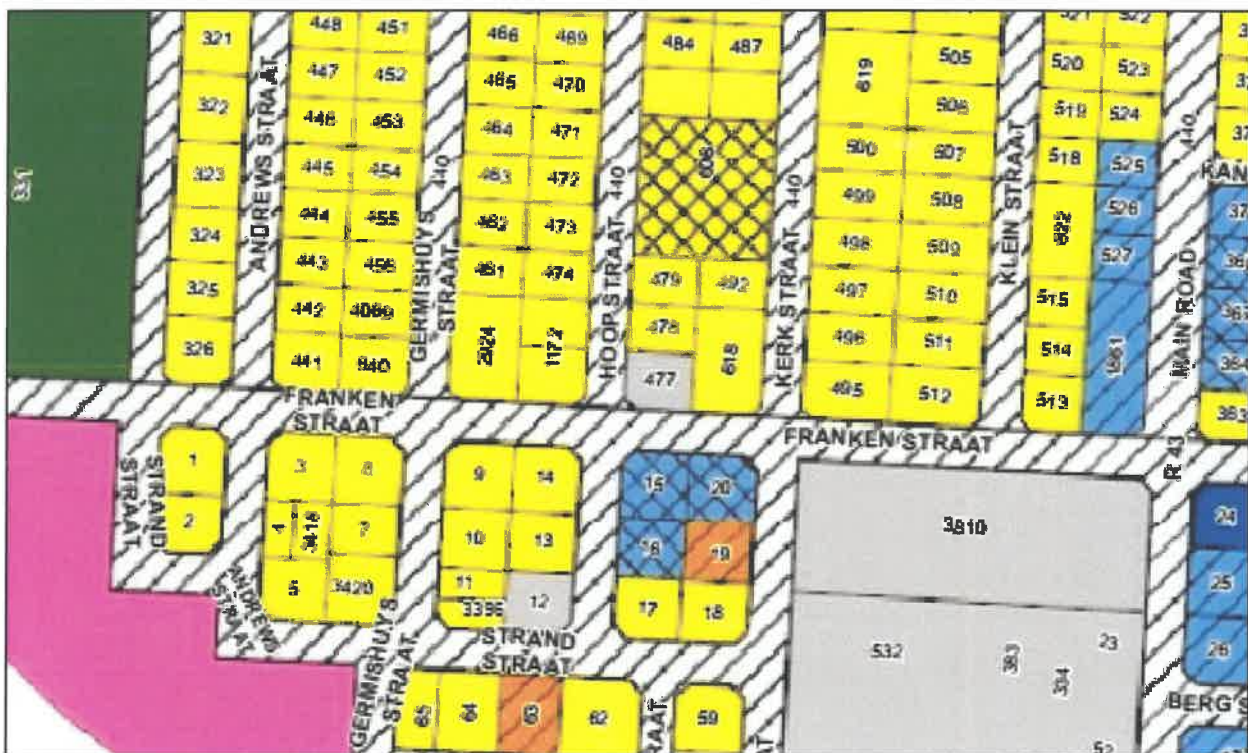


Google Earth Image, to illustrate the location of Erf 2924 and surrounding land uses.

Properties surrounding Erf 2924 are generally of a residential nature, with a number of occupational uses in close vicinity. The property is approximately 130m from the Gansbaai School and 250m from the Gansbaai Central Business Area.

5. ZONING

Erf 2924 is zoned Single Residential, with houses in immediate vicinity of the property also zoned as Residential Zone I.



Extract from the Gansbaai Zoning Scheme

6. PROPOSED REMOVAL OF TITLE DEED RESTRICTIONS

Application is made for the removal of certain title deed restrictions registered against the property, as per deed T63185/2003, that influence the proposed development. These restrictions as follow:

- (I) C.4.(b) 'It shall be used only for the purpose of erecting thereon one dwelling together with such outbuildings as are ordinarily required to be used therewith.'
- (II) C.4.(b) 'It shall be used only for the purpose of erecting thereon one dwelling together with such outbuildings as are ordinarily required to be used therewith.'

Removal of this restrictions is required to allow for the use of the property as a residential building and a place of instruction. After removal of title deed restrictions, the applicable Municipal Scheme Regulations will govern development restrictions on the erf. We believe that the area and also development criteria changed since the restrictions were imposed and by using Municipal Scheme Regulations as the only set of rules, development becomes much more flexible to changing circumstances and needs.

7. PROPOSED CONSENT USES

The current zoning of Erf 2924 is Single Residential Zone. No change in the primary zoning is proposed.

Application is made for consent use to allow for:

- A Place of instruction
- A residential building (six (6) rooms in the house and five (5) will be rented out)

8. DETERMINATION OF AN ADMINISTRATIVE FEE

The property is already used as a study centre and rooms rented out to borders. A determination of an administrative fee is therefore required.

The facility does however provide a community service in terms of the study facility and rooms to people working in Gansbaai. With the property providing in basic facilities, i.e., accommodation and academic assistance, it is not possible to close the facility down.

The applied for uses, over a double plot, is fairly small and similar to that of single residential dwelling, with no extensions being applied for. School children mostly visit the facility during school terms between

14h00 and 17h00. The impact on surrounding landowners is therefore limited. Some of the surrounding landowners also make use of this facility.

With the determination of an administrative fee, Council is asked to please take the above into consideration.

A determination of an Administrative Penalty in terms of Section 90(3) of the By-Law) of the Overstrand Municipality By-Law on municipal land use planning is required, due to the facility that is already operational.

In terms of the By Law the applicant must, to the satisfaction of the Municipality, provide the following information such as-

(a) the nature, duration, gravity and extent of the contravention;

No additional buildings were erected. Rooms were rented out since April 2019. When Mrs Stevens lost her work during the Covid period she had to look at an alternative income. She started to assist children with their schoolwork in June 2020. Some of the neighbours' grandchildren also make use of the tuition facility. The school refers children to Mrs Stevens for assistance.

The uses are consent uses on a residential zoning and can therefore be reconciled with existing surrounding land uses. All integrated zoning scheme parameters will generally be complied with and it is not believed that the uses have a negative impact on surrounding neighbouring properties.

(b) the conduct of the person (allegedly) involved in the contravention;

The Stevens family were under the impression that they could rent rooms out to borders and that was an honest mistake. Assisting the school children was a result of Mrs Stevens losing her work during Covid and a sudden demand from the community with school not able to assist children as usual with Covid restrictions in place. It was therefore unusual circumstances that resulted in the use of a portion of the house for aftercare / homework facility.

(c) a report by a quantity surveyor in matters of unauthorised building/construction;

As far as we are aware no unauthorised construction took place.

(d) whether the unlawful conduct was stopped;

The unlawful conduct was not stopped, due to the borders not having any alternative accommodation and the school children's need of assistance. The Stevens family also need this income, to fulfill their basic obligations.

(e) whether the person allegedly involved in the contravention has previously contravened this By-Law or a previous planning law.

We do not know if there were previous contraventions.

9. THE PROPOSED DEVELOPMENT

The house on Erf 2924 is exceptionally big with a large lounge area, braai areas, a swimming pool and jacuzzi. It has a floor area of approximately 523². Mr Norman Stevens is renting the property from the current owner and would like to apply for the following uses, in addition to the single dwelling primary uses:

9.1 A residential building

Application is made to be able to use the house as a residential building. Mr Stevens and his family also occupy the house and the rest of the five rooms are rented out. The rooms each has a dedicated bathroom. The borders will be making use of the communal kitchen, living room entertainment and outside areas. Five of the bedrooms are on the first floor and one bedroom is on the ground floor. The area of the house that will be used as a residential building covers an area of 388m². There is sufficient on-site parking.

9.2 Place of Instruction

There is an existing need for children to go to a study centre / aftercare after school, where someone can oversee them doing their homework. With the house only approximately 150m from the school, most children can come here directly after school, or after sport in the afternoon. The center operates between 14h00 and 17h00. The majority of children only come during the school term, but there are individuals that require extra classes during the school holiday, they are accommodated. The owners are advised by Badisa - that oversees that their facility complies with regulations.

The maximum number of children that will make use of this facility are twenty (20) at a time, with potentially 30 enrolled. Provision is made for a dedicated bathroom facility that they can make use of. The area occupied by the tuition centre is approximately 135m². Since the area is used for homework purposes, it mostly consists of tables and chairs where children do their homework. The tuition will be separate of the main house, on the ground floor level. A converted garage and servant's quarter will form part of the centre. There is dedicated bathroom facilities for the children.

There are three permanent staff members that assist the children. Two of them have ECD level 4 and the third permanent member used to own an aftercare. There is also a temporary assistant that is part of the 'year beyond 7 month project', that was placed there by the municipality.

Sufficient on-site parking complying with the Integrated Zoning Scheme is available on-site and also a drop and go area.

9.3 Removal of Deed Restrictions

The application also includes the removal of a title deed restriction, restricting the use of the erf to only one dwelling and does not make provision for any alternative uses. The removal is therefore required to allow for the use of the property for a residential building and a study centre. It will also bring the title deed in line with the Integrated Zoning Scheme of the Overstrand Municipal area.

In terms of Section 35 (4) (a) to (f): When the Municipality considers the removal, suspension or amendment of restrictive conditions, the Municipality must have regard to the following:

Criteria for assessing	The application
(a) the financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement;	It is not believed that this restriction holds any financial benefit, since the applied for uses deliver a service to the general community.
(b) the personal benefits which accrue to the holder of rights in terms of the restrictive condition;	As far as we know there is no personal benefit in maintaining the conditions.
(c) the personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is amended, suspended or removed;	The owner will have the benefit from the removal, since he will be able to generate an income from the property.
(d) the social benefit of the restrictive conditions remaining in place in its existing form;	We do not believe there is social benefit in the condition remaining.
(e) the social benefit of the removal, suspension or amendment of the restrictive condition; and	The social benefit derived from the removal will include slight densification – in that more people can accommodated in this single dwelling and children can receive additional tuition.
(f) whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.	The application is for the complete suspension of the condition with regards to not being allowed the erections of guest accommodation. The rest of the conditions in the title deed will remain.

10. RELEVANT OVERHEAD PLANNING POLICY

Various local, provincial and national forward planning documents are applicable to the application.

10.1 OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK (SDF)

The vision of the Overstrand SDF is based on the vision of the Overstrand IDP and is as follows:

'Overstrand Municipality is striving to be the most desirable destination to visit, stay and do business'.

In order to achieve this, the document identifies various principles:

Development Principles:

- Efficient and integrated planning – Promote efficient and integrated planning and development through:
 - Integrated development and planning in rural and urban areas with a view to mutual support
 - Optimal utilisation of existing developed resources including bulk infrastructure
 - Promotion of compaction and densification as opposed to low-density sprawl
 - Protection of the agricultural resource base
 - Spatially co-ordinating sectoral activities
 - Addressing historically distorted spatial patterns

RELEVANT GOALS & OBJECTIVES FORMULATED BY THE DOCUMENT INCLUDE AMONG OTHER THE FOLLOWING:

Goal	Objective
To provide an environmentally and economically sustainable bulk service infrastructure and road transport network.	<ul style="list-style-type: none"> • To ascertain the overall carrying capacity of existing bulk services related to existing and future growth, and where appropriate, determine flood lines; • To identify critical problem areas relating to bulk water supply, groundwater abstraction and quality; • To improve and maintain the standard of bulk services with particular reference to bulk water supply, sewerage and solid waste and sewage management; and • To create an efficient, well defined hierarchy of roads.
To address the social needs and expectation of all sections of the community.	<ul style="list-style-type: none"> • To provide access to a full spectrum of social services and facilities; • To ensure the provision of basic housing and services; • To encourage public participation in all issues of public concern; and • To co-ordinate the joint management of certain functions on a sub-regional level, e.g. sporting facilities,

<p>To promote the conservation and sustainable use of the natural resources in the Overstrand municipal area.</p>	<p>education and health facilities.</p> <ul style="list-style-type: none"> • To protect, conserve, and restore where appropriate, all areas deemed to be conservation worthy; • To ensure that the impact of existing and proposed development is adequately evaluated from a holistic environmental perspective, taking current and future generations into account; • To promote the sound management of natural areas to ensure their sustainability; • Rehabilitate and/or restore degraded and disturbed environments where necessary to meet conservation or environmental management objectives; • To limit and control development and activities within environmentally sensitive and/or conservation worthy areas so as to ensure their sustainability taking into account affects on biodiversity; • To promote efficient use of water and energy resources; and • To implement water conservation and demand management objectives within municipal areas in order to promote savings and decrease the demand for costly bulk water supply systems.
<p>To ensure that ongoing development pressure and its spatial implications are managed in a sustainable manner that protects the unique character of the existing cultural landscape and the place-specific character and form of the existing settlement pattern.</p>	<ul style="list-style-type: none"> • To promote a spatial development pattern that contains urban sprawl/urban development and promotes compact well-defined settlements; • To retain and strengthen the unique identity of the municipal areas and its districts; • To determine clear limits to urban development and define the urban edge/limits of existing settlements; • To conserve and improve the visual quality of the landscape and the scenic route experience of the primary movement corridors; and • To improve the aesthetic quality of the built environment.

The SDF describes Gansbaai as a fishing village and a popular residential, holiday and retirement destination.

The Greater Gansbaai Spatial Development Framework provides guidelines that should steer future development in the area. This include:

- Urban sprawl should be contained by implementing a densification policy and by providing a clearly defined urban edge.

- Densification should take place by the process of infill development, higher residential densities and the maximum utilisation of existing land uses within the town's structure.
- All new developments should be evaluated in terms of the capacity of the existing services infrastructure.
- Linear development should be avoided by limiting development outside of the established urban area. Only small-scale development, that compliments the rural character or promotes tourism, should be permitted within these areas.
- Land use restrictions should be revised in order to adapt to the changing urban environment.

PROPOSED DEVELOPMENT COMPLIANCE

The development as proposed complies with the general goals and objectives set for the Overstrand Municipal area. The proposed use is compatible with the existing Single Residential Zoning and will address on a small scale an existing social need in the Overstrand Municipal area.

The proposed institution will make use of existing infrastructure and be located inside an existing building.

10.2 OVERSTRAND SECTORAL DENSIFICATION STRATEGY

A densification study was completed by Urban Dynamics, for the Overstrand Municipality in 2010. The objective of this study is to:

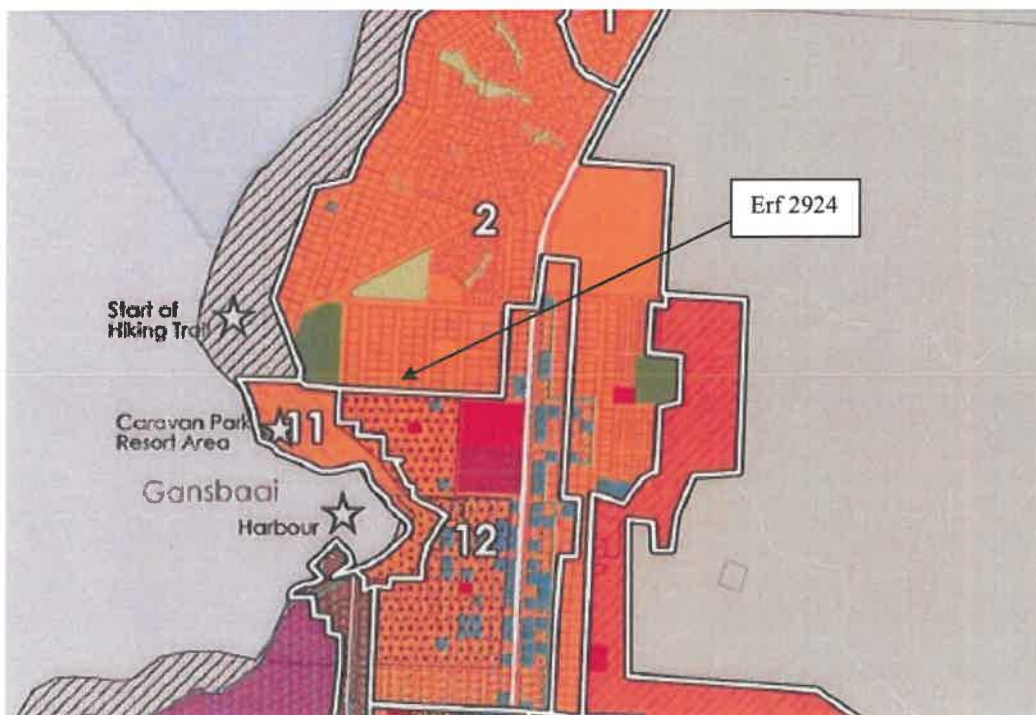
- Promote a more compact, denser, efficient and environmentally sustainable;
- Protect sensitive environments and resources within and outside the urban edge; and
- Rationalise bulk infrastructure and service capacity to ensure that the bulk capacity is provided in the urban areas where growth and development is considered desirable

Critical Contextual Informants being used in the study, includes:

- Historical Development Pattern and Heritage Resources of the towns and settlements within the Overstrand Municipal Area,
- Current Land Use and Distribution Patterns (zoning, densities, land ownership, land values, erf sizes)

- Natural elements and setting
- Population growth and Housing demand
- Bulk Service Capacities
- Traffic capacities and circulation

The Growth Management Strategy indicates Erf 2924 for residential purposes, inside block 2. Please refer to the extract of the growth plan below.



Extract from the Growth Management Strategy: Plan H: Proposal, indicating the location of Erf 2924.

The proposed consent uses do not deviate from what is proposed in the The Growth Management Strategy.

10.3 PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF) 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 provinces 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. However, it is important to note some of the key policies laid down by the PSDF have a bearing on the application.

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.

Key policies that is supported by this 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.

1. 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.

11. ACCESS & PARKING

Access to the property is proposed from both Germishuys and Franken Streets. These access points are already existing and has been in use for many years.

According to the Integrated Zoning Scheme Regulations applicable to the Overstrand, parking needs to be supplied at follow:

Use	Regulation	Proposed area of development	Parking Required
Residential Building	1 Bay per bedroom	6 Bedrooms	6
After school study area (Place of instruction)	1 Bay per 10 children plus a stop-and-drop facility	Maximum of 30 children	3 plus a stop-and drop facility
Total			9

The site plan makes provision for ten (10) on-site parking spaces. Two of the parking bays that will be used by the Stevens family (proposed tandem parking bays 3 and 4), with parking bays 1, 2 and 5 used by borders and the remaining 5 bays could be used by both the borders and parents dropping of and collecting children. A stop-and-drop facility is indicated in Germishuys Street. The majority of children walks from school to the facility.

12. SERVICES

All services are existing, and it is not expected that any upgrades will be required.

Water: Supplied by the Overstrand Municipality

Electricity: Supplied by the Overstrand Municipality

Sewerage: Overstrand Municipality

Rubbish Removal: Overstrand Municipality

13. DESIRABILITY

Title Deed

- There are restrictions in terms of the Title deed, that will have an influence on this application and that will have to be removed.

Vested rights of adjoining neighbours

The house on Erf 2924 is a very large house, with a floor area of approximately 525m². Erf 2924 is however a consolidated erf with an area of 1526m². Only approximately a third of the property is therefore developed. The area that will be used as a residential building is approximately 388m² and the study area ±135m².

It is not believed that the application for the residential building and aftercare will have a negative impact on surrounding owners, since there are strict rules in place and with the Stevens family also residing in the house – unlikely that there will be a noise disturbance.

The aftercare / study centre is mostly operational during school terms between 14h00 and 17h00 in the afternoon. There is sufficient on-site parking and should not lead to cars parked in the road reserve. Some of the neighbours are also making use of the study centre for family members.

Physical Characteristics of the Property

- The erf is already fully developed, and no natural vegetation will be removed.
- The erf is flat, that ensure comfortable movement for the elderly.
- Being a corner property, the site is very accessible.

- The size of the erf makes it suitable for the proposed uses, since the provision of enough onsite parking spaces is possible on the property.

Overhead Planning

The project generally complies with the overhead planning for the area:

- The erf is inside the Urban Edge as indicated on the approved Overstrand Spatial Development Framework.
- It complies with general goals and objectives set in local planning documents.
- The proposal is in line with the Provincial Spatial Development Framework in that it explores alternatives in the market and diversifies to keep up with demand, while protecting our natural resources.

Character of the Area

- The property is located on a corner, close to the school and CBD.
- The immediate area has a residential character. The current form and appearance of the building remains unchanged. The primary use remains that of a single residential property.
- No change in scale or character is proposed.

Potential of the Site

- The house is large enough for what is proposed.
- It is close to the central business area and primary school.
- The property is very accessible and is large enough for what is required.

Economic and social Benefit

- The proposal provides an alternative form of accommodation for people that doesn't require a house, or who can't afford to rent a whole house.
- The school provides children with much needed assistance with their schoolwork.

14. CONCLUSION

The proposed use will not detract from already existing uses in the surrounding neighbourhood. The proposed use is in line with general principles set by forward planning documents, providing in much needed social need development at a small scale. The proposal will contribute towards making the Overstrand Municipality *the most desirable destination to visit, stay and do business.*

