



**ERF 728, 10 DIRKIE UYS STREET,
NORTHCLIFF, HERMANUS, OVERSTRAND
MUNICIPAL AREA: AANSOEK OM
AFWYKING: PLANACTIVE TOWN &
REGIONAL PLANNERS NAMENS J & B OAK
TREE DEVELOPMENTS (PTY) LTD**

Kragtens Artikel 47 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 word hiermee kennis gegee van die onderstaande aansoek van toepassing op Erf 728, Northcliff, Hermanus vir 'n afwyking ingevolge Artikel 16(2)(b) vir die verslapping van die twee (2) verdieping beperking na drie (3) verdiepings binne die toelaatbare hoogte van 8,5m ten einde twaalf (12) residensiële woonstelle te akkommodeer.

Besonderhede aangaande die voorstel lê ter insae gedurende wekedae tussen 08:00 en 16:30 by die Departement: Stads- & Ruimtelikebeplanning te Patersonstraat 16, Hermanus.

Enige kommentaar moet skriftelik ingedien word in terme van Artikels 51 en 52 van die bogenoemde Verordening aan die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 028-3132093 / (e) loretta@overstrand.gov.za) voor of op **Vrydag, 1 Julie 2022**, stipuleer u naam, adres, kontak besonderhede, belang in die aansoek en redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Me. H. Van der Stoep** by 028-3138900. 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. 53/2022



**ERF 728, 10 DIRKIE UYS STREET,
NORTHCLIFF, HERMANUS, OVERSTRAND
MUNICIPAL AREA: APPLICATION FOR
DEPARTURE: PLANACTIVE TOWN &
REGIONAL PLANNERS ON BEHALF OF
J & B OAK TREE DEVELOPMENTS (PTY)
LTD**

Notice is hereby given in terms of Section 47 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 of the application applicable to Erf 728, Northcliff, Hermanus for a departure in terms of Section 16(2)(b) to relax the two (2) storey limitation to three (3) storeys within the allowable height of 8,5m to accommodate twelve (12) residential apartments.

Detail regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department : Town & Spatial Planning at 16 Paterson Street, Hermanus.

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) 028-3132093 / (e) loretta@overstrand.gov.za) on or before **Friday, 1 July 2022**, quoting your name, address, contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the **Senior Town Planner, Ms. H van der Stoep** 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. 53/2022



**ISAZISO ESINGUERF 728, 10 DIRKIE UYS
STREET, NORTHCLIFF, HERMANUS,
KUMMANDLA KAMASIPALA
WASEOVERSTRAND: ISICELO
SOKWAHLULUHLULA:
NGABAKWAPLANACTIVE TOWN &
REGIONAL PLANNERS EGAMENI LE- J & B
OAK TREE DEVELOPMENTS (PTY) LTD**

Kukhutshwe isaziso esimayela nemiba yeSoloty lama47 elisisiHlomelo soMthethwana kaMasipala ngeziCwangciso zokuSetyenziswa koMhlaba kaMasipala waseOverstrand ku2020 (uMthethwana), isaziso eso simayela nesicelo ezisebenza kwisiza esinguErf 728, eNorthcliff eHermanus ngokwahlulahlula ngokwemiba yeSoloty le16(2) (b) nokunyenyisa imiqobo yomda wokungadluleli kwimigangatho emibini(2) ukuya kubude obuyimigangatho emithathu (3) enobude obuvunyelweyo obuzimitha eziyi8,5m ukulungiselela iifethi okanye iiphathiment eziilishumi elinesibini (12)

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye08:00 neye16:30 kwiSebe: Lezicwangciso zeDolophu noBume Bokucandwa koMhlaba wokwakha izindlu kwa16 Paterson eHermanus.

Naziphi na izimvo ezibhaliweyo mazingeniswe kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / e) loretta@overstrand.gov.za ngaphambi okanye ngomhla wo-1 kuJulayi 2022, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla. Imibuzo ngefowuni ingabuzwa kuMcwangciso Omkhulu weDolophu, Nkszn. H. van der Stoep kwa028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe leZicwangciso zeDolophu apho igosa

Umlawuli kaMasipala, Overstrand Masipala,
P.O. Box 20, HERMANUS, 7200

Inothisi kaMasipala Nomb. 53/2022



Scale: NTS
 Drawing Nr: Her728.drw
 Date: Mei 2022

Plan Description:
LOCALITY MAP

Property Description:
**ERF 728
 HERMANUS**

All distances approximate
 and subject to survey.
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Stads- en Streeksbeplanners
 Town & Regional Planners

PLAN
 Active



PROPOSED DEPARTURE
ERF 728 HERMANUS
DIVISION: CALEDON
OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

J & B Oak Tree Developments (PTY)LTD, owner of Erf 728 Hermanus, has instructed the company Plan Active to submit a new application for a departure from the permissible number of floors with reference to the land use restrictions applicable to Erf 728 Hermanus, that is zoned Business Zone 3.

The previous application for a departure from the number of floors allowed within the 8.5m height restriction was submitted on 29 January 2020 and was approved on the 25 January 2021 and confirmed on 24 February 2021. The design model at the time was based on the housing needs pre-Covid. One of the main consequences that was brought about by the Covid pandemic was the rapid acceleration of the "work from home" lifestyle that was not considered with the former designs of the apartments.

It has been decided that the design of the proposed development be amended, and a new application is herewith lodged to make provision for flats above ground floor that will now also include a dedicated study. The ground floor will make provision for offices and the changes are of such a nature that it cannot be dealt with by means of an amendment of the conditions of approval and the approved site development plan of the former application.

A three-storey building is proposed on the subject property. The three-storey building has the following proposed land uses:

- The ground floor consists of 3 office and terraces, an entrance, fire escape, refuse storage facility and adequate parking bays.
- The first floor consists of 1 single storey flat, the first storey of 12 double storey flats, and 3 storage spaces.
- The second floor consists of master bedrooms, bathrooms, studies, a pool deck and splash pool.

The owner proposes to construct residential units on the first floor with a master bedroom, bathroom and study as a third storey. In order to accommodate the 12 residential apartments with each a bedroom, bathroom and study that will be located on the second floor, an application for departure will have to be made in order to exceed the permissible number of storeys allowed on a Business Zone 3, Local Business zoned property.

Erf 728 Hermanus is 924m² in extent and is held by Title Deed No.17942/2016.

The detail of the application follows.

2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(b) of the amended Overstrand Municipality's By-law on Municipal Land Use Planning, 2020, for the departure from the permissible number of storeys applicable to Erf 728 Hermanus under the current zoning of Business Zone 3, Local Business Zone in terms of the Overstrand Municipality Zoning Scheme.

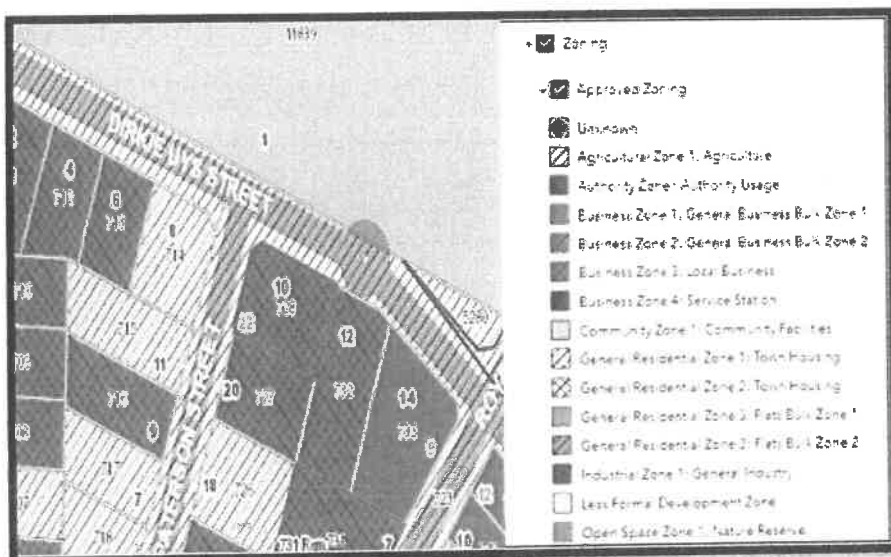
3. DESIRABILITY

3.1 PROPERTY DESCRIPTION

The subject property is situated on the corner of Patterson and Dirkie Uys Street, Hermanus and is currently vacant. Please refer to the enclosed locality plan. Erf 728 Hermanus is 928m² in extent and it is situated within the Hermanus CBD as described in the Overstrand Municipal Spatial Growth Management Strategy.

3.2 ZONING

Erf 728 Hermanus is zoned Business Zone 3: Local Business and is currently vacant. Adjoining properties are also zoned for business purposes and the Hermanus Primary School is located directly north on the opposite side of Dirkie Uys Street. Please refer to the zoning map abstract below:



3.3 LAND USE

As mentioned above, Erf 728 Hermanus is currently vacant and located within a mixed land use area. Land uses that surround the subject property are single residential erven, offices, veterinary clinic, primary school and public roads.

3.4 PROPOSAL

The following is proposed:

- Chapter 4, Section 16(2)(b) of the Overstrand Municipality’s By-law on Municipal Land Use Planning, 2015, for the departure from the permissible number of storeys applicable to Erf 728 Hermanus under the current zoning of Business Zone 3, Local Business Zone in terms of the Overstrand Municipality Zoning Scheme.

The intention of the owner is to develop the site and propose 3 offices on the ground floor, 12 single bedroom flats on the first floor with a bedroom, bathroom and study that qualifies as a 2nd floor (3rd storey) and one unit that is a single storey unit below the sundeck and splash pool . The proposed building will therefore consist of 3 storeys. Please refer to the enclosed set of building plans. The proposed building can be summarised as follows:

Floor	Use
Ground floor	Vehicular access, office space, entrance, refuse storage area, fire escape and parking bays
1 st floor	Part of the residential unit consisting of a guest toilet and an open plan kitchen, dining and living room, a staircase to the 2 nd floor, 3 storage spaces, terraces and common walkways.
2 nd floor	The 3 rd storey will accommodate 1 bedroom, bathroom, study sundeck and splash pool

Accommodating the bedroom, bathroom and study on the second floor within the 8.5m height restriction creates a smaller footprint of the residential units, subsequently freeing up useable space optimising the viability of the development.

The detail of the development as per the accompanying set of building plans drawn by David Snyders Architects is as follows:

3.4.1 Ground Floor

The ground floor consists of an entrance to the proposed flats, 3 offices, a fire escape and parking that is accessed from Paterson Street. The entrance is 28m² in extent and provides access to the staircase that leads to the 1st and 2nd floors.

3 Offices are proposed that is 43m², 55m² and 46m² in extent respectively. Each office has a terrace that varies in size from 18m² to 23m². The terraces are accessed from each office via sliding doors and pedestrian access gates located on the Dirkie Uys Street boundary. Each office has its own toilet facilities and a small beverage counter and wash basin to make coffee, tea etc.

The remaining extent of the ground floor will be used for the provision of parking. A total number of 26 parking bays are provided that will gain access via a single access point from Paterson Street. Parking bay number 9 is specifically earmarked as a dedicated disabled parking bay. Provision has also been made for a refuse storage area that is 8m² in extent.

An oak tree is situated near the centre of Erf 728 Hermanus and the position thereof has been surveyed, as the oak tree will be retained and incorporated into the proposed development.

3.4.2 First Floor

A total of 13 flats are proposed. All the flats are accessed via a staircase located on the corner of Dirkie Uys Street and Paterson Street and common walkways proposed on the first floor.

12 of the 13 flats are similar in design and is located within the proposed 1st and 2nd floors. One flat is designed to be a single storey flat that consists of an open plan kitchen, dining and living area, a master bedroom and bathroom, situated on the 1st floor. The single storey flat is 60m² in extent and has 2 terraces that are 5m² each. The remaining 12 flats have a bathroom, open plan kitchen, dining room and lounge on the first floor and a master bedroom, bathroom and study located on the 2nd floor.

The double story flat located in the south-western corner of the site is the smallest double storey flat. The 1st floor is 30m² in extent excluding the 4m² terrace and the second floor is 27m² in extent excluding the stairwell.

The single story flat and 9 of the double story flats have north facing terraces that measure 5m² to 15m² each. The terraces of the remaining double storey flats face west and overlooks Paterson Street.

3.4.3 Second Floor

The second floor of the proposed development consists of a sundeck, splash pool and the remaining extents of the 12 flats that consist of a bedroom, bathroom and study in each flat. The sizes of the bedrooms vary from 11m² to 14m² each and the bathrooms are all 4m² each. Each flat has a study that varies in size from 6m² to 10m² each. The stairwell constitutes ±3m² of the size of each flat's footprint on the second floor.

The sundeck and splash pool are located in the north western corner of the 2nd floor abutting Dirkie Uys Street and Paterson Street. It is therefore located away from the neighbouring land owners located to the east and south of the site.

3.4.4 Departure from the permissible floors.

The number of permissible floors for properties with a Business Zone 3 zoning is 2 storeys. The proposed flats, especially the bedroom, bathroom and study of 12 of the 13 proposed flats on the second floor of the proposed building will result in a departure of the number of floors permissible.

- Departure of the permissible number of storeys from two to three storeys.

(c) Height

- (i) The maximum height of a building, measured from the base level to the top of the roof is 8,5 m;
- (ii) The maximum number of storeys is 2; and
- (iii) Earth banks and retaining structures shall comply with 16.6.

The proposed departure to accommodate more than the permissible number of floors will have a minimal impact on the character or value of the surrounding area. The proposal will still adhere to the permissible height for properties with a Business Zone 3 Zoning that is 8.5m.

The proposed 2nd floor (third storey) will not have a negative impact on the surrounding properties, as it will not exceed the current 8.5m height restriction.

As per the primary land use rights for properties with a Business Zone 3: Local Business, flats are allowed above the ground floor (as seen below).

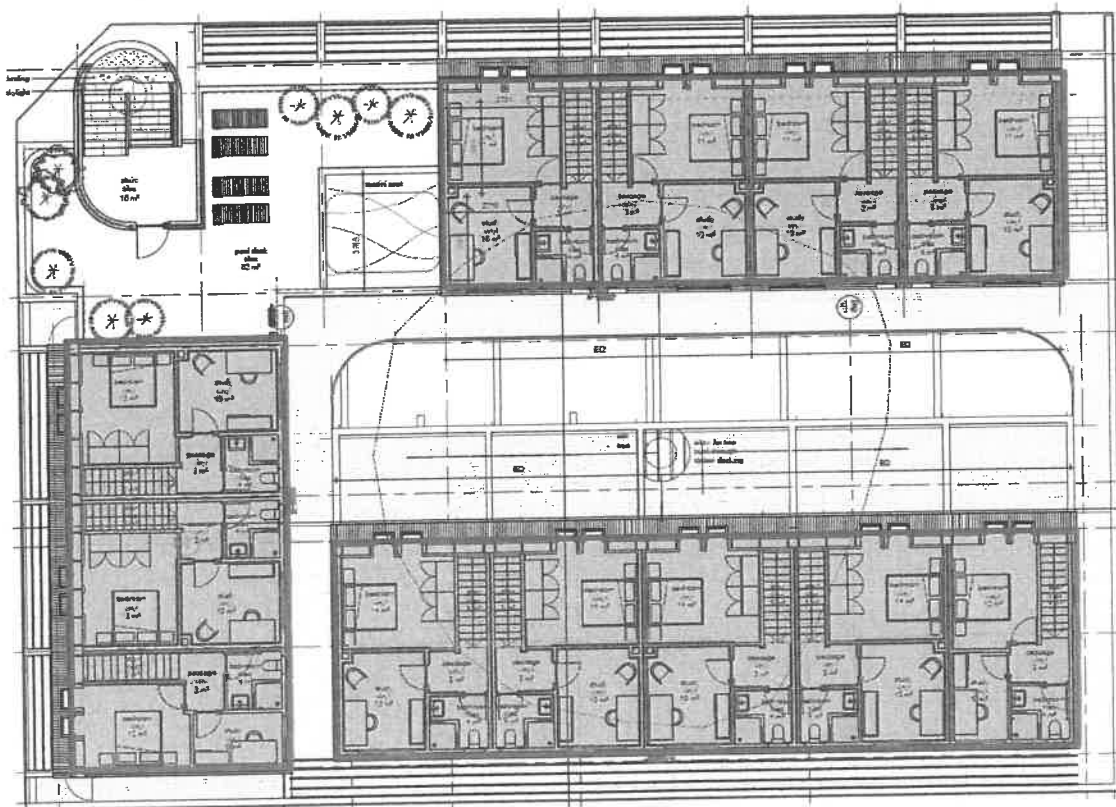
7.2 BUSINESS ZONE 3: LOCAL BUSINESS (B3)

Use of the property

7.2.1 The following use restrictions apply to property in this zone:

(a) **Primary uses are: shops, flats (above ground floor), offices;**

The proposed building will consist of three storeys. The third storey will accommodate a bedroom, bathroom and study as seen below. A total amount of 12 bedrooms (1 bedroom per residential unit) will be accommodated on the second floor (third storey).

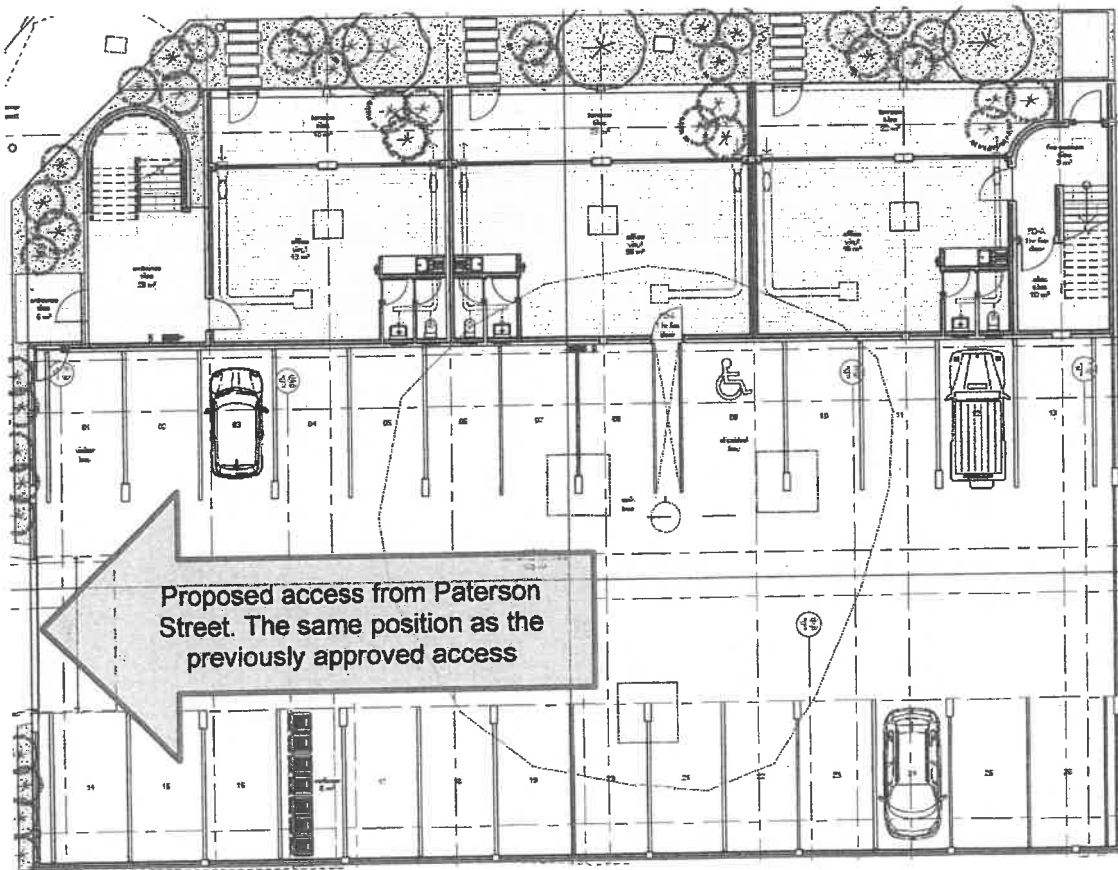


The coverage of the proposed development is 693m² in extent and constitutes 75% of the site. The floor factor of the proposed development is 1.5. Subsequently the proposed development does not exceed the land use restriction pertaining to coverage and the floor factor.

The development phase of the proposal will create job opportunities for local people which will be beneficial for the local community. The proposal will promote mixed-use properties within the Hermanus CBD. The proposed residential units within the CBD will create an environment where people can work from home and live within walking distance of shops and offices. The proposal will be in line with the current built character of the area.

3.5 ACCESS & PARKING

The proposed access to the parking facility for the proposed development is from Patterson Street.



26 Parking bays are proposed on the site of which 1 parking bay is a dedicated disabled parking bay. The parking requirements as per **Chapter 17 Section 17.1** of the Zoning Scheme Regulations are as follow:

Parking requirements			
Land use	Parking ratio	Parking bays required	Parking bays provided
Office space	4 bays per 100m ² GLA	Total Office Space: 144m ² 5.76 Parking Bays	6 parking bays
Flats	1.5 bays per 1-bedroom dwelling unit	Total Number of Flats: 13 19.5 Parking Bay	20 parking bays
Total parking bays		25.26 parking bays	26 parking bays

From the above it is clear that sufficient on-site parking can be provided.

3.6 SERVICES

All services on the subject property already exist. Additional services are not required and therefore the proposal will not have a negative impact on existing services that are provided by the Overstrand Municipality. The application constitutes a departure from the number of storeys from 2 storeys to 3 storeys, but to stay within the 8.5m height restriction that is applicable.

3.7 TITLE DEED

The Title Deed T17942/2016 has no restrictions that need to be removed for this application to be approved.

3.10. FORWARD PLANNING

Overstrand Municipal Wide Spatial Development Framework (2006)

In terms of the Overstrand Wide Spatial Development Framework the subject property is earmarked for residential purposes. The business zoning of the subject property will be retained, with the proposal of a mixed-use development on the subject property. The proposal is still in line with the ***Overstrand Municipal Wide Spatial Development Framework (2006)*** as residential opportunities are still created within a mixed-use development.



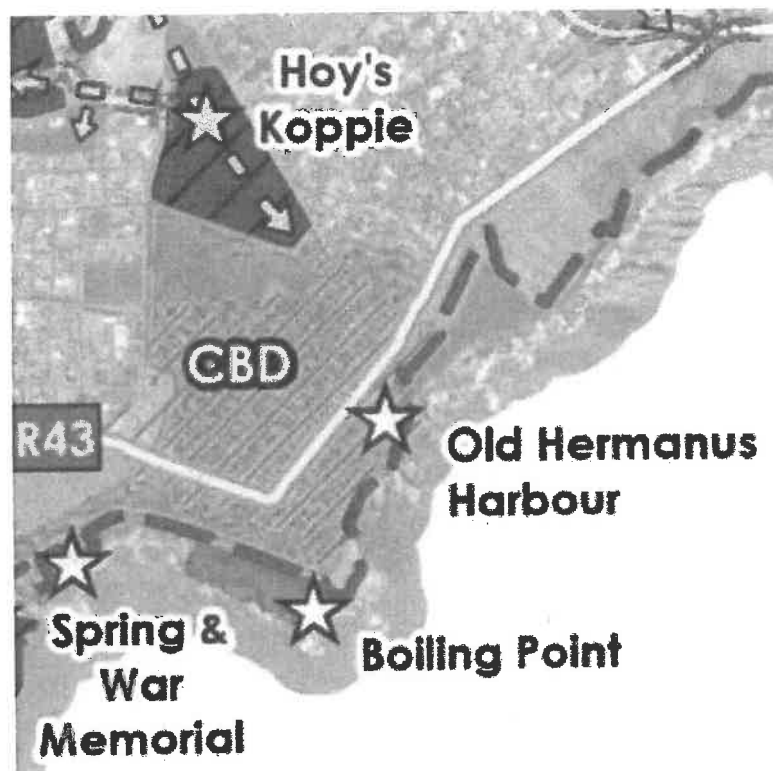
Overstrand Growth Management Strategy (2010)

With reference to the Overstrand Growth Management Strategy the subject property falls within Planning Unit 13 that consists of the Hermanus CBD. Residential densification is proposed for this planning unit to create a mixed land use area. The departure application is to develop a mixed-use development and is therefore in line with the Overstrand Growth Management Strategy proposals.

With the proposal, the above-mentioned forward planning documentation applicable to the Hermanus CBD, the proposed departures from the permissible number of floors will not have a negative impact on the surrounding properties. Therefore, the proposed departure application falls within the prescribed guidelines for the specific area of Hermanus.

Overstrand Municipality Spatial Development Framework (2020)

The subject property is located within the Hermanus CBD as demarcated in the Overstrand Municipality Spatial Development Framework (2020) and is also earmarked as being within a Heritage conservation area. Please refer to the abstract below from the Overstrand Municipality Spatial Development Framework (2020) below.



The design of the proposed development has been formally discussed with the Town Planning Department and the proposals were also circulated to the Heritage Committee. The detail of the comments from the Heritage committee will be covered in the following section.

The zoning of the subject property is Business Zone 3. The primary land uses as defined in the property's zoning will be utilised and subsequently the land use is in line with the current zoning of the property and the forward planning frameworks mentioned above in this section.

3.11. OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

3.11.1. HERITAGE VALUE

Erf 728 Hermanus is situated within the Heritage Overlay Zone as determined by the Overstrand Municipality Growth Management Strategy (2010) and the Overstrand Municipality Spatial Development Framework (2020). The property is not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

The subject property is not associated with any important persons or groups or important events and activities. The subject property has no association with the history of slavery and is not used for living heritage.

Knowing that the property is situated within an area demarcated as a Heritage Conservation area the development proposals were presented to the Local Heritage and Aesthetics Committee that dealt with the proposal at their meeting held on 31 January 2022. The committee's comments were as follow:

***HERMANUS : ERF 728 : 10 DIRKIE UYS STREET, NORTHCLIFF, J & B OAK TREE DEVELOPMENT (Pty) Ltd
: PROPOSED NEW MIXED USE (COMMERCIAL / RESIDENTIAL) BUILDING (HPOZ)***

Comment:

- Drawing no's design 20.A04, 05, 06 & 07, C.01, D11 & 12, 13 & 14 dated 29-11-2021 scrutinized.
- The proposed new mixed use building is supported, as is the retention of the old Oak tree (some judicial trimming will be required).
- A large volume housing the entrance & covered stair occurs on the Dirkie Uys / Paterson Streets corner. The rounded Northern elevation is supported, but not the height. The Committee suggests that the current RC flat roof be raked down towards Dirkie Uys Street following the stairs pitch.
- Proposed store rooms cantilevered over the entrance walkway create a large box on the West elevation, this is not supported. A simple cantilevered RC slab would suffice, or the Store rooms should be much reduced in scale (1,2m wide & 2,1m high internally would be acceptable).
- Retaining the old Oak tree would result in the terraces in the tree position be reduced in extent.
- Parapet walls associated with chimneys regularly break the roof planes over the residential units. This should be reviewed as the expression is more in keeping with the Bo – Kaap in Cape Town. Single unbroken double pitched roofs over the residential unit forms would be more appropriate.
- Given the maximum height will be used, which is 1,0m higher than any of the other residentially scaled buildings in Dirkie Uys & Paterson Streets, it is suggested that the end " gable " wall also be clad in sheeting to dematerialize these large wall planes. All parapets to these volumes would then not be required & stainless steel flues protruding above the roof sheet plane could be employed.
- The remainder of the proposed scheme is supported.

The comments above were adopted and the development proposals were amended accordingly to ensure that the building designs meets with the approval of the Heritage and Aesthetics Committee

Considering the above mentioned it is evident that the proposed departure application will not have a negative impact on the heritage value of the subject property or the greater area of the Hermanus CBD.

3.11.2. IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed departure application does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

3.12. PLANNING PRINCIPLES

The planning principles of spatial justice, spatial sustainability, efficiency and spatial resilience of this application can be described as follows:

Spatial justice refers to the need to redress the past apartheid spatial development imbalances and aim for equity in the provision of access to opportunities, facilities, services and land. In the broadest sense, it seeks to promote the integration of communities and the creation of settlements that allow the poorest of the poor to access opportunities. In a spatially just settlement, opportunities and access are provided to those whose historical access and opportunities have been impeded by the practice of apartheid spatial planning. Land development procedures must include provisions that accommodate access to, and facilitation of, security of tenure and the incremental upgrading of informal areas. The principle of spatial justice is not applicable to this application.

Spatial sustainability: The proposed departure will be accommodated in an established mixed-use area. The proposed application will have no impact on the conservation worthy areas of the Hermanus CBD, and spatially the land use will be in keeping with

the mix-use character of the area. The proposal with reference to the total height of the building is in line with the physical height of existing buildings in the vicinity as mentioned and will not exceed the current height restriction of 8.5m.

Efficiency: The proposed residential units are easily accessible and conveniently located within the Hermanus CBD where similar developments are established. The last mentioned makes travelling to the subject property and proposed flats easy and accessible. Required infrastructure such as high speed internet fibre has been installed to which the property can link to. The provision of a high speed internet service makes it possible to now work from home.

As mentioned in the background section of this document, the design model has been changed to make provision for a single bedroom residential unit that has a dedicated study to be utilised to work from home to make provision for a different type of housing demand. Making provision for a dedicated study to be used to work from conforms with the requirements to qualify to be tax deductible. Please refer to the abstract below from Cape Talk after having a discussion with a tax expert:

"It seems the process may not go as smoothly as those working from home might like.

85% of working from home tax deduction claims are being rejected by SARS and they are doing home visits to check that your working spaces are being used exclusively for work, says Germishuys.

For SARS to allow a home study, the area needs to be regularly and exclusively used by that individual. So even if you have an office that you are sharing with your spouse, that is not considered to be used exclusively by yourself - so that does not count.

Charmaine Germishuys, Senior Tax Manager - PriceWaterhouseCoopers

She says the reality during lockdown was that people were using a dining room table or sitting in the lounge or on their bed to conduct work - and that does not count for the requirements to claim back a study area.

She says the reason is that the Tax Act had these restrictive qualifications before lockdown happened.

It does not qualify in terms of the Tax Act as a study and of course, the Tax Act is still written as it is at the moment allowing only the study to be for that part.

Charmaine Germishuys, Senior Tax Manager - PriceWaterhouseCoopers

One of the things they could consider claiming is...a wear and tear allowance against the furniture you perhaps purchased.

Charmaine Germishuys, Senior Tax Manager - PriceWaterhouseCoopers

So, you cannot claim for the lounge or bedroom as a work-study but you can claim wear and tear on that desk or chair you may have purchased to use for working from home she explains.

In the case where one can claim for an exclusive work-study area, the deductions only relate to the specific floor space of that area - and not the entire home she adds."

Spatial resilience in the context of land use planning refers to the need to promote the development of sustainable livelihoods for the poor (i.e. communities that are most likely to suffer the impacts of economic and environmental shocks). Spatial resilience also refers to the requirement for flexibility in spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner, which includes the preservation and restoration of essential basic infrastructure and functions, but also adaptation in order to ensure increased resilience in terms of future shocks (United Nations Office for Disaster Risk Reduction, 2009). The principle of Spatial Resilience applies to this application.

As mentioned earlier in this motivation, the design model has been changed as a consequence that was brought about by the Covid pandemic. The consequence was the rapid acceleration of the "work from home" lifestyle that was not considered with the former designs of apartments.

It had been decided that the design of the proposed development be amended, and a new application lodged to make provision for flats above ground floor that will now also include a dedicated study to work from.

Good administration: Our Company is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient,

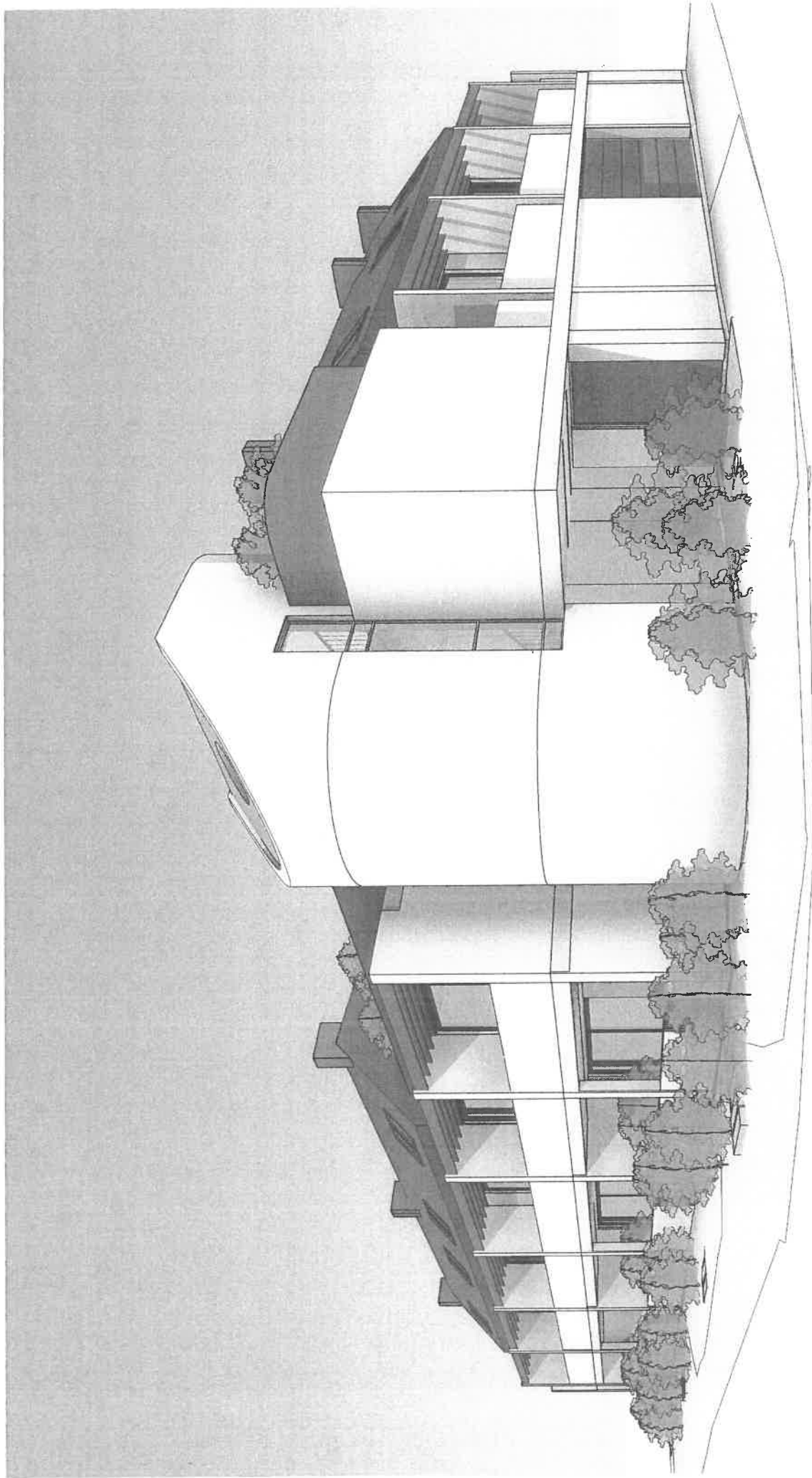
uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's bylaw and related provincial and national land use planning legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020.

4. **RECOMMENDATION**

When this application is evaluated, it is important to take note of the following:

- The proposed departure falls within the existing land use tendencies in the area;
- The impact on services will be minimal;
- The proposed departure will not have a negative impact on the current character and land values of the surrounding erven;
- Sufficient parking can be provided on the subject property as per the parking ratio defined in Chapter 17 Section 17.1;
- The proposal will still be accommodated within the physical height restriction for properties with a Business Zone 3: Local Business, zoning that is 8.5m. Only the number of storeys provided exceeds 2 storeys by means of an additional storey that will accommodate a bedroom, bathroom and study that qualifies as a 3rd storey;
- The proposal creates an opportunity for people to work from home, live within walking distance of shops, offices and also promotes mixed use developments within the CBD of Hermanus;
- The proposed application is in line with Spatial Planning Land Use Management Act, 2013 (SPLUMA) and the Land Use Planning Act, 2014 (LUPA).

With regards to the above mentioned it would be appreciated if the application would be considered favourably for the departure from the permissible number of floors on Erf 728 Hermanus.



david mylchre architects
 5 canyon street newlands
 erf 728 hermanus
 068 386 0680



client

horizon capital

project number

scale

drawing number

design 20.D05

date

08.04.2022

revision

1

drawn

ds

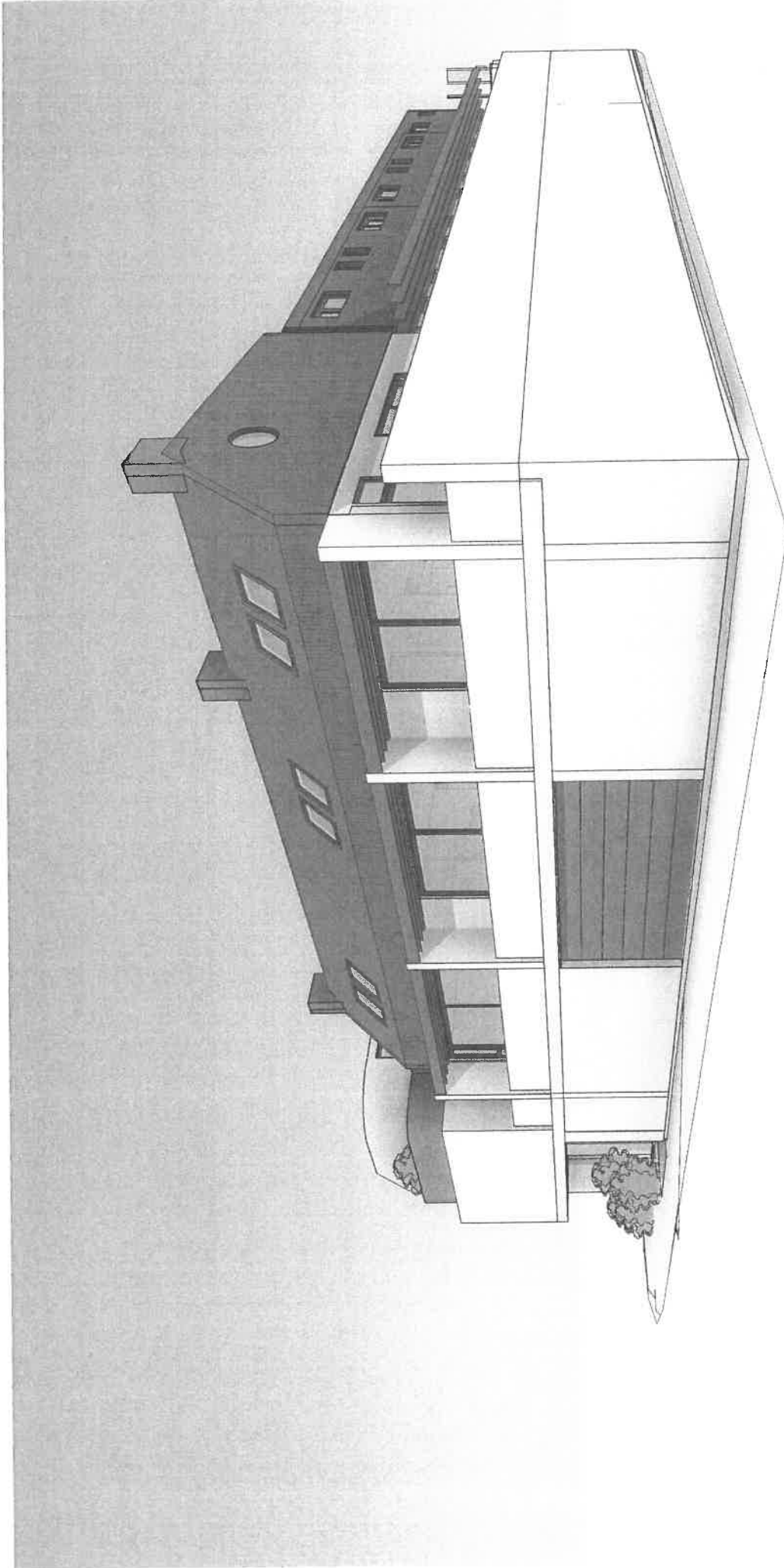
project

10 dirkie uys street
 erf 728 hermanus

drawing

street perspective

for information



drawing
paterson street view
 for information

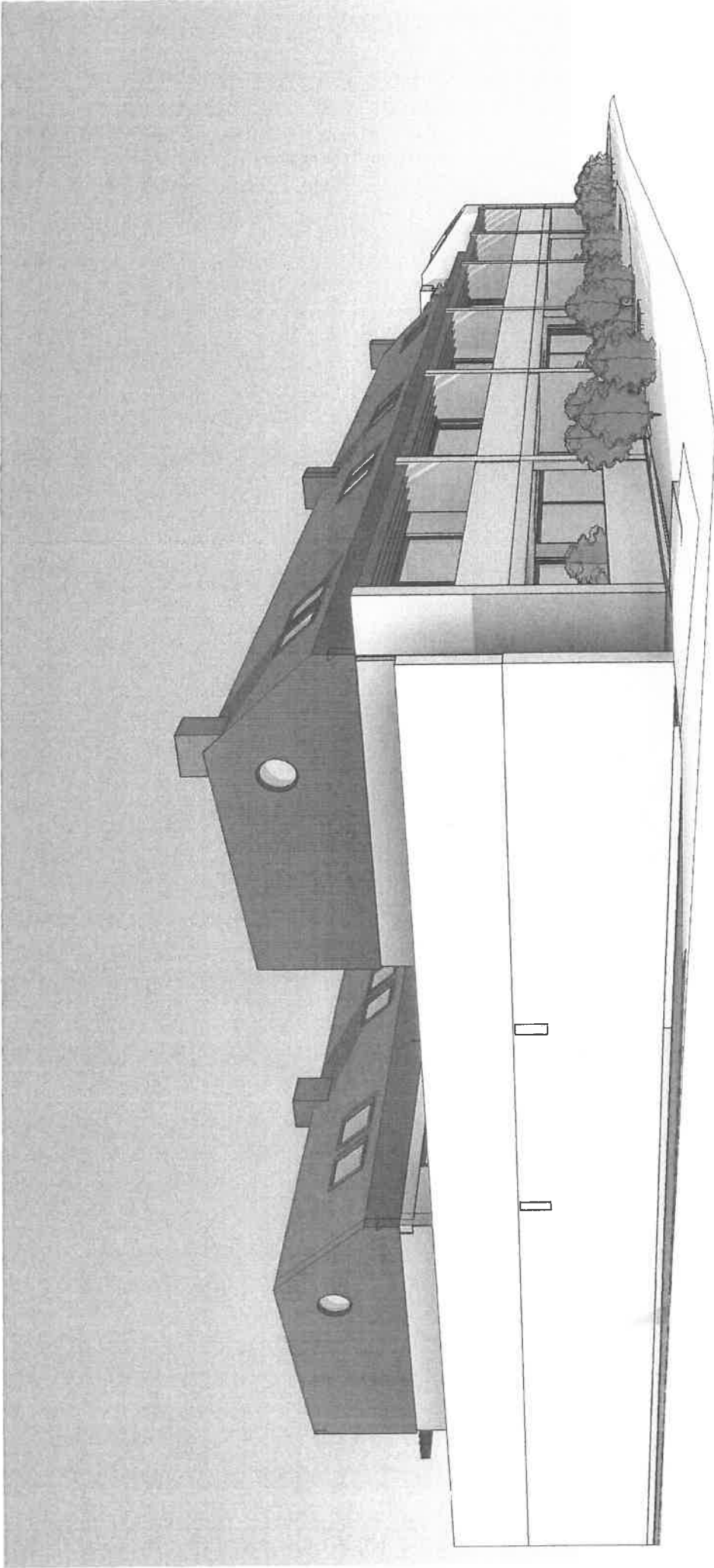
project
 10 clirke uys street
 erf 728 hermanus

revision	drawing number	project number
1	design 20.D08	-
drawn	date	scale
ds	08.04.2022	

client
 horizon capital



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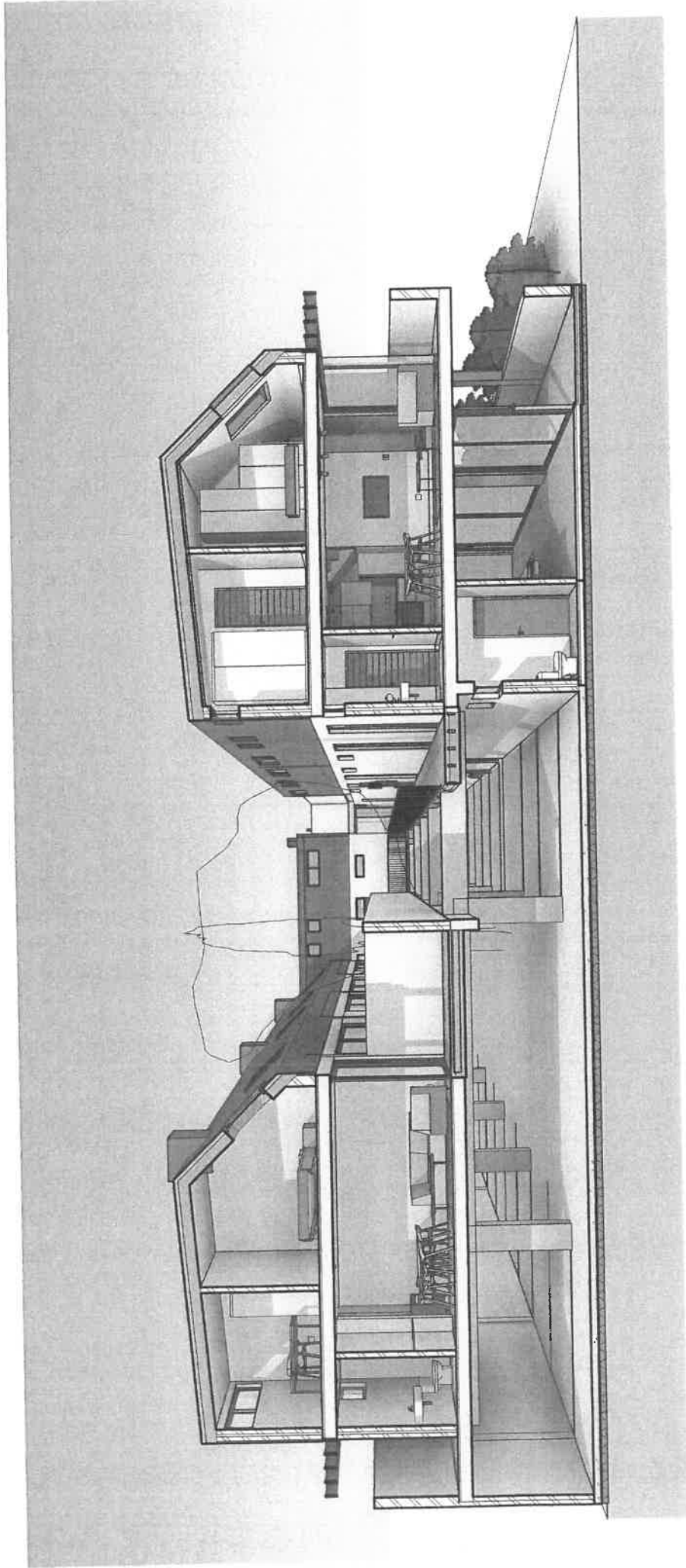
drawing
dirkie uys street
 for information

project
 10 dirkie uys street
 erf 728 hermanus

project number	drawing number	revision
-	design 20.D09	1
scale	date	drawn
	08.04.2022	ds

client
 horizon capital

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client
 horizon capital

project number	revision
-	1
scale	drawn
	ds
drawing number	date
design 20.D10	08.04.2022

project
 10 dirkie uys street
 erf 728 hermanus

drawing
sectional perspective
 for information

property information							
erf number	land unit area	erf area	zoning	floor factor	floor space permitted	coverage permitted	coverage area
728	hermanus	924 m ²	B23	1.5	1386 m ²	75%	693 m ²

Stormwater Manhole
C.L. 23.30m
I.L. 22.31m

Stormwater Manhole
C.L. 23.42m
I.L. 22.39m

Stormwater grid
C.L. 23.13m
I.L. 22.63m

Stormwater Manhole
C.L. 23.39m
I.L. 22.55m

Stormwater grid
C.L. 23.08m
I.L. 22.42m

Valve
Temp Post
elec Post

Dirkie Uys Street

Paterson Street

Kerb

Boundary wall

Existing building

Fence

Fence

727

732

A

B

C

N

coverage 690m²

excluded in areas:

timber decks inside courtyard

included in area:

walkways at common boundaries

terraces in front of offices

Notes:

Beacon Certificate:

Beacon Description:

A.E. ... Drill hole in concrete

B ... Well corner

C.D. ... 12mm iron peg

Benchmark Description:

BM1 ... 12mm iron peg next to kerb

VAN DYK & ASS. inc.

P.O. Box 2025
HERMANUS
7200
SOUTH AFRICA
VAN DYK
LAND SURVEYERS
TEL. (028) 313 0077
E-MAIL: info@vandyksurvey.co.za



System: WGS84 / Lo 19

Hoogte Stelsel: Mean Sea Level

Height System:

Skaal: 1 : 200

Datum: January 2020

Date:

Landmeter: L A van Dyk

Land Surveyor:

Project Title: ERF 728 HERMANUS

Project Title:

Title: TOPOGRAPHICAL SURVEY

Title:

Tekening Nummer: V20027

Drawing Nummer:

drawing

survey

for information

SG diagram 1 : 200

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021 671 3025
081 305 5280



horizon capital

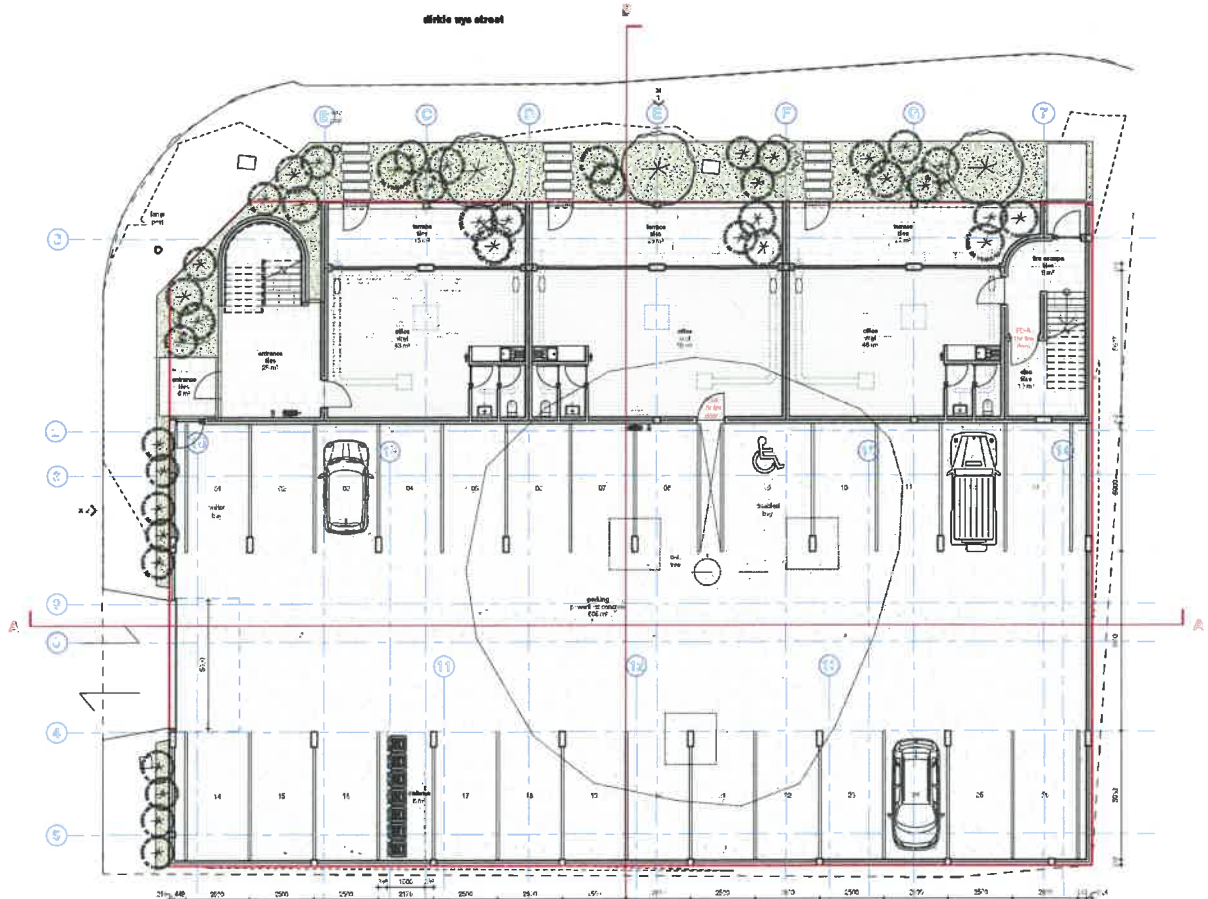
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-	design 10.A01	
scale	date	drawn
1 : 200	06.04.2022	ds

project

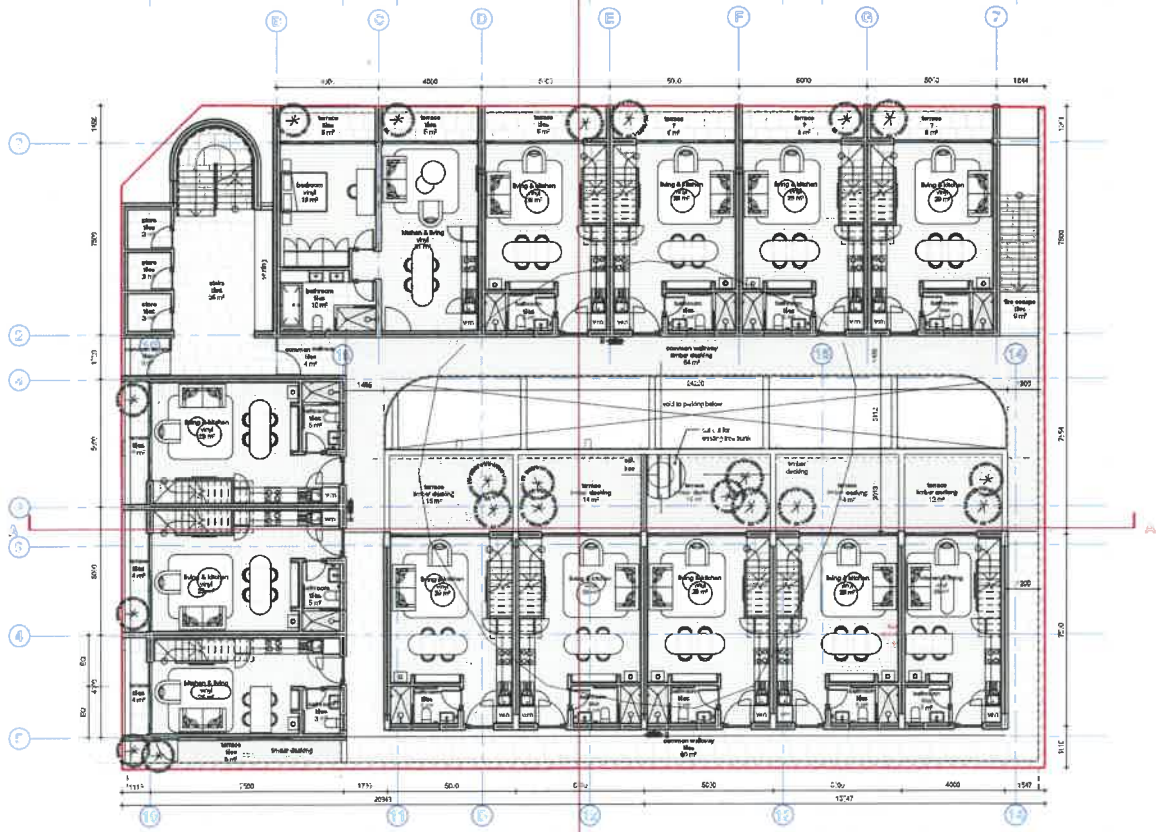
10 dirkie uys street
erf 728 hermanus

drawing

survey
for information



ground floor plan 1 : 100



first floor plan 1 : 100

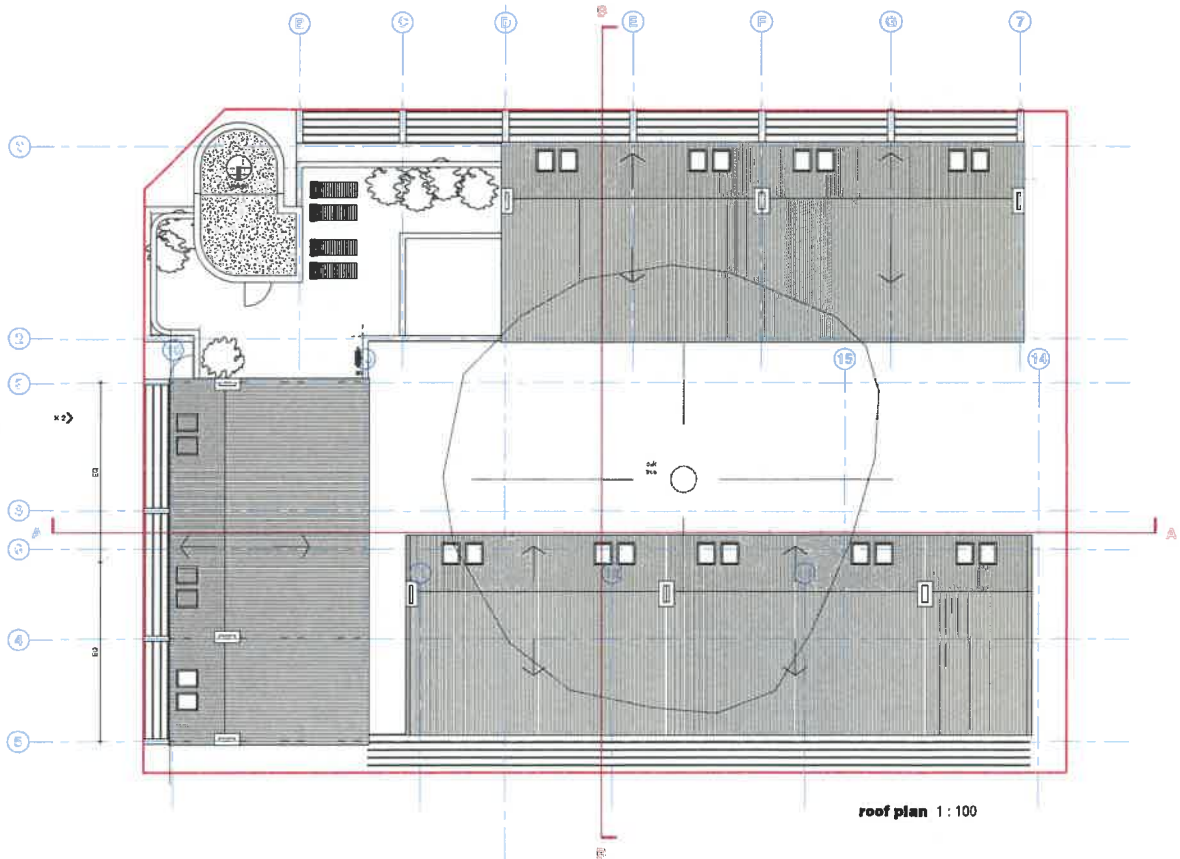
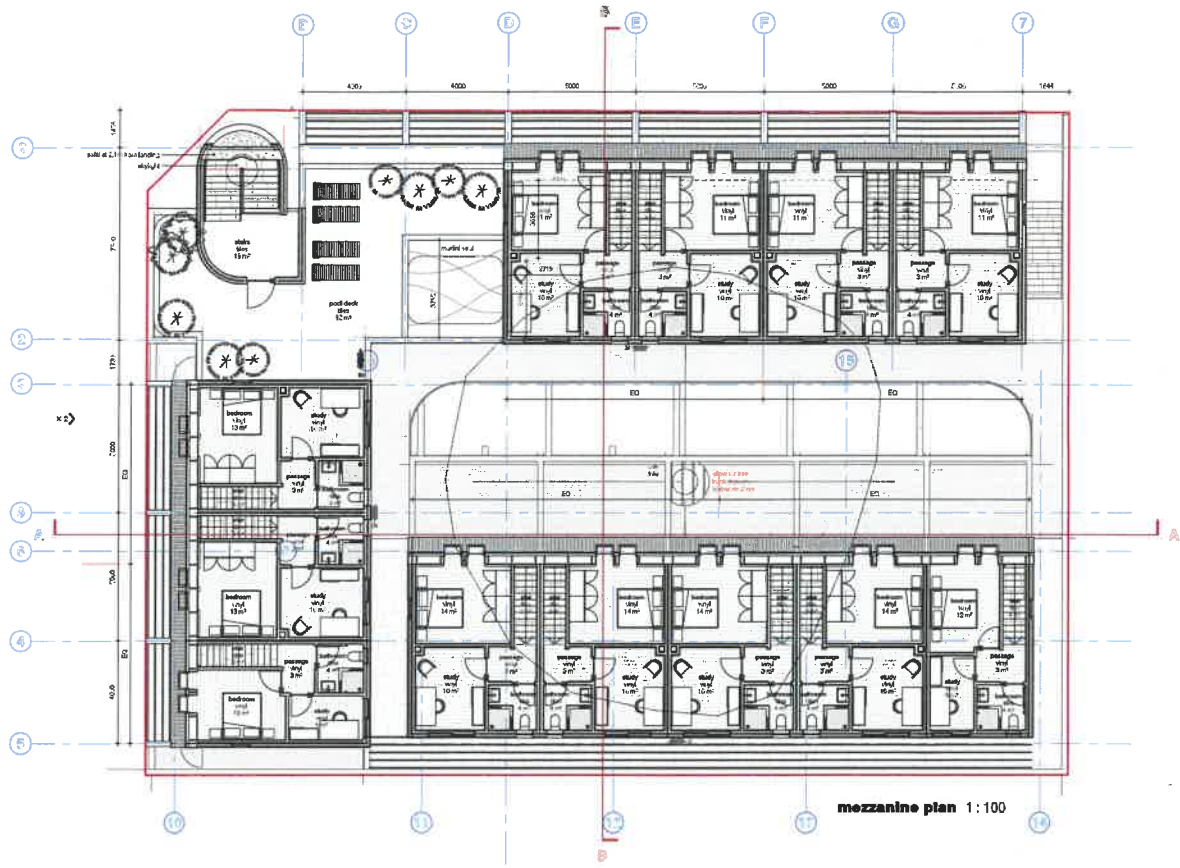

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 erf 728 Hermanus
 021 202 1111

horizon capital
 10 Dirkie Uys Street
 erf 728 Hermanus

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10 dirkie uys street
 erf 728 hermanus

floor plans		
for information		
number	working 20.A01	revision
scale	1 : 100	date
date	08.04.2022	ds





 david snyder architects

architect: david snyder
 date: 08/04/2022

client: horizon capital

project: 10 dirk uys street erf 728 hermanus

floor plans		
for information		
drawing number	working 20.A02	1
scale	date	drawn
1:100	08,04,2022	ds
print date	sheet: A02 of 14 (1/14)	

