

**ERF 4641, 7 FIFTH AVENUE, KLEINMOND: APPLICATION FOR DEPARTURE: FVS TOWN AND REGIONAL PLANNERS (obo BC SMAL)**

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 that an application has been received for a departure in terms of Section 16(2)(b) of the By-Law to relax the street building line from 4m to 2m and the lateral building line from 2m to 0m to accommodate a new garage.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus and at the Kleinmond Library, Fifth Avenue, Kleinmond. Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) on or before **21 October 2022**, quoting your name, address and contact details, interest in the application, and reasons for comment. Telephonic enquiries can be made to **Ms. H. van der Stoep** at 028-313 8900. The Municipality may refuse to accept comments 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.

**ERF 4641, VYFDELAAN 7, KLEINMOND: AANSOEK OM AFWYKING: FVS STADS- EN STREEKSBEPLANNERS (nms BC SMAL)**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek ontvang is afwyking ingevolge Artikel 16(2)(b) van die Verordening om die straatboulyn te verslap vanaf 4m na 2m en die syboulyn vanaf 2m na 0m om 'n nuwe motorhuis te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en by die Kleinmond Biblioteek, Vyfdelaan, Kleinmond. Enige skriftelike kommentaar moet ingevolge die bepalinge van Artikels 51 en 52 van die Verordening ingedien word en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) bereik voor of op **21 Oktober 2022** met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan **Me. H van der Stoep** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar 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 formaliseer.

**ISIZA SAMA- 4641, 7 FIFTH AVENUE, EKLEINMOND: ISICELO SOKUPHAMBUKA: FVS TOWN AND REGIONAL PLANNERS (egameni lika, BC SMAL)**

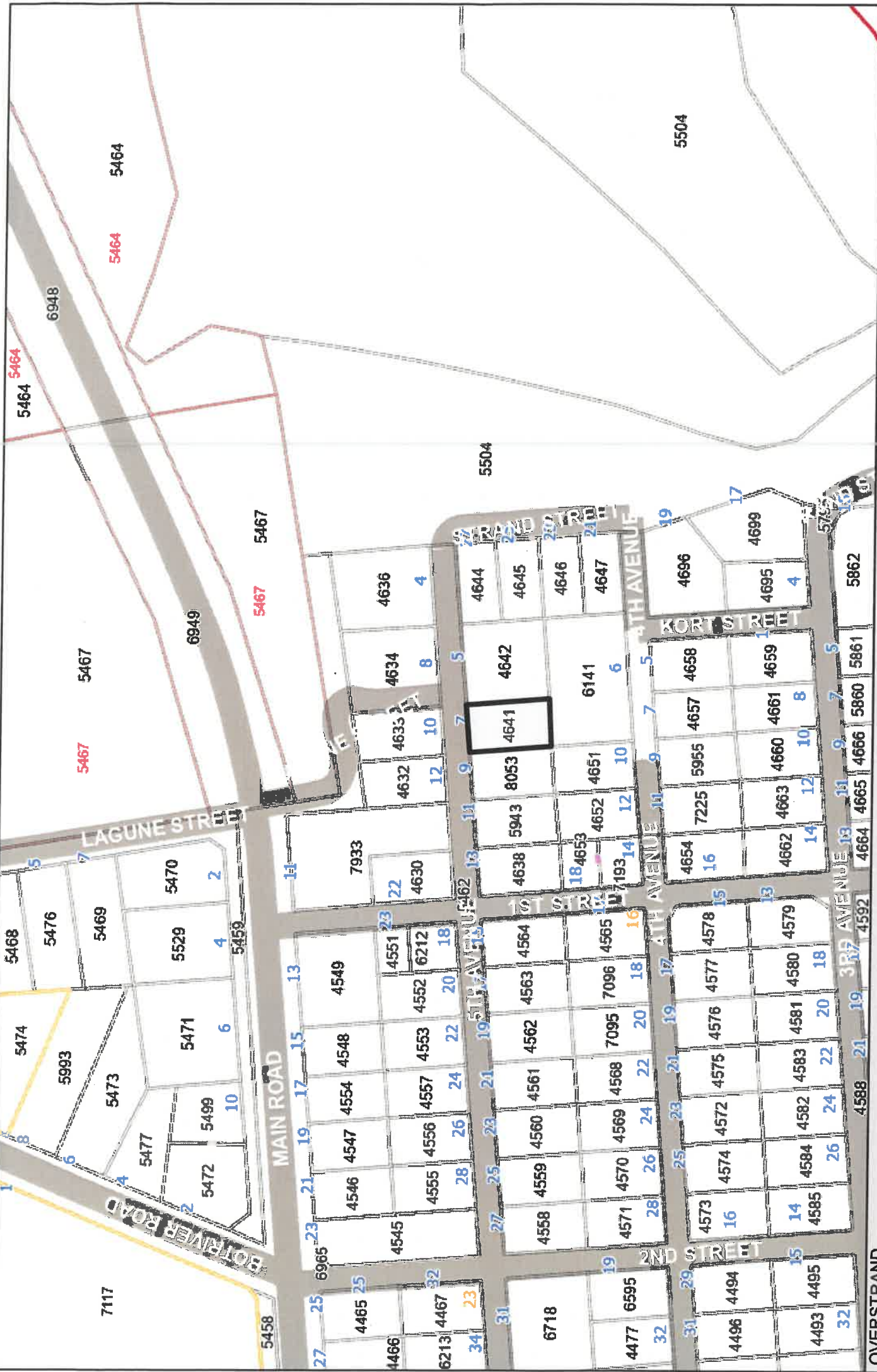
Isaziso sinikwe ngokuphathelele kwiCandelo lama-48 - loMthetho kaMasipala wesiLungiso wase-Overstad kuYilo lokuSetyenziswa koMhlaba kaMasipala (*the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning*), 2020, ukuba isicelo sokuphambuka sifunyenwe ngokuphathelele kwCandelo le-16(2)(b) loMthetho kaMasipala ukunyenya umda wokwaxhiwa wesitrato ukusuka kwisi-4m ukuya kwisi-2m somda osemacaleni ukusuka kwisi-2m ukuya kwi-0m ukubonelelwa/ukwaxhiwa kwegaraji entsha.

Inkcukacha ezipheleleyo ziyafumaneka ukuba zihlolwe ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: Town Planning, Paterson Street, Hermanus kunye nakwiThala lwencwadi laseKleinmond, Fifth Avenue, eKleinmond. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 zalo Mthetho oYilwayo yaye mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) ngomhla okanye ngaphambi komhla **wama-21 uOktobha 2022** unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umnxeba **Nksk. H. van der Stoep** kule nombolo yomxeba 028-313 8900. UMasipala angala ukuzamkela izimvo ezifike emva komhla wokuvalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhale izimvo zakhe.

Tel: 028 313 8900 | Fax: 028 313 2093 | E-mail: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

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Locality Map  
Erf 4641 Kleinmond



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## **1. SECTION 1: INTRODUCTION**

FVS Town and Regional Planners is a professional town planning consultancy based in the Western Cape of South Africa, with project experience throughout the country. We strive to deliver town planning services to individuals, companies, and communities to create sustainable environments.

We have a combined experience of 10 years in both public sector and private sector. We can assist with all varieties of land - use related issues. With a dynamic and efficient team, we can assist with the management of both large and small-town planning projects and will be able to provide our consultation services where necessary.

### **1.1. BACKGROUND INFORMATION**

Barend Smal, owner of Erf 4641 consulted with the local authorities, Overstrand Municipality, on the possibility of alterations and additions to the dwelling house. Various aspects of the proposal were discussed, and it was advised that Town Planner will have to be appointed to apply for the relaxation on behalf of the property owner. The motivation will have to be well motivated to secure the approval of the building line relaxation.

Barend Smal subsequently contacted this office to which negotiations took place between this office, the architect, and the property owner.

### **1.2. PLANNING BRIEF**

Taking the aforesaid into consideration, application is hereby made in terms of Section 16 of the Overstrand Municipality By-law on Municipal Land Use Planning for the following:

- 1.2.1. Section 16 (2) (b) - Permanent departure from the provisions of the zoning scheme: Relaxation of the side boundary building line from 2m to 0m.
- 1.2.2. Section 16 (2) (b) - Permanent departure from the provisions of the zoning scheme: Relaxation of the street boundary building line from 4m to 2m.

Please refer to the following annexures for the Application Form and Power of Attorney:

**Annexure A – Application Form**

**Annexure B – Power of Attorney**

Section 3 of this motivation report will provide the reader with a full description of the application and proposed additions and alterations as proposed.



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## 2. SECTION 2: PROPERTY DETAILS

Section 2 of this report consists of the details pertaining to the subject property, such as its locality and ownership details and the property.

### 2.1. OWNERSHIP DETAILS

Below are the details as contained in the subject Title Deed.

Property Description	Erf 4641, in the Municipality of Kleinmond, Division of Caledon, Province of the Western Cape
Deed Number	T15437/1991
Ownership	Barend Christo Smal
Extent	595m <sup>2</sup>

A perusal of the title deed revealed that there are no restrictive conditions registered on Erf 4641, that would prohibit the approval of this application.

Please refer to **Annexure C** for a complete copy of the Title Deed.

### 2.2. LOCALITY

The application site is situated at number 7 of Fifth Avenue in the coastal town of Kleinmond, in the Overberg District of the Western Cape Province. Kleinmond is approximately 90km east of Cape Town on the southern coast of the Western Cape.

Kleinmond is a small coastal town in the Overberg region of the Western Cape province, South Africa. It is situated inside a UNESCO-declared biosphere about 90km east of Cape Town between Betty's Bay and Hermanus. The town's name, meaning "small mouth" in Afrikaans, refers to its location at the mouth of the Bot River lagoon. Hermanus, being the main town of the Overstand Municipal area, is host to numerous smaller settlements on this coastal strip and includes Rooi Els, Pringle Bay and Gansbaai.

Tourism plays a large role in the town's economy due to its popularity with holiday makers from across the Western Cape and Cape Town in particular.

Please refer to **Annexure D** for the Locality Plan.

### 2.3. CHARACTER OF THE SURROUNDING AREA

The application site is situated towards the main beach of Kleinmond, in proximity to the Kleinmond Central Business District (CBD). The immediate surrounding erven are zoned as Single Residential Zone 1 and is thus predominately a residential area. Due to the high number of tourists that travel to, and through, the area it is regarded as understandable that numerous properties in the surrounding area are utilised as both residential erven and self-catering (or similar such as B&B, Lodge, or similar types of short-term holiday) accommodation.

Kleinmond, including other towns in the area, is mainly sustained by the tourism trade and offers a wide variety of activities such as golfing, hiking, and other tourist related activities such as fishing and kayaking. The surrounding area is further stimulated by various economic activities associated with the normal functions of any town.

The figures below should provide the reader with a relative understanding of the surrounding area. Figure 1 provides the reader with a simple zoning extract, while Figure 2 provides the reader with an aerial photograph of the application site and surrounding properties.

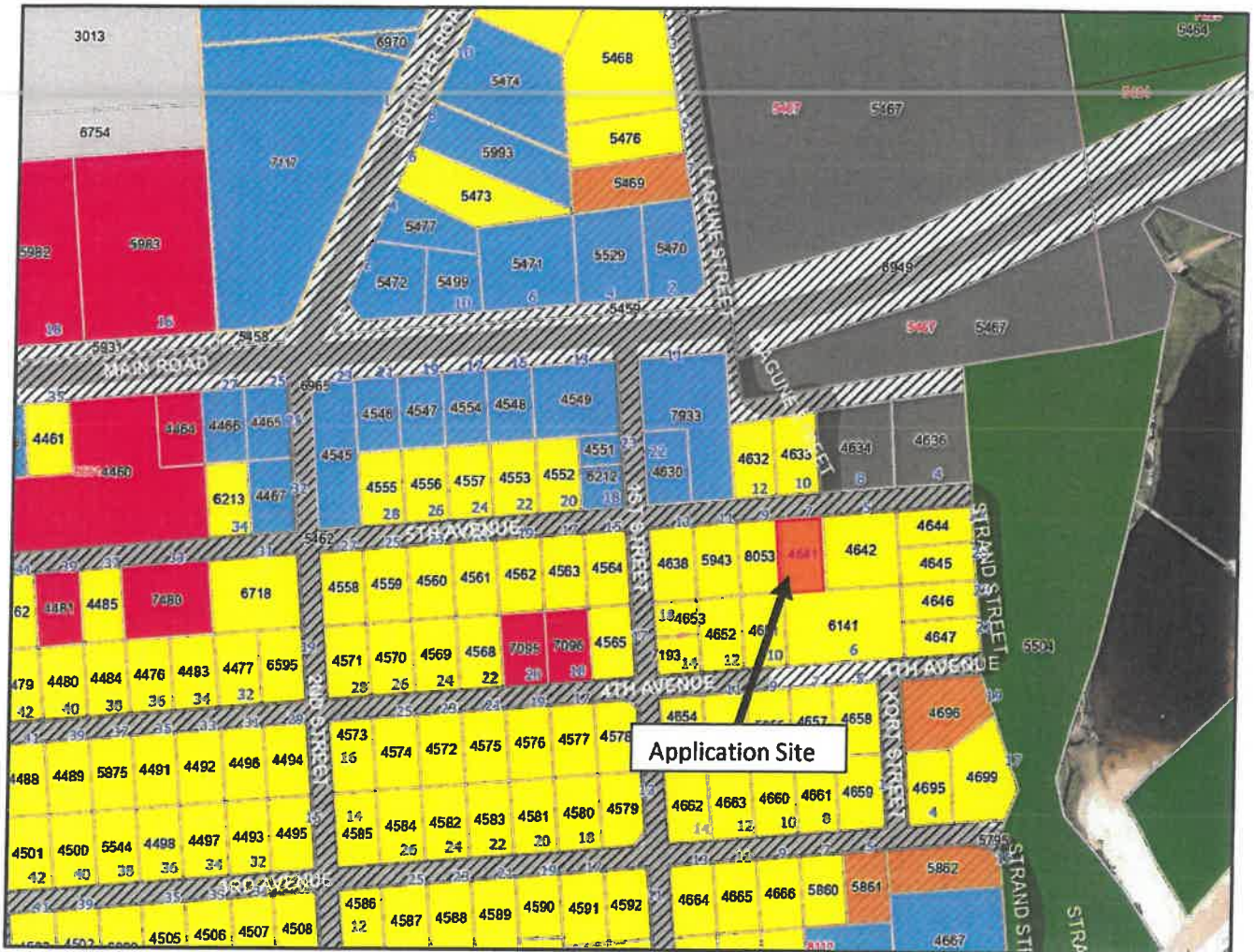


Figure 1: Surrounding Zonings (Overstrand Public Viewer, April 2022)

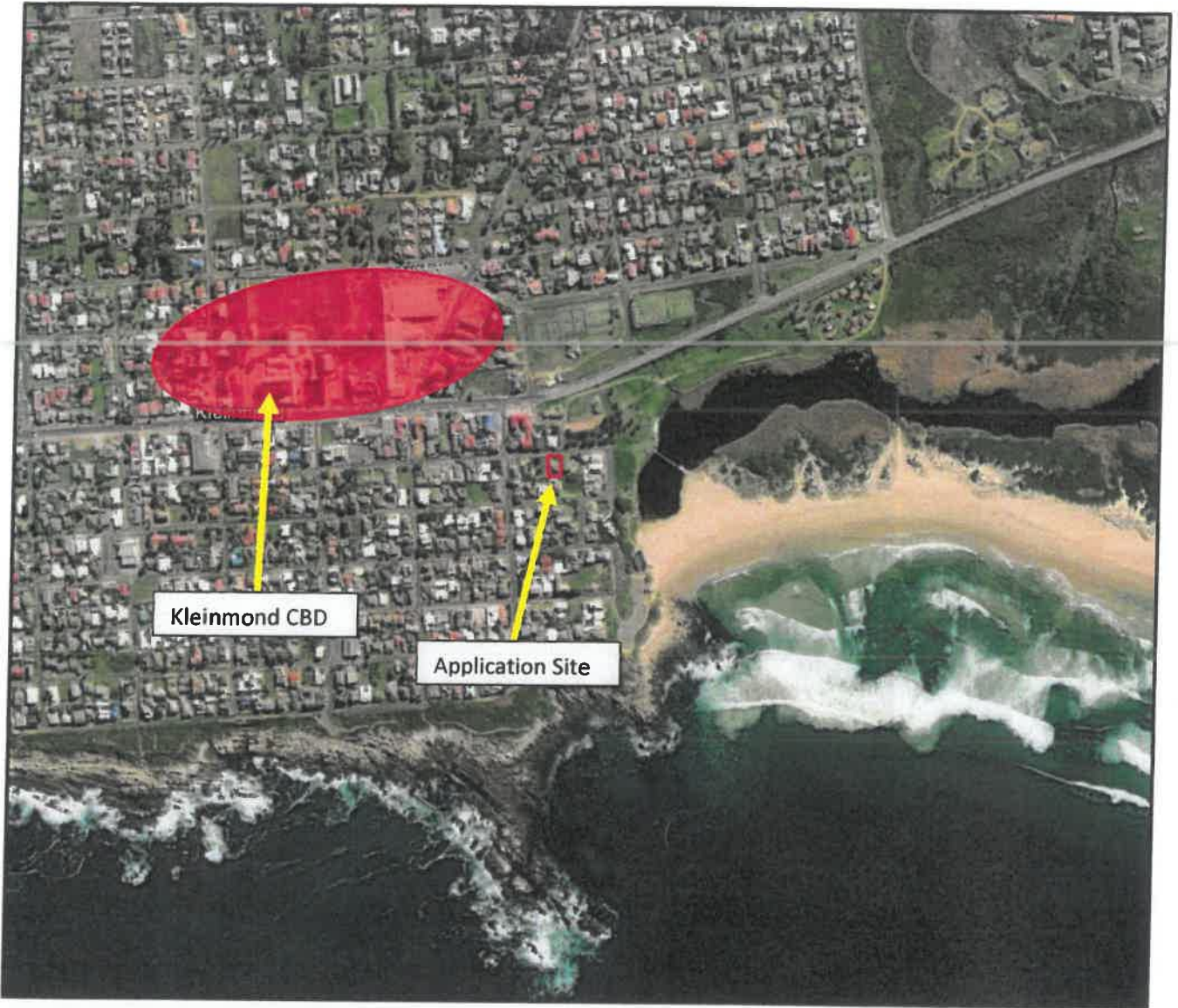


Figure 2: Aerial Photograph of application site and surrounding area (Cape Farm Mapper, April 2022)



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### 3. SECTION 3: MOTIVATION

Section 3 of the motivation report deals specifically with the type of application and what will be applied for, as well as the development particulars.

#### 3.1. THE APPLICATION

Application is hereby made in terms Section 16 (2) (b) of the Overstrand Municipal Land Use Planning By-Law for the following:

*“Permanent Departure from the provisions of the zoning scheme:”*

- Application is hereby made for the relaxation of the side boundary building line from 2m to 0m.  
The proposed new garage, with the existing building exceeds a maximum of 9m on the lateral building to a total length of 13.942m.

*“Permanent Departure from the provisions of the zoning scheme:”*

- Application is hereby made for the relaxation of the street boundary building line from 4m to 2m.  
The proposed new garage will be extended over the prescribed street boundary building with 2m as the proposed new garage exceeds a maximum width of 6m.

#### 3.2. THE PROPOSAL

The proposal entails the relaxation of the side and street boundary building line from 2m to 0m and 4m to 2m for the construction of a new garage as indicated on attached site development plan (Project Number: 2022 - 001).

Please refer to the figures below for extracts from the proposed site development plan, attached hereto as **Annexure E**.

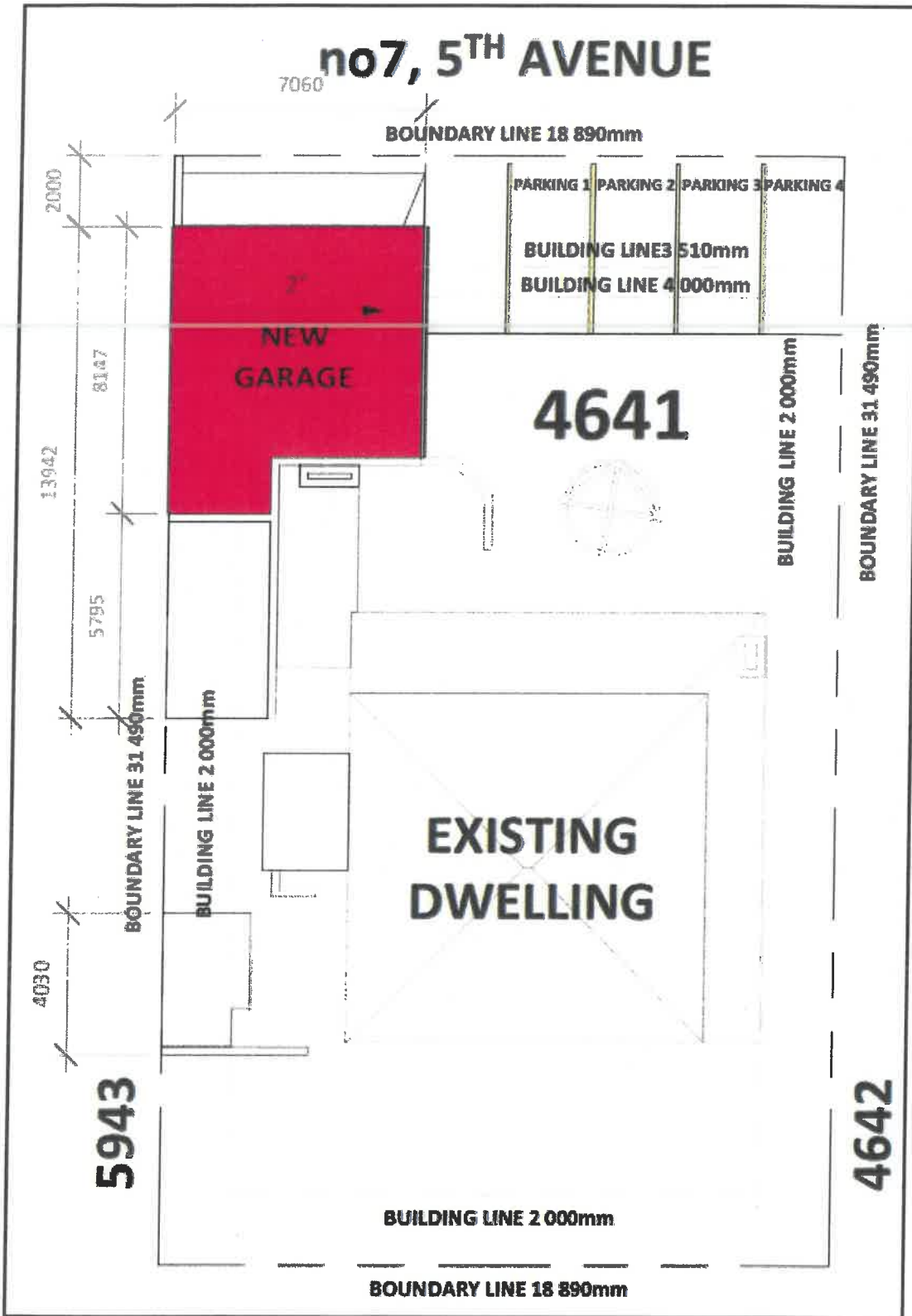


Figure 3: Proposed site layout

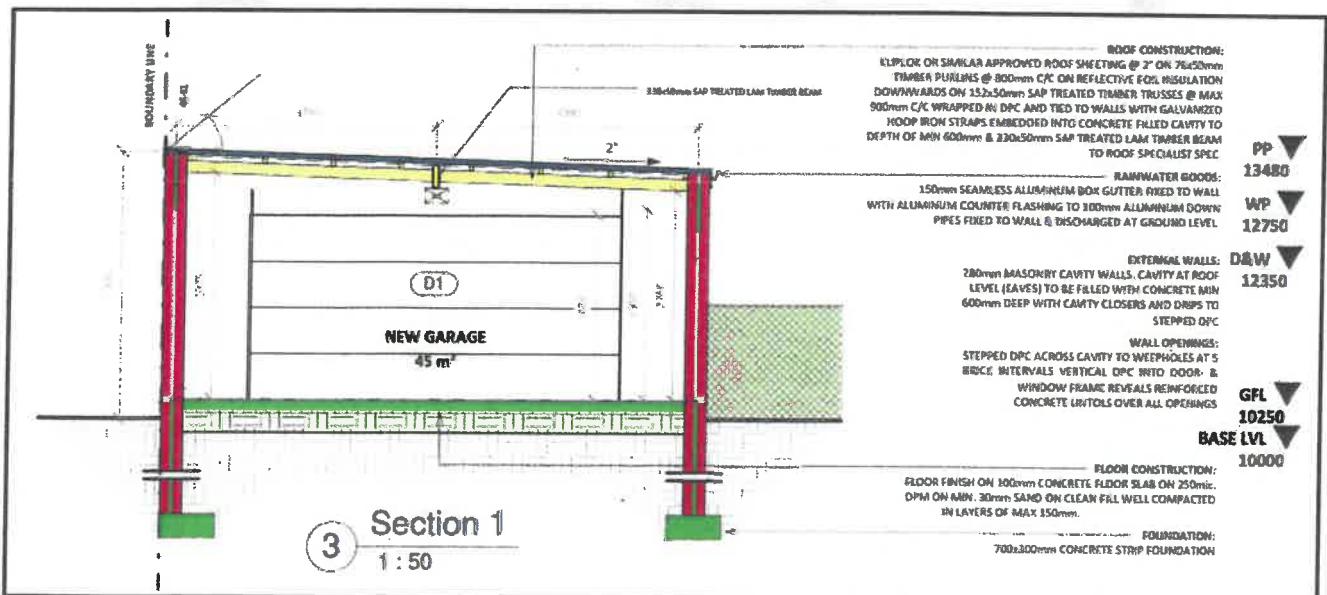
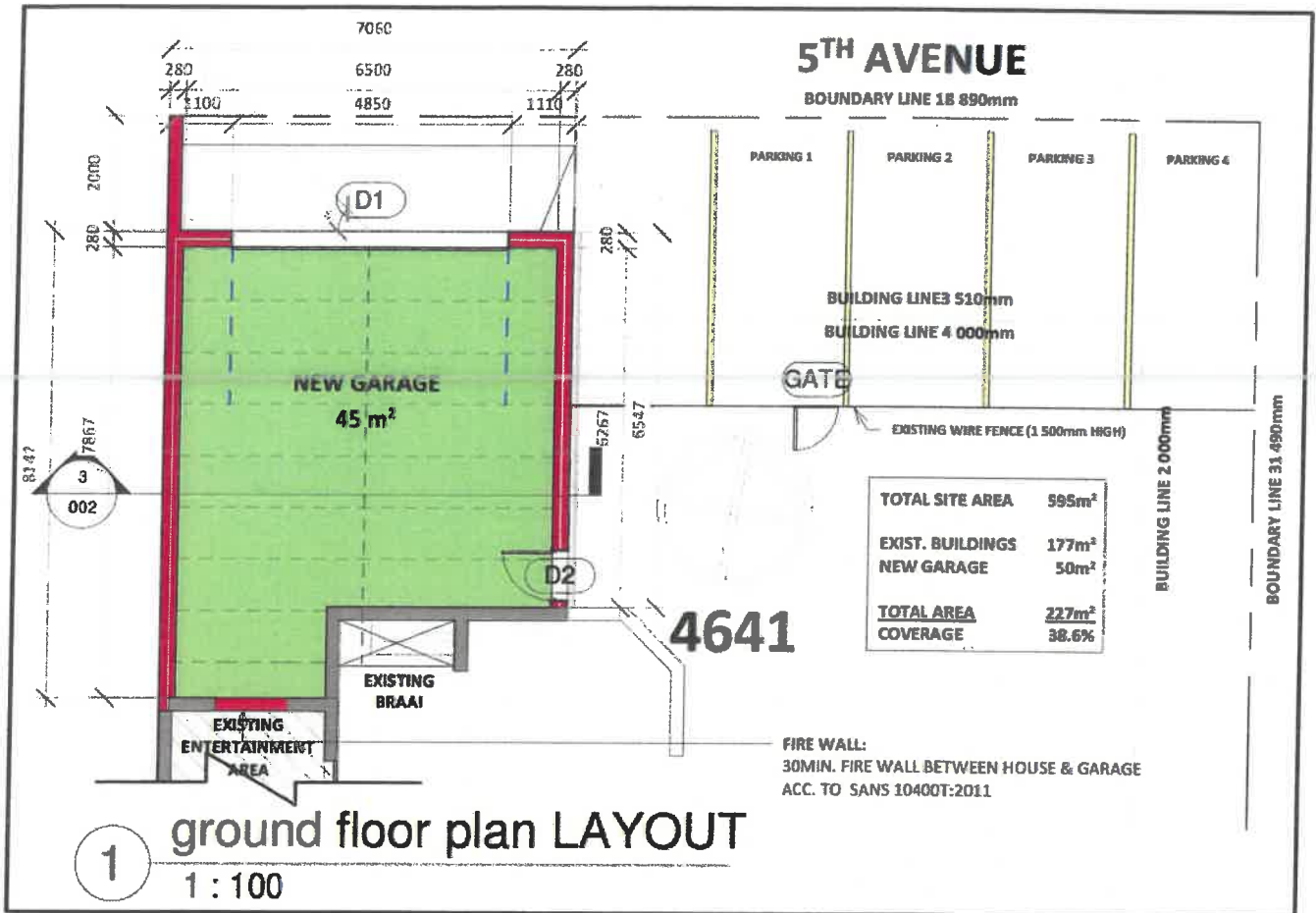
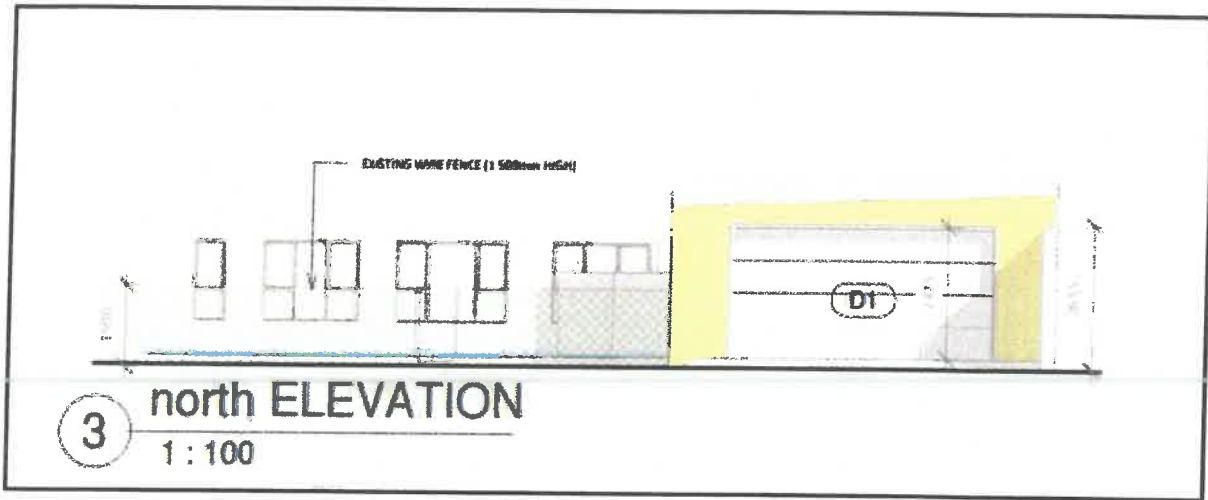


Figure 4 & 5: Ground Floor and Section



Figures 6 & 7: Elevations

### 3.3. ZONING

Erf 4641, Kleinmond is currently zoned as Single Residential Zone 1. Please refer to the table below for an extract from the Overstrand Municipality Land Use Scheme 2020. Also, refer to the Overstrand Municipality Land Use Scheme, 2020 for the development parameters, such as Primary and Consent uses, and building lines pertaining to the Single Residential Zone 1.

<b>OVERSTRAND MUNICIPALITY LAND USE SCHEME OF 2020</b> In terms of Section 16 of the Overstrand Municipality By-Law	
<b>Development Parameters</b> Erf 4641, Kleinmond	
Zoning	Single Residential Zone 1
Primary Uses	Crèche, dwelling house, guest rooms, home occupation, second dwelling 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.
Building Lines - Street	4m (erven larger than 400m <sup>2</sup> )
Building Lines – Side and Rear	2m (erven larger than 400m <sup>2</sup> )
Height	8m from base level
Coverage	50% (erven larger than 400m <sup>2</sup> )
Parking	Please refer to Chapter 17.1 of the Overstrand Municipality Land Use Scheme of 2020



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### 3.4. IMPACT ON MUNICIPAL SERVICES

The proposal is not deemed to have a negative impact on the municipal engineering services. The application site is well serviced, and the proposal is not deemed to have an additional impact on the municipal services. See hereunder the use of each of the services:

#### 3.4.1. Water

The application site is connected to the existing water network of the Overstrand Municipality, providing services to the surrounding area.

#### 3.4.2. Electricity

Erf 4641 is currently supplied with sufficient electrical needs as currently supplied by Eskom.

#### 3.4.3. Sewerage

The application site is connected to the Overstrand Municipal sewerage network providing services to the surrounding neighbourhood.

#### 3.4.4. Surface Water

All surface water will be accommodated on the property and will be channelled via the Overstrand Municipality Stormwater system of the town, as is the current situation.

#### 3.4.5. Access

Access to the application site is currently from Fifth Avenue, which is to remain as is currently the case.

Please note that the proposal will not lead to an increase in the existing services network as the current capacity is deemed to be sufficient.

### 3.5. PHOTOS OF THE SITE

This office took photos during a site visit at the application site. The photos are for information purposes to assist the reader and to provide a feel for the proposed applications. Please see the photos on the following pages.

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### 3.6. DESIRABILITY

In order for the Authorised Official to make a decision on the merits of the proposal it is important to consider factors that will aid with the desirability and feasibility of a proposal. The proposal is for a new garage situated 2m from the street boundary building line. The proposal is deemed desirable in terms of the following:

- Proposed structure will add value to the existing dwelling.
- The proposed garage is in line with any residential property and residential neighbourhood.
- It will aid in the safety of the owner's property (motor vehicles).
- Existing structure will be converted to a garage.
- No additional municipal services will be utilised.
- The proposal is not deemed to detract from the vistas or privacy of the abutting neighbours.
- No negative impact on the traffic flow of 5<sup>th</sup> Avenue is envisaged.

Upon a site visit to the subject property, the owner stated that a garage is required to provide safety of their motor vehicles. The subject property was mostly used for holiday accommodation and was thus not a major factor as the use was occasional. The owner intends to relocate to Kleinmond on a permanent basis and would thus require the proposed garage for the storage of motor vehicles and a caravan.

During peak holiday times the owner has family and friends visiting and would thus require the additional space to allow for parking on the subject property. During the aforesaid site visit alternative positions were considered and discussed. The alternative position was to the left side of the property (being viewed from 5<sup>th</sup> Avenue, standing directly in front of the property). This proposed position was later dismissed as it will alter the existing flow of the dwelling as the proposed position will be directly in front of the existing living room area. This will subsequently detract natural light being absorbed from the existing windows (which will have to be removed) and will, in the opinion of this office, have a negative impact on the property value.

The aforesaid position will ultimately reduce the number of parking bays available for onsite parking and subsequently have a negative impact on the traffic flow of 5<sup>th</sup> Avenue. The current proposed position is deemed as the best possible position for the proposed garage if one considers all the site-specific circumstances, as discussed above.

## 4. SECTION 4: LEGISLATION

Section 4 of this report consists of the applicable Legislation pertaining to this application.

### 4.1. FORWARD PLANNING

#### Western Cape Provincial Spatial Development Framework, 2005 & 2009

The Western Cape Provincial Spatial Development Framework (WCPSDF) is a structured plan approved in terms of Section 4(6) of the Land Use Planning Ordinance, aimed at providing spatial expression to the Provincial Growth and Development Strategy.

The guiding principle of the Western Cape Provincial Spatial Development Framework (WCPSDF) is sustainable development. Accepted international consensus is that sustainability consists of three pillars, often referred to as the “triple bottom line”, namely “economic efficiency/prosperity”, “ecological integrity” and “social equity”.

Sustainability encompasses all three pillars. Ecological integrity or social equity alone does not constitute sustainability. The triple bottom line propagates a holistic approach. The WCPSDF contains several objectives. These are:

- Align the future settlement pattern of the province with economic potential and the location of environmental resources e.g., the Provincial urbanisation strategy.
- Optimise the provincial settlement pattern concerning where people live, the availability of resources and future economic potential for growth.
- Economic development locations - Tourism within the whole Province with Tourism Development Areas (TDAs) and golf and eco-estates inside urban edges.
- Combined road and rail transport corridors - Transport corridors containing both road and rail routes should be developed as primary freight and passenger routes and settlements along these linkage corridors should generally be Priority Fixed Investment Urban Settlements.
- Deliver human development programmes and basic needs programmes wherever they may be required.
- Strategically invest scarce public resources where they will incur the highest socio-economic returns (e.g., Priority Fixed Investment Urban Settlements - Settlements that show high economic growth potential and have high population thresholds shall be prioritised as locations for fixed infrastructure investment).
- Support land reform.
- Conserve and strengthen the sense of place of important natural, cultural, and productive landscapes, artefacts, and buildings (e.g., appropriate architectural character - foreign and unsympathetic styles shall be discouraged in urban settlements and rural areas to strengthen the local sense of place and minimise visual impact).
- End the apartheid structure of urban settlements (e.g., through densification).
- Conveniently locate urban activities and promote public and non-motorised transport (e.g., through the integration of urban activities).
- Protect biodiversity and agricultural resources (e.g., through land use management).
- Minimise the consumption of scarce environmental resources, particularly water, fuel, building materials, mineral resources, electricity, and land (e.g., through water conservation).

Notwithstanding the above, it should be noted that the WCPSDF defines guidelines as “policies that are intended as general developmental goals and whose detailed implementation may vary due to place specific conditions and



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therefore requiring a certain amount of flexibility in their application.” The WCPSDF has as one of its goals to be sensitive to the principle of co-operative governance and recognise that the detailed implementation of principles and policies must occur at the local authority (municipal) level.

Although the proposal will not be evaluated on a Provincial level it is important to take consideration of the SDF’s objectives. It is important to point out that the proposal takes cognisance of the settlement pattern of people. The proposal is in line with any normal residential area and is thus not out of character for that of a residential area. The proposal further protects biodiversity area and agricultural resources as it is in an already developed area.

#### Western Cape Land Use Planning Act (Act 3 of 2014)

In terms of Section 49 of the Land Use Planning Act (Act 3 of 2014) (LUPA) an application must be considered in terms of the “Basis of assessment of land use applications” which promotes the following:

- When a municipality considers and decides on a land use application, the municipality must have regard to at least—
  - the applicable spatial development frameworks;
  - the applicable structure plans;
  - the principles referred to in Chapter VI;
  - the desirability of the proposed land use; and
  - guidelines that may be issued by the Provincial Minister regarding the desirability of proposed land use.

This office is of the opinion that this application complies with the relevant spatial development frameworks and structure plans as identified in this motivation report. Further to the aforesaid, the application is not deemed to have a negative impact on the surrounding area in terms of the health and safety of the community or abutting neighbours as it is substantially in accordance with any residential neighbour and would thus not be out of character in terms of the zoning requirements.

#### Overstrand Municipality Spatial Development Framework (May 2020)

The Municipal Spatial Development Framework is a sectoral component of the IDP that, in terms of the Municipal Systems Act, 2000 (Act No. 32 of 2000), is aimed at providing general direction to guide decision making on an ongoing basis, aiming at the creation of integrated, sustainable, and habitable regions, cities, towns and residential areas.

The key statutory requirements of the SDF are as follow:

- Give effect to the principles, norms, and standards.
- Include a written and spatial representation of a five-year spatial development plan for the Municipality.
- Include a longer spatial development vision statement.
- Identify current and future structuring elements of the Municipal spatial form (i.e., development corridors, activity spines, economic nodes, etc.).
- Include population growth estimates for the next five years.
- Include estimates for the demand of housing units and the planned location and density of future housing developments.

- Include estimates of economic activity and employment trends and locations in the Municipality for the next five years.
- Identify, quantify, and provide location requirements of engineering infrastructure and services provision for the next five years.
- Identify the designated areas where a national or provincial inclusionary housing policy may be applicable.
- Include a strategic assessment of the environmental pressures.
- Create opportunities (incl. spatial location of environmental sensitivities, high potential agricultural land, and coastal strips).
- Identify areas in which more detailed local plans must be developed and shortened land use procedures may be applicable.
- Provide spatial expression of integration of municipal sectoral policies.
- Determine a capital expenditure framework for the Municipal development programmes depicted spatially.
- Include an implementation.

The proposal is not deemed to be in contravention with the Overstrand SDF as it is not in contradiction with the abovementioned statutory requirements of the SDF.

#### Overstrand Integrated Development Plan (May 2020)

The Overstrand Municipality Integrated Development Plan (IDP) is aimed towards addressing the development needs of our communities with clearly defined strategic objectives and performance indicators. These strategic objectives are as follows:

- The provision of democratic, accountable, and ethical governance
- The provision and maintenance of municipal services
- The encouragement of structured community participation in the matters of the municipality
- The creation and maintenance of a safe and healthy environment
- The promotion of tourism, economic and social development.

The IDP is a crucial to take into consideration in any planning related applications. It is the opinion of this office as the proposal promotes social development and creates a safe and healthy environment, not only for the property owner, but also for the surrounding residents of the area.

#### Overstrand Municipality Amended By-Law on Municipal Land Use Planning (2020)

It is important to consider Section 66 of the Overstrand Municipality Amended By-Law on Municipal Land Use Planning in terms of the "General criteria for consideration of applications":

- When the Authorised Official or Municipal Planning Tribunal considers an application, it must have regard to the following:
  - the application submitted in terms of this By-law;
  - the procedure followed in processing the application;
  - the desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding proposed land uses;
  - the comments in response to the notice of the application and the comments received from organs of state and internal departments;



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- the response by the applicant to the comments referred to in paragraph (d);
- investigations carried out in terms of other laws which are relevant to the consideration of the application;
- a registered planner, or a planner eligible for registration, written assessment, which includes:
  - an amendment of a Spatial Development Framework or land use scheme
  - an approval of an overlay zone contemplated in the land use scheme
  - a phasing, amendment or cancellation of a subdivision plan or part thereof
  - a determination of a zoning
  - a rezoning
- the integrated development plan and Municipal Spatial Development Framework;
- the applicable Local Spatial Development Frameworks adopted by the Municipality;
- the applicable policies of the Municipality that guide decision-making;
- the Provincial Spatial Development Framework;
- where applicable, the regional spatial development framework;
- the policies, principles, planning and development norms and criteria set by national and provincial government;
- the matters referred to in Section 42 of the Spatial Planning and Land Use Management Act;
- the principles referred to in Chapter VI of the Land Use Planning Act; and
- the relevant provisions of the land use scheme.
- An Authorised Official or Municipal Planning Tribunal must approve a site development plan submitted to the Municipality for approval in terms of applicable development parameters or conditions of approval if the site development plan—
  - is consistent with the development parameters of the zoning;
  - is consistent with the development parameters of the overlay zone;
  - complies with the conditions of approval; and
  - complies with this By-law.
- When a site development plan is required in terms of development parameters or conditions of approval—
  - the Municipality may not approve a building plan if the site development plan has not been approved; and
  - the Municipality may not approve a building plan that is inconsistent with the approved site development plan.

The proposal is not considered to be a deviation from the aforesaid requirements, however, is substantially in accordance with any residential neighbourhood, and is not deemed to pose a significant threat to the abutting property.

## 4.2. PLANNING PRINCIPLES

The proposed development supports the principles of Chapter VI (Article 59) of the Land Use Planning Act (LUPA), Act 3 of 2014, and Chapter 2 (Article 7) of the Spatial Planning and Land Use Management Act (SPLUMA), Act 16 of 2013, 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 opportunities, facilities, services, and land.*

The proposed application will not contribute to the perpetuation of past apartheid spatial development imbalances.

### Spatial Sustainability

*A spatially sustainable settlement will be one which has an equitable land market while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity-rich areas, as well as scenic and cultural landscape and ultimately limits urban sprawl.*

The proposed development will continue to protect any environmentally sensitive areas and cultural landscapes, as it is in an already developed residential area, and will thus not alter any environmentally sensitive areas.

### Efficiency

*Efficiency refers to the need to create settlements that optimise the use of space, energy, infrastructure, resources, and land.*

The proposed development will optimally harness the potential that sustainably exists on the subject property as is evident on the proposed SDP.

### Spatial Resilience

*Spatial resilience in the context of land use planning refers to spatial plans, policies and land use management systems that should enable the communities to be able to resist, absorb and accommodate economic and environmental shocks and to recover from these shocks in a timely and efficient manner.*

The proposed development is well aligned with the spatial plans and policies and that will enable the subject property to be able to resist, absorb and accommodate environmental and economic shocks and recover from shocks in a timely and efficient manner.

### Good Administration

*Good administration in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role players ensure a joint planning approach is pursued.*

The proposed development will promote consultative planning as the Municipality will advertise the proposal to the public to allow the comments of the public to be taken into consideration. FVS Town and Regional Planners will also respond to the comments of the public and take the comments into consideration in the planning of the project.

This section outlines how the proposed development is aligned with the core planning principles as outlined in SPLUMA and LUPA. The proposed can therefore be viewed as encompassing and promoting all planning principles.

## 5. SECTION 5: CONCLUSION

### 5.1. REASONS FOR APPROVAL

- *No additional Municipal Services will be required. The application site is already serviced and will thus not require the creation of additional services capacity. Please refer to Section 3.4 of this motivation report.*
- *The proposal is deemed desirable in terms of the Overstrand Municipality Land Use Scheme of 2020, as set out under Section 4 of this Motivation report.*
- *No negative impact is foreseen on the abutting neighbours in terms of privacy as the proposal does not entail the construction of a living space.*
- *The proposal is in line with any residential neighbourhood, and similar instances can be found throughout the town of Kleinmond and surrounds.*
- *The proposal is further deemed to add value to the application site as it will increase the resell value.*
- *It is important to consider the existing use of the area of where the proposed garage is to be. There is an existing approved carport that will be converted to a garage. Thus, limiting the impact on the streetscape.*
- *The proposal will ensure the safety and security of the property owners' property (motor vehicles).*

Considering the above information, Council is respectfully requested to favourably consider the application for the following:

*Approval for the proposed building line relaxations in terms of the Overstrand Municipality Land Use Planning By-law on Erf 4641, Kleinmond.*

Kind Regards,

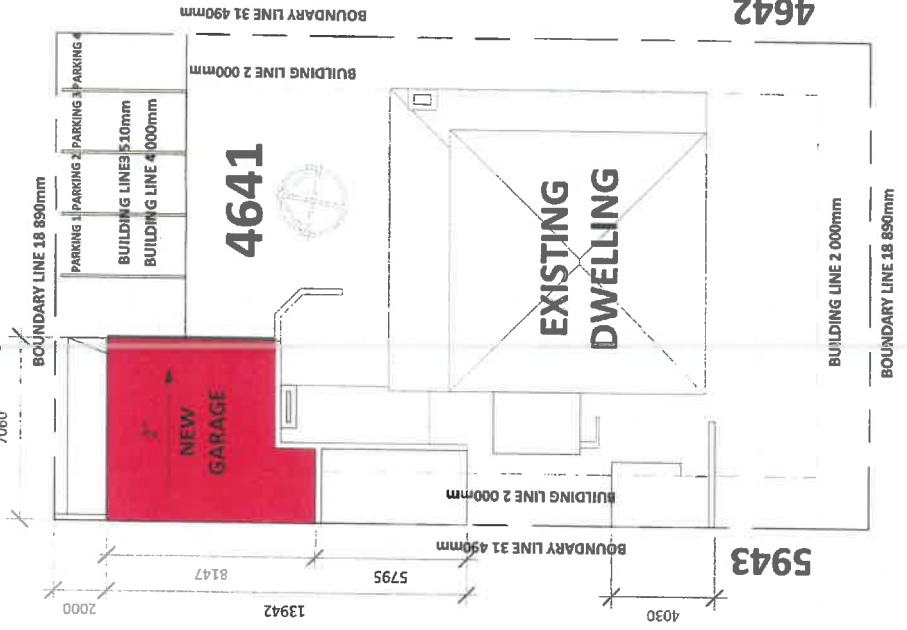


Jaco van Schalkwyk

Director of FVS Town and Regional Planners

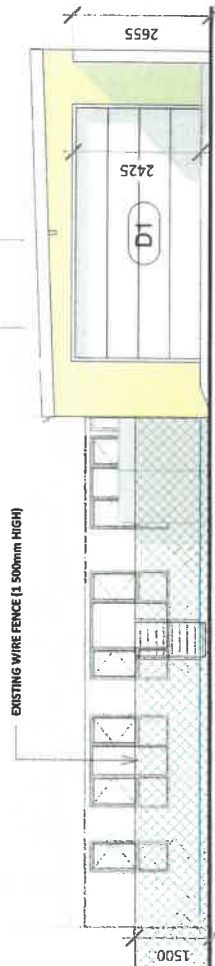
**NOTES:**  
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 WRITTEN DIMENSIONS TO BE REFERRED TO - DRAWINGS NOT TO BE SCALED.  
 LARGER SCALE DRAWINGS TO SUPERCEDE SMALLER SCALE DRAWINGS.  
 ALL QUERIES TO BE DIRECTED TO THE ARCHITECT.  
 ALL WORK DONE IN ACC WITH SANS 10400.  
 TIMBER GRADE VS OR V7.  
 ALL WINDOWS AS PER WINDOW SCHEDULE.  
 ALL WINDOWS TO HAVE A LIGHT AREA OF 10% OF FLOOR AREA AND NOT LESS THAN 5% VENTILATION OF FLOOR AREA.  
 ALL GLASS TYPES AND SIZES TO ADHERE TO SABS O137 REGULATIONS AND STANDARDS.  
 ALL ACCESS DOORS AND SIDE LIGHTS TO HAVE SAFETY GLASS.  
 ALL WINDOWS LOWER THAN 500MM FROM FINISHED FLOOR LEVEL TO HAVE SAFETY GLASS.  
 ALL WINDOWS LOWER THAN 1800MM ABOVE PITCH LINE OF STAIRS AND SHOP FRONTS TO BE SAFETY GLASS.  
 PC CONCRETE LINTOLS WITH 4 COURSES BRICKWORK WITH BRICKFORCE OVER ALL OPENINGS LESS THAN 3M.  
 ALL STRUCTURAL TIMBER BUILT INTO WALLS ARE TO BE COVERED WITH DPC.  
 SABS APPROVED FLASHING WHERE ROOF PROFILE MEETS EXISTING WALL - ALL TO MANUFACTURERS SPECIFICATIONS.  
 DAMP PROOF MEMBRANE TO BE BLACK POLYTHENE BRICKSHP TO ALL WALLS AND DOWN TO OUTER LEAF ACROSS CAVITIES. JOINTS TO BE SEALED WITH POLYTHENE AROUND ALL OPENINGS IN EXTERNAL WALLS & UNDER ALL WINDOW CILLS. TO BE MIN 150 ABOVE GROUND LEVEL.  
 ALL STAIRCASES TO NBR M5 (MAX OPENING 100MM). TREADS MINIMUM 250MM AND RISERS MAXIMUM 200MM. HANDRAILS TO BE 1000MM HIGH.  
**GLAZING:**  
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**n07, 5TH AVENUE**



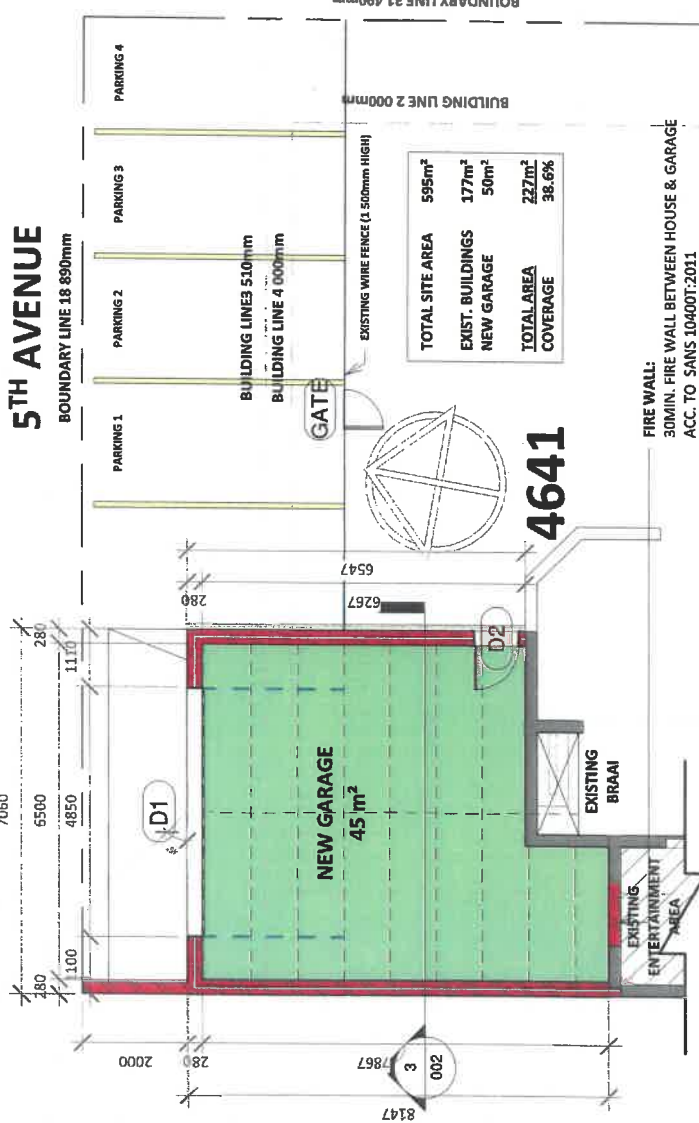
**site & roof PLAN LAYOUT**

2 1 : 200



**north ELEVATION**

3 1 : 100



**ground floor plan LAYOUT**

1 1 : 100

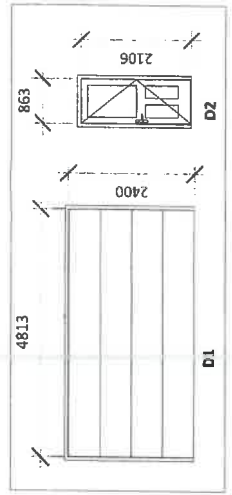
**PLAN**

PROJECT NUMBER	2022 - 001
DATE	2022-03-30
DRAWN BY	JCB
REVISION	D VAN ZYL
SCALE	As indicated

**SMAL**  
 NEW GARAGE ADDITION  
 ERF 4641  
 7, 5TH AVENUE  
 KLEINMOND

**die ontwerper-atelier**  
 SACAP Reg. No. PAD2120  
 Architectural Drafting Services  
 082 410-5564 / (026) 271-3143  
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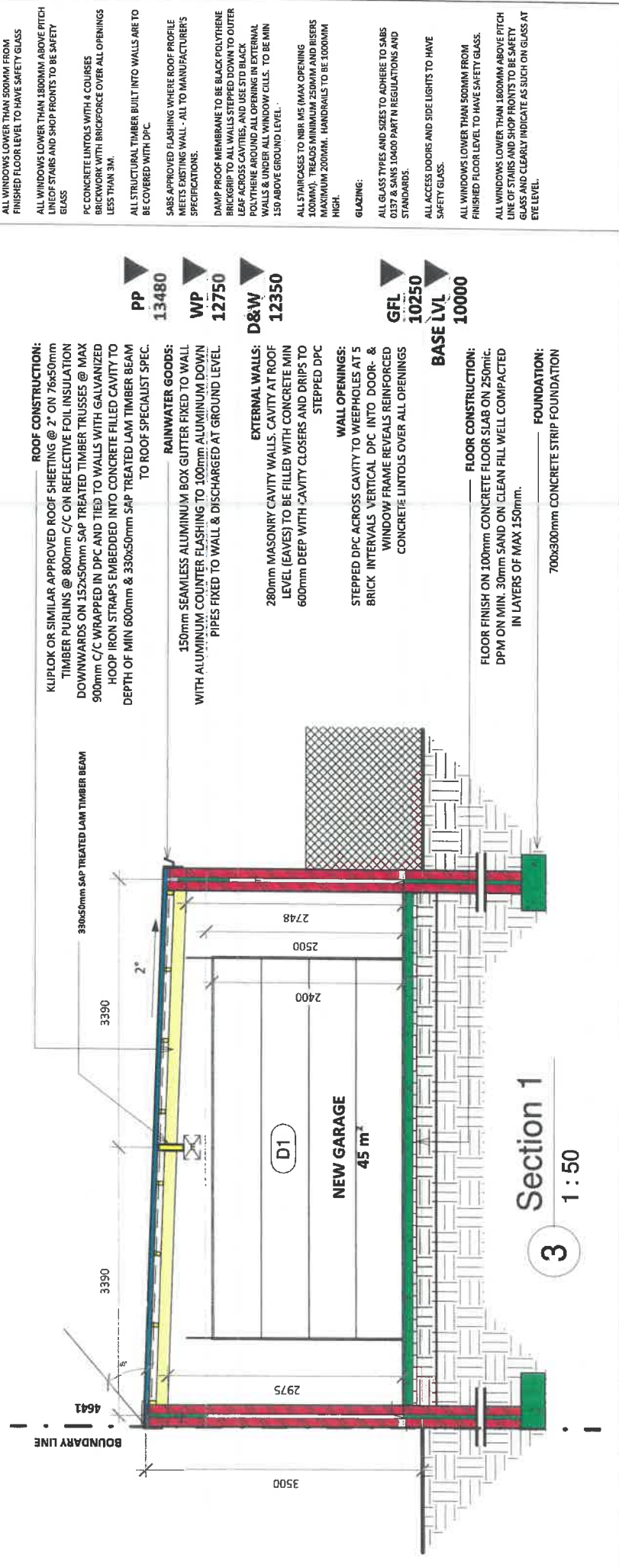
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**door SCHEDULE**  
 1 : 100

**west ELEVATION**  
 2 1 : 100

**east ELEVATION**  
 1 1 : 100



**ROOF CONSTRUCTION:**  
 KLIPLOK OR SIMILAR APPROVED ROOF SHEETING @ 2' ON 76x50mm TIMBER PURLINS @ 800mm C/C ON REFLECTIVE FOIL INSULATION DOWNWARDS ON 152x50mm SAP TREATED TIMBER TRUSSES @ MAX 900mm C/C WRAPPED IN DPC AND TIED TO WALLS WITH GALVANIZED HOOP IRON STRAPS EMBEDDED INTO CONCRETE FILLED CAVITY TO DEPTH OF MIN 600mm & 330x50mm SAP TREATED LAM TIMBER BEAM TO ROOF SPECIALIST SPEC.

**RAINWATER GOODS:**  
 150mm SEAMLESS ALUMINUM BOX GUTTER FIXED TO WALL WITH ALUMINUM COUNTER FLASHING TO 100mm ALUMINUM DOWN PIPES FIXED TO WALL & DISCHARGED AT GROUND LEVEL.

**EXTERNAL WALLS:**  
 280mm MASONRY CAVITY WALLS. CAVITY AT ROOF LEVEL (EAVES) TO BE FILLED WITH CONCRETE MIN 600mm DEEP WITH CAVITY CLOSERS AND DRIPS TO STEPPED DPC

**WALL OPENINGS:**  
 STEPPED DPC ACROSS CAVITY TO WEEPHOLES AT 5 BRICK INTERVALS VERTICAL DPC INTO DOOR- & WINDOW FRAME REVEALS REINFORCED CONCRETE LINTOLS OVER ALL OPENINGS

**FLOOR CONSTRUCTION:**  
 FLOOR FINISH ON 100mm CONCRETE FLOOR SLAB ON 250mm DPM ON MIN. 30mm SAND ON CLEAN FILL WELL COMPACTED IN LAYERS OF MAX 150mm.

**FOUNDATION:**  
 700x300mm CONCRETE STRIP FOUNDATION

- PP 13480
- WP 12750
- D&W 12350
- GFL 10250
- BASE LVL 10000

**die ontwerp-atelier**  
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