

**ERF 1668, LONGMARKET STREET, 9 VICTORIA CLOSE, STANFORD, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: TOWN & COUNTRY ON BEHALF OF EED MILLS**

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), that an application has been received for a departure in terms of Section 16(2)(b) to relax the south-western lateral building line from 3m to 1m, to accommodate additions (kitchen and scullery), to the existing dwelling.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus and Stanford Library, Queen Victoria Steet, Stanford. Any written comments may 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](mailto:alida@overstrand.gov.za)) on or before **29 September 2023**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to the **Town Planner, Mr P Roux** 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 1668, LONGMARKETSTRAAT, VICTORIASINGEL 9, STANFORD, OVERSTRAND MUNISIPALE AREA: AANSOEK OM AFWYKING: TOWN & COUNTRY NAMENS EED MILLS**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening), dat 'n aansoek ontvang is vir 'n afwyking ingevolge Artikel 16(2)(b) van die Verordening, om die suidwestelike lateraleboulyn vanaf 3m na 1m te verslap, om aanbouings (kombuis en opwaskamer), tot die bestaande woning 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 Stanford Biblioteek, Victoria Straat, Stanford. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) voor of op **29 September 2023**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr P Roux** 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 1668, LONGMARKET STREET, 9 VICTORIA CLOSE, STANFORD, KUMMANDLA KAMASIPALA WASE OVERSTRAND: ISICELO SOKUPHAMBUKA: TOWN & COUNTRY ON BEHALF OF EED MILLS**

Kukhutshwe isaziso esimayela neSoloty lama-48 nguMasipala waseOverstrand elingoMthethwana Ongezicwangciso Zokuseteynziwa koMhlaba kaMasipala ku2020 (Umthethwana) sicelo eso sithi, kufunyenwe isicelesiphathelene nae miba ilandelayo efuna ukwenziwa:Ukwahlula ngokwemiba yeSoloty le16(2)(b) ukunyenya umda wesakhiwo osecaleni kumzantsi-ntshona ukusuka kwisi-3m ukuya kwi-1m, kulungiselela ukongezwa (ikhitshi kunye ne-scullery), kwindawo yokuhlala ekhoyo.

linkcukacha ezipheleleyo mayela nezi zindululo ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini ukusukela kwixesha eliphakathi kwentsimbi ye08:00 neye16:30 kwiSebe:Izicwangciso zeDolophu, 16 Paterson Street, Hermanus naseGansbaai Library, Main Road, Gansbaai. Naziphi na izimvo ezibhaliweyo zingangeniswa kwaMasipala ngokwezibonelelo zeSoloty lama51 nelama52 loMthethwana kaMasipala ochazwe ngentla (16 Paterson Street, Hermanus / (f) 0283132093 / [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) naseGansbaai Library, Manin Road, Gansbaai ngomhla okanye ngaphambi komhla wama- **29 uSeptemba 2023**, uchaze igama lakho, idilesi yakho neekcukacha zakho, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingathunyelwa kuMcwangcisi weDolophu Oyintloko, **Mnu. P. Roux** kwa028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani ongakwazi ukufunda nokubhala angahambela kwiSebe leziCwangciso ngeDolophu apho igosa likamasipala liza kumnceda ukufaka izimvo zakhe ngokusemthethweni



TP. N. Truter  
(S. ud n. n. n.)



Land Surveyors • Town Planners

REF: #3028

Overstrand Municipality  
P.O Box 20  
Hermanus  
7200

FILE NO.	St 1668 ✓
	Stanford
SCAN NO.	
	STF 1668
COLLABORATOR NO.	
	1879555

5 July 2023

Sir

**PROPOSED BUILDING LINE DEPARTURE: ERF <sup>1668</sup>1669 STANFORD**

With reference to the above and your letter dated 4 July 2023.

1. Please see attached an amended motivation that is further discussing how the deviations relate to the character of the group housing development. The proposed departure, to allow for the extension of the kitchen and scullery is just squaring of the already existing building. A 1m building line was previously acceptable inside this development. The area where the departure is required, is not visible from any street, or from the inside of the complex. The homeowners' association gave their approval for this extension.
2. The activity has not commenced. It could be that one can see on aerial photography the roof sheeting that the previous landowner, that recently passed away, placed between the building and the boundary wall. He used this area as a storage area (almost a little shed) for his tools.

We hope you find the above in order.

Yours Faithfully

Louna Truter  
For Town & Country



**MOTIVATIONAL REPORT**  
**PROPOSED BUILDING LINE DEPARTURE: ERF 1668, STANFORD**

Ref. STA/3028

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**1. INTRODUCTION & BACKGROUND**

This office was appointed by Shannon Beverley van Breda to prepare a town planning application for a departure of a building line, applicable to Erf 1668, Stanford.

Ms van Breda, the heir of Erf 1668 recently lodged building plans at the Overstrand Municipality, to do extensions to the existing house. It was then discovered that building lines that were previously applicable to the original town house, cannot be applied to the new building plan. Application is then now made, for a departure from the applicable 3m building line, to be able to extend a kitchen / scullery up to 1m – which is the same as existing buildings on that boundary.

**2. APPLICATION**

Application is made for:

- I. Application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning to allow for a departure from the Rear Building Line of 3m, to allow a 1m building line on the south-western boundary, to allow for a kitchen / scullery.

**3. PROPERTY DESCRIPTION**

Erf 1668 is registered under T76469/2003. There are no deed restrictions applicable to the property that could impact on the proposed building line relaxation. The erf forms part of a town house development.

<b>TOTAL AREA</b>	259m <sup>2</sup>
<b>REGISTERED OWNER</b>	Elwin Embling Mill (Estate) Shannon Beverley van Breda
<b>Boundaries: North</b>	Erven 1673 and 1666
<b>East</b>	Erf 1667



South	Erf 194
West	Erf 1669



Google Earth Image illustrating the location of Erf 1668, Stanford

#### 4. CURRENT ZONING

The subject property is zoned as General Residential Zone 1: Town Housing in terms of the Overstrand Zoning Scheme. No change in zoning is proposed. Please refer to the zoning plan extract below.





Extract from the Stanford Zoning Plan

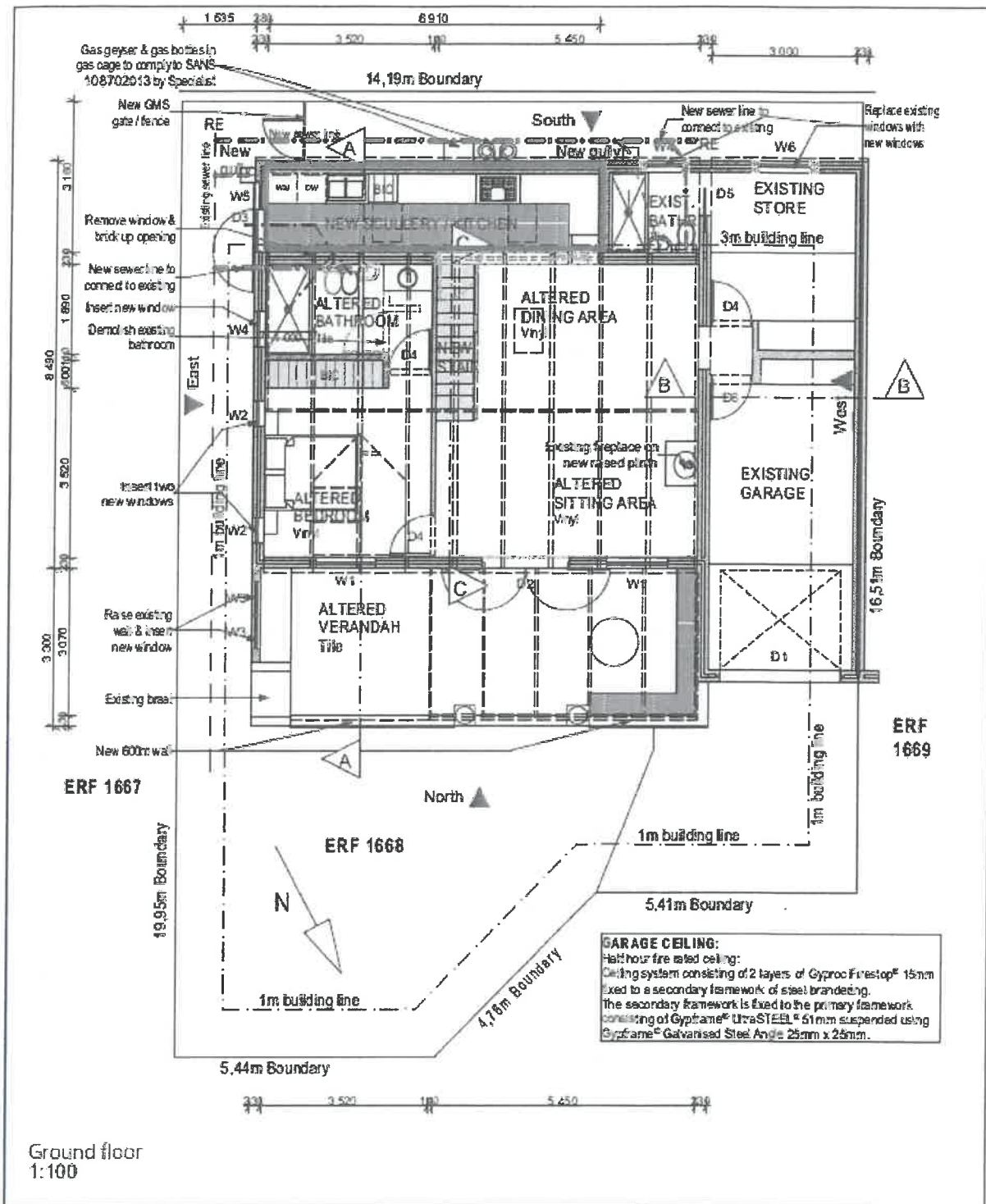
**5. DEPARTURE FROM BUILDING LINES**

A departure from a rear building line is required for:

- a) Application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning to allow for a departure from the Rear Building Line of 3m, to allow for a 1m building line on the south-western boundary for purposes of a new kitchen / scullery extension.

A bathroom and store are already erected on this 1m line and formed part of the original house. It is proposed to follow the existing 1m building line and to add a kitchen and scullery.





Extract from building plan, indicating the area that requires a departure on the rear boundary line.



The required departure will not have a detrimental impact on neighbours, since:

- The section of the proposed scullery is an extension to the existing house, following the existing building line of the house.
- The departure should not have an impact on the light or privacy of the adjoining neighbours.

## 6. THE DEVELOPMENT PROPOSAL

The owner wishes to submit building plans for extensions and renovations to the existing residential house. A departure is required, to allow for the extension of the kitchen and scullery.

The small scullery proposed at the rear of the property requires a departure from the 3m building line. The existing building was however erected on a 1m building line and the proposed scullery follows this same building line.

Please refer to the attached building plan, that indicates what is proposed.

## 7. SURROUNDING LAND USES

Surrounding land uses are of a residential nature. A single residential house borders onto the property towards the south, with a town house development forming the northern, eastern and western boundaries.

## 8. CRITERIA FOR CONSIDERATION OF APPLICATIONS

The Overstrand Municipal By-Law on Municipal Land Use Planning list a number of criteria that an application needs to meet. The relevant points to the information that a planning application will have to include are listed below and the application is evaluated in terms of these points.



### **8.1 The desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding the desirability of proposed land uses.**

The Western Cape Spatial Development framework has a strong emphasis on revitalising urban spaces creating an urban living environment which is more convenient, efficient, and aesthetically pleasing to residents.

Erf 1668 Stanford is located in a well-established neighbourhood of Stanford, inside a town house development. House inside the estate has a similar appearance and all building work needs to be approved by the Homeowners' Association. The required permission was granted.

### **8.2 The impact of the proposal on Municipal Engineering Services**

The proposal will have no impact on existing municipal services.

### **8.3 District and Municipal Forward Planning Documents**

The proposal does not have any impact on any district forward planning documents.

### **8.4 SPATIAL DEVELOPMENT FRAMEWORK: WESTERN CAPE**

#### **WESTERN CAPE PROVINCIAL SDF (2014)**

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

The proposed Departure is not impacted on by the Provincial SDF.



### 8.5 Complies with Section 42 of the SPLUMA and Chapter 6 of LUPA:

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

Section 42 of SPLUMA and Chapter 6 of LUPA prescribe certain aspects that have to be taken into consideration when deciding on an application. These are:

- development principles set out in Chapter 2 of SPLUMA
- protect and promote the sustainable use of agricultural land
- national and provincial government policies
- the municipal spatial development framework; and take into account—
  - (i) the public interest;
  - (ii) the constitutional transformation imperatives and the related duties of the State;
  - (iii) the facts and circumstances relevant to the application;
  - (iv) the respective rights and obligations of all those affected;
  - (v) the state and impact of engineering services, social infrastructure and open space requirements; and
  - (vi) any factors that may be prescribed, including timeframes for making decisions.

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

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

Compliance with SPLUMA & LUPA Principles:



As discussed in this report, this development proposal is not significantly impacted on by the approved statutory spatial policy framework for the area, as well as the Provincial Spatial Development Framework. The table below indicates how the proposed development will be consistent with the SPLUMA principles.

<b><i>SPLUMA &amp; LUPA Principle</i></b>	<b><i>Compliance</i></b>
<b><i>Spatial Justice</i></b>	The proposal allows for the more functional use of the erf, keeping up with modern trends.
<b><i>Spatial Sustainability</i></b>	The proposal has no impact on spatial sustainability.
<b><i>Spatial Efficiency</i></b>	The proposal allows for the more efficient use of the erf, without deviating from other parameters, such as coverage or height.
<b><i>Spatial Resilience</i></b>	The proposal has no impact on spatial resilience.
<b><i>Good Administration</i></b>	This principle has no direct bearing on the application, however, the Overstrand municipality is obligated to consider the application fairly and within the timeframes provided in terms of the municipal planning bylaw.

## **9. ACCESS & ADDITIONAL TRAFFIC**

Access to the property is taken from Longmarket Street and will remain unchanged.

## **10. SERVICES**

No services are impacted on by the proposed departure.

## **11. DESIRABILITY**

### **11.1 Title Deed**

There is no title deed restrictions impacting on the proposed building plan. Proposed building work will follow an already instated building line.

### **11.2 Physical Characteristics of the Property**

The erf is generally flat. Due to the placement of existing buildings, a departure is required to accommodate the small extension.



### 11.3 Overhead Planning

The project complies with the overhead planning for the area:

- The proposal is in line with the Spatial Development Framework for this area, encouraging economic development.

### 11.4 Character of the Area

The areas surrounding the application area are characterised by mainly residential uses. The building line departure will not impact on the character of the area, since the use remains unchanged.

A bathroom and store are already erected on this 1m line and formed part of the original house. A 1m building line was previously acceptable as part of the architectural guidelines in this development and the building department approved building plans, that included building work on the 1m building line. It is proposed to follow the existing 1m building line and to add a kitchen and scullery and to just square off the existing house.

The extension's architectural style is similar to what is already there. It is, however, not visible at all from any public street, or from inside the development. It is behind the house. It does not have any impact on the character of the development.

The previous owner placed roof sheeting between the back of the house and the boundary wall. These structures were removed to improve the quality of the house.

The homeowners' association is supporting this proposal and has already given their approval. They confirmed that the proposal is in keeping with the architectural guidelines of the group housing development.

### 11.5 Potential of the Site

The position of existing buildings on the property place limitations on extensions. By allowing the building line departure, the owner can do a small extension that will add significant value to the practicality of the house.



## 12. CONCLUSION

The proposed departure will allow the owner to make a small extension towards the rear of the property, that will allow for a kitchen and scullery. The departure is a continuation of the existing house and has very little impact. The proposal is in line with national and provincial legislation, as well as policy documents and is acceptable in terms of desirability.



S.G. NO:5231/1998

APPROVED *Blairwood*

for SURVEYOR-GENERAL  
1998-09-09

APPROVED IN TERMS OF SECTION 25 OF  
ORDINANCE 15/1985  
REFERENCE: 15/1/148 DATED:24-7-1998

NO	AMENDMENT	ENDORSEMENTS		DATE
		ADDITION	AUTHORITY	

(STANFORD ALLOTMENT AREA)

**GENERAL PLAN NO. 5231 /1998**

of

**Subdivisions of Erf 1659 STANFORD**

Vide Diagram No. 5230 /1998 D.T. No.  
and comprising 15 erven numbered 1660 TO 1674.

Situate in the Transitional Local Council Stanford  
Administrative District of Caledon  
Province Western Cape  
Scale: 1: 400

X +12160.00  
Y -42120.00

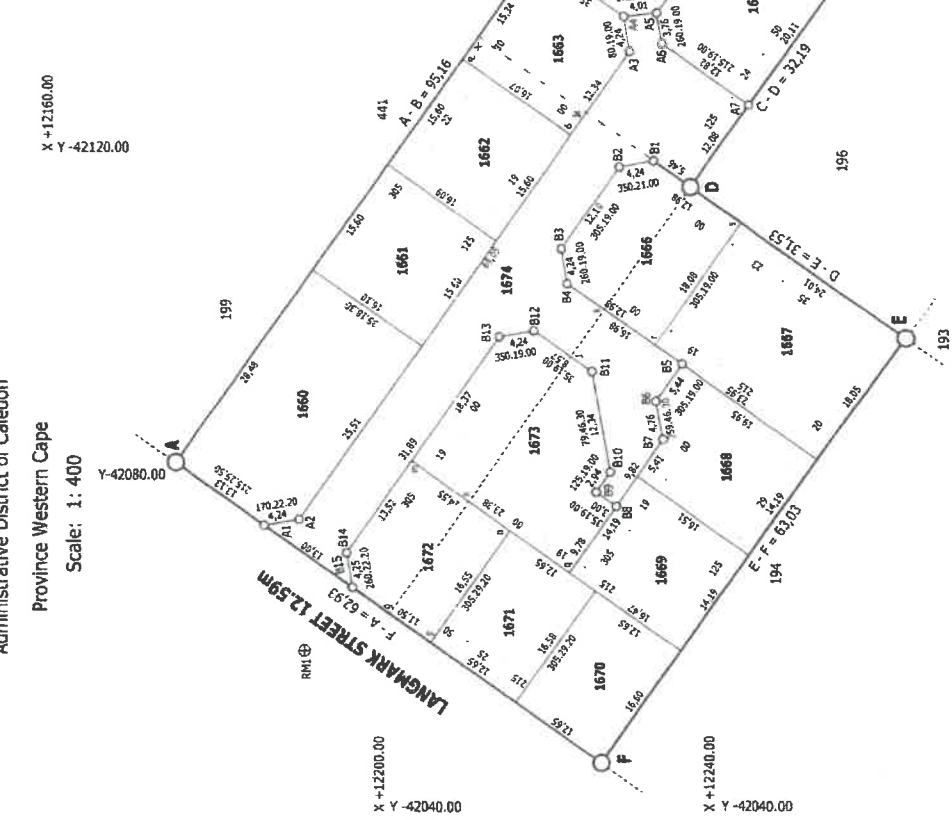
X +12200.00  
Y -42160.00

X +12240.00  
Y -42160.00

X +12280.00  
Y -42120.00

X +12200.00  
Y -42040.00

X +12240.00  
Y -42040.00



S.G. FILE REF: s/94/11/1  
S.R.E. NO. E 2228 /98  
COMPILATION: ANNEX-1444(M4309)  
ANNEX-1443(M4308)

Surveyed in April, June 1998  
by me

R. Cortis  
RMLLORION (0831)  
Professional Land Surveyor

**BEACON DESCRIPTIONS:**  
A - corner of precast concrete wall  
A1 - 12mm drill hole in concrete  
All others - 12mm iron peg

**REFERENCE MARKS:**  
RM1 - 12mm iron peg in tar  
RM2 - 12mm drill hole in kerb

LOGGED  
RETURNED  
RE LOBBED  
DISPATCHED

1998-09-09

ORIGINAL PLAN  
Sign: *[Signature]*  
Date: 1998-09-09  
for SURVEYOR GENERAL

**MAIN FIGURE**

CO-ORDINATES

Y METRES X

M	LO.19°	±0.00	+3800 000.00
-42082.75	+12174.55		
-42160.34	+12229.94		
-42172.98	+12235.35		
-42097.69	+12252.11		
-42046.27	+12225.92		

**BLOCK CORNERS**

-42075.14	+12185.25
-42075.85	+12189.43
-42132.19	+12229.34
-42136.37	+12228.63
-42136.81	+12232.61
-42133.10	+12233.25
-42125.69	+12243.71
-42119.01	+12232.26
-42118.30	+12228.08
-42106.42	+12221.80
-42094.43	+12235.65
-42085.30	+12233.35
-42077.29	+12227.68
-42079.03	+12225.23
-42081.43	+12226.94
-42093.57	+12224.74
-42098.53	+12217.75
-42097.82	+12213.57
-42071.79	+12195.13
-42067.60	+12195.84

**REFERENCE MARKS**

-42060.07	+12190.09
-42018.05	+12245.63

**INCHOMETRIC BEACONS**

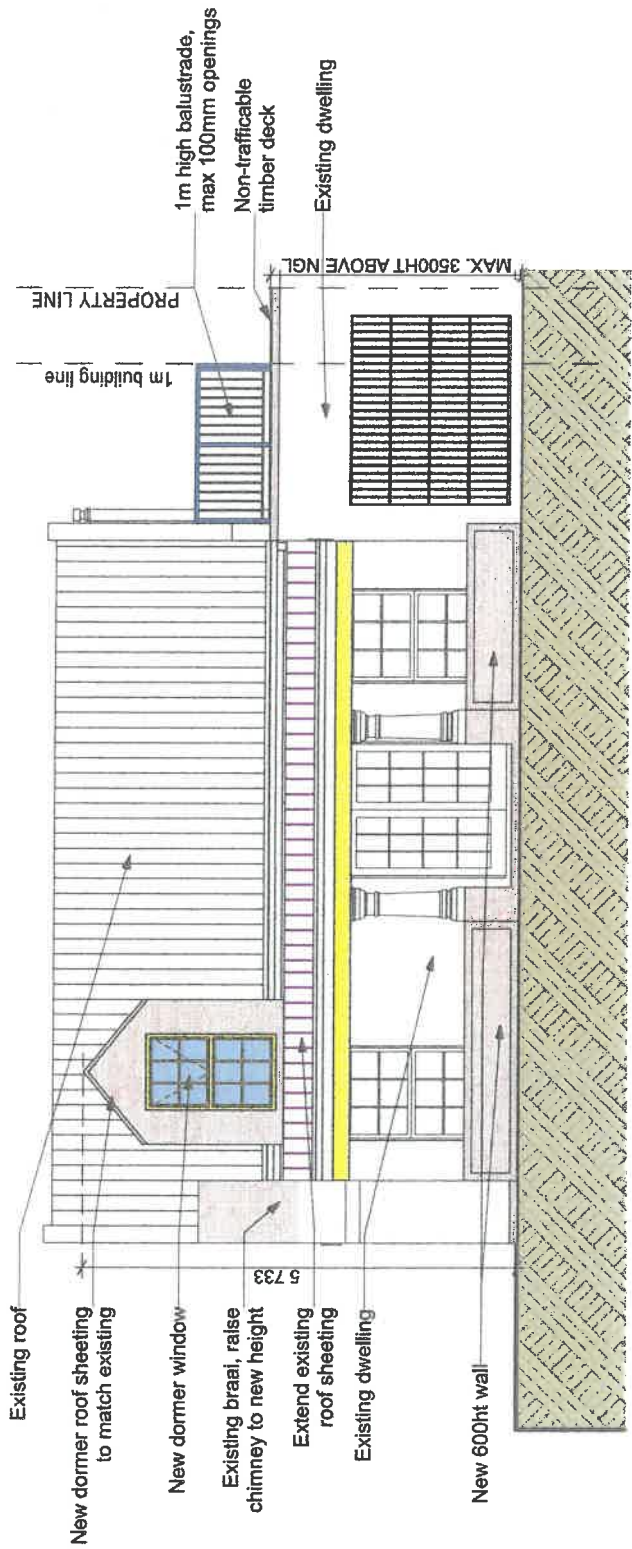
OP Δ	+ 6513.50
REDEND	+14079.34
-44390.79	

**AREAS**

SQ. METRES	
1660	455
1661	251
1662	251
1663	242
1664	319
1665	308
1666	433
1667	256
1668	234
1669	210
1670	210
1671	236
1672	422
1673	873
1674	







North Elevation  
1:100

