

ERVEN 430 & 431, 23 & 21 PEAK ROAD, PRINGLE BAY: APPLICATION FOR CONSOLIDATION: DIESEL & MUNNS INC. (obo GJB MILLS)

Notice is hereby given in terms of Section 48, read with Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 that an application has been received for the consolidation of Erven 430 & 431, Pringle Bay to create a consolidated erf of ± 1013m² in extent

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 Betty's Bay Library, Clarence Drive, Betty's Bay. 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) loretta@overstrand.gov.za) on or before **25 June 2021**, quoting your name, address and contact details, interest in the application and reasons for comments. 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.

ERWE 430 & 431, PEAKWEG 23 & 21, PRINGLEBAAI: AANSOEK OM KONSOLIDASIE: DIESEL & MUNNS INC. (nms GJB MILLS)

Kennis word hiermee gegee ingevolge Artikel 48, saamgelees met Artikel 16(2)(e) van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek om konsolidasie van Erwe 430 & 431, Pringlebaai om 'n gekonsolideerde erf van ± 1013m² te skep.



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 Bettysbaai Biblioteek, Clarencerylaan, Bettysbaai. 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) loretta@overstrand.gov.za) voor of op **25 Junie 2021**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. 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 430 & 431, 23 & 21 PEAK ROAD, ePRINGLE BAY: ISICELO SOHLANGANISWA: DIESEL & MUNNS INC. (EGAMENI LIKA GJB MILLS)

Isaziso sikhutshwe ngokwemiqathango yeCandelo 48, elifundwa kunye neCandelo 16(2)(e) loMthetho kaMasipala oLungisiweyo woYilo lokuSetyenziswa koMhlaba woMasipala wase-Overstrand 2020 sokokuba isicelo sifunyenwe sokuhlenganiswa kweZiza 430 & 431, ePringle Bay ukulungiselela ukuyila isiza esihlenganisiweyo ± 1013m² ubukhulu.

linkcukacha ezipheleleyo ephathelelene nesindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: loCwangciso lweDolophu, Paterson Street, eHermanus nakwiThala leeNcwadi laseBetty's Bay, Clarence Drive, eBetty's Bay. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho kaMasipala mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi **komhla, wama-25 kuJuni 2021**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umnxeba **uNksk. H van der Stoep** kule nombolo 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.

ERVEN 430 AND 431 PRINGLE BAY: LOCALITY PLAN

- Legend
-  Erf
 -  The Properties



Scale: 1:2 257
Date created: February 18, 2021

Compiled with CapeFarmMapper



Department of Rural and Human Settlements Land Reform, Civil Servants General
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MOTIVATION REPORT

PROPOSED CONSOLIDATION OF ERVEN 430 AND 431, PRINGLE BAY, OVERSTRAND MUNICIPALITY, ADMINISTRATIVE DISTRICT OF CALEDON

1 PROPERTY DESCRIPTION

The properties in question are Erven 430 and 431, Pringle Bay, situate in the Overstrand Municipality, Division of Caledon, Western Cape Province (Hereafter referred to as **The Properties**).

2 REGISTRATION DETAILS

Registered Owner: Gregory John Barrington Mills

Area: Erf 430: 538 square meters.
Erf 431: 475 square meters.

Title Deed: Erf 430: T17957/2018
Erf 431: T49897/2015

Existing Zoning: Business Zone 3: Local Business.

3 THE APPLICATION

Application is hereby made on behalf of the registered owner for the following:

- i) The consolidation of Erven 430 and 431 Pringle Bay in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



4 LOCALITY

The properties are located within the central business node of Pringle Bay along Peak Road. They are located on the southern side of Peak Road, and are bordered on the eastern side by Erf 432, on the western side by Erf 429 and on the southern side by Erven 428,423 and 422. The locality plan indicating the location of the properties in relation to the surrounding properties has been attached in **Annexure 1**. Photo 1 below is an aerial image of the location of the properties.



Photo 1: Aerial image of the property.

5. LAND USE AND ZONING

The properties are both currently zoned as Business Zone 3: Local Business, and are currently standing vacant. All of the surrounding properties within the business district are also zoned for business purposes, and the majority of them have been developed according to their zoning. No alteration to the existing zonings of the properties is being proposed as a result of this application.

6. FORWARD PLANNING

The properties have been reserved for business development within the Overstrand Spatial Development Framework (SDF). As this proposal is merely for the consolidation of the properties, and no alteration to the existing zoning rights is being applied for, this

proposal can be seen to be in line with these policy criteria. Illustration 1 below is an extract from the SDF indicating the location of the properties.



Illustration 1: Extract from the Overstrand SDF.

7. RESTRICTIVE CONDITIONS OF TITLE

There are no restrictive conditions of title contained within the Title Deed that inhibit the consolidation of the property. This is confirmed in the copy of the title deeds that have been attached in **Annexure 2** and the conveyancer's certificates attached in **Annexure 4**.

8. MOTIVATION

8.1 Background

The owner of the properties purchased them in 2015 and 2018 and they are still currently standing vacant. The owner of the properties now wishes to consolidate the two properties to form one large business property in order to be able to develop the larger property according to its zoning parameters. The owner does not wish to alter the existing development rights (zoning) of the properties, but is merely seeking to consolidate them.

8.2 Character of the surrounding area

The majority of the surrounding properties in the surrounding neighbourhood are similar business properties that are currently being utilised according to their zoning. As the proposal is for the consolidation of two business properties into one larger property without altering the existing zoning, the proposal will not alter the existing character of the surrounding central business

neighbourhood at all. Furthermore, there has been a similar consolidation within the commercial district, where erven 374 – 376 were consolidated to form Erf 1850. Erven 381, 382, 422 and 423 are also larger business erven within the adjoining neighbourhood. Thus there is already an established character of larger business properties in the area, and the consolidated property will not be able to accommodate a development that is significantly larger than what can be accommodated on these properties already.

8.3 The impact of the building massing

The properties will be consolidated to form one single business property. This property will be subject to the same zoning scheme development parameters as the surrounding commercial properties, including the larger properties mentioned above. Thus the impact of the building massing will be in line with the established character of the larger business properties in the commercial district.

8.4 Impact on surrounding properties

As the consolidated property will both reduce the number of erven in the neighbourhood and continue to be utilised for business purposes, the proposal will not have any negative impacts on the surrounding properties at all. It could be argued that the proposal will actually have a positive impact on the surrounding properties through the reduction of the number of cadastral units, and thus potentially reduce the traffic along the adjoining streets. This will be achieved without negatively impacting on the existing streetscape either.

8.5 Planning Principles

As part of the motivation for this application the following criteria as set out within Section 42 of the Spatial Planning and Land Use Management Act, 2013 (ACT 16 of 2013) and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) were regarded.

Spatial Justice

The consolidation of these properties will allow for the creation of a more efficient business property, which would in turn allow for the development of a building that will allow for the creation of employment opportunities for local residents of the Pringle Bay area. By increasing employment opportunities, the development will in turn assist in the equity in the provision of access to additional (employment) opportunities within the established business centre of Pringle Bay. This will in turn help provide additional opportunities to those who's historical access to such opportunities have been impeded in the past. The increased rates and taxes generated from such a land use intensification can also be utilised by the Local Authority to redress past spatial injustices.

Spatial Sustainability

The proposal is for the consolidation of two Business Zone 3 erven. This will allow for the creation of a larger property that can be developed more easily for a mixed use business/residential development. This will allow for the creation of a mixed use urban environment that will increase the efficiency of the existing business centre of Pringle Bay. Such a development could potentially offer a development consisting of businesses on the ground floor and residential options (flats) above. This would provide for a variety of business and residential options that would fulfil a demand within the existing urban footprint. This would ensure that the need for such opportunities are met within the existing urban footprint, thus negating the need for such developments to be located in the surrounding sensitive countryside and up visually and environmentally sensitive mountain slopes. Such a development would easily be able to achieve this without impacting on the existing village character of Pringle Bay.

Efficiency

The proposed consolidation of the property would allow for a more appropriate intensification of the land use on the property through a mixed use development. This would increase the efficiency of the properties in that the proposed urban typology (located within an established business area) would be far more efficient to service. By placing such a development within an existing urban business area will also serve to minimise negative financial, social, economic and environmental impacts through the efficient geographical location of such facilities to prevent urban sprawl and excessive travel distances.

Spatial Resilience

The provision of additional employment opportunities within the established business area of Pringle Bay will serve to facilitate the promotion of the development of sustainable livelihoods for the poor. By obtaining employment, the poor are able to uplift their current socio-economic situation and will also be more resilient to the impacts of economic and environmental shocks.

Good Administration

Although the owner of the property is not responsible for the administration of the planning practices of the Local Authority, the proposal will help the Local Authority facilitate this through the approval of an application that would help with good governance through the

facilitation of a development that would also serve the broader community as discussed above.

8.6 Services

No problems are foreseen with regard to the provision of services to the proposed development, as the properties are located within a well established urban commercial area. The existing individual erven are already linked to the municipal services network and the consolidation of the properties may result in a reduction on the demands being placed on the bulk municipal services network in the area.

8.7 Parking and Access

Access will continue to be gained to the consolidated property via Peak Road. The property will be large enough to be able to accommodate the required number of on-site parking bays once it is developed. The consolidation of the properties may also lead to a slight reduction in the amount of traffic that will utilise the surrounding road network in the future.

8.8 Other Applications

The the National Heritage Resources Act (Act No. 25, 1999) states that any development or activity that will change the character of a site exceeding 5 000 m² in extent will require the submission of an application in terms of the act. As the proposed consolidated property will only be ±1013m² in extent and the consolidation will lead to no impact on the intended character of the property (as no alterations to the existing zoning will take place as a result of this application), the proposal does not constitute a listed activity in terms of this act, and therefore a Notification of Intent to Develop application in terms of Section 38 of the National Heritage Resources Act (Act No. 25, 1999) will not be required.

9. EVALUATION CRITERIA

Section 66(1) of The Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 sets out certain general criteria for consideration of applications which determine the desirability of a proposed development. These criteria include, inter alia, the following:

- desirability of the proposal;
- impact on municipal plans and policies;
- applicable provisions of the zoning scheme;
- other investigations/applications required by other legislation;

- compatibility with surrounding uses;
- impact on the external engineering services;

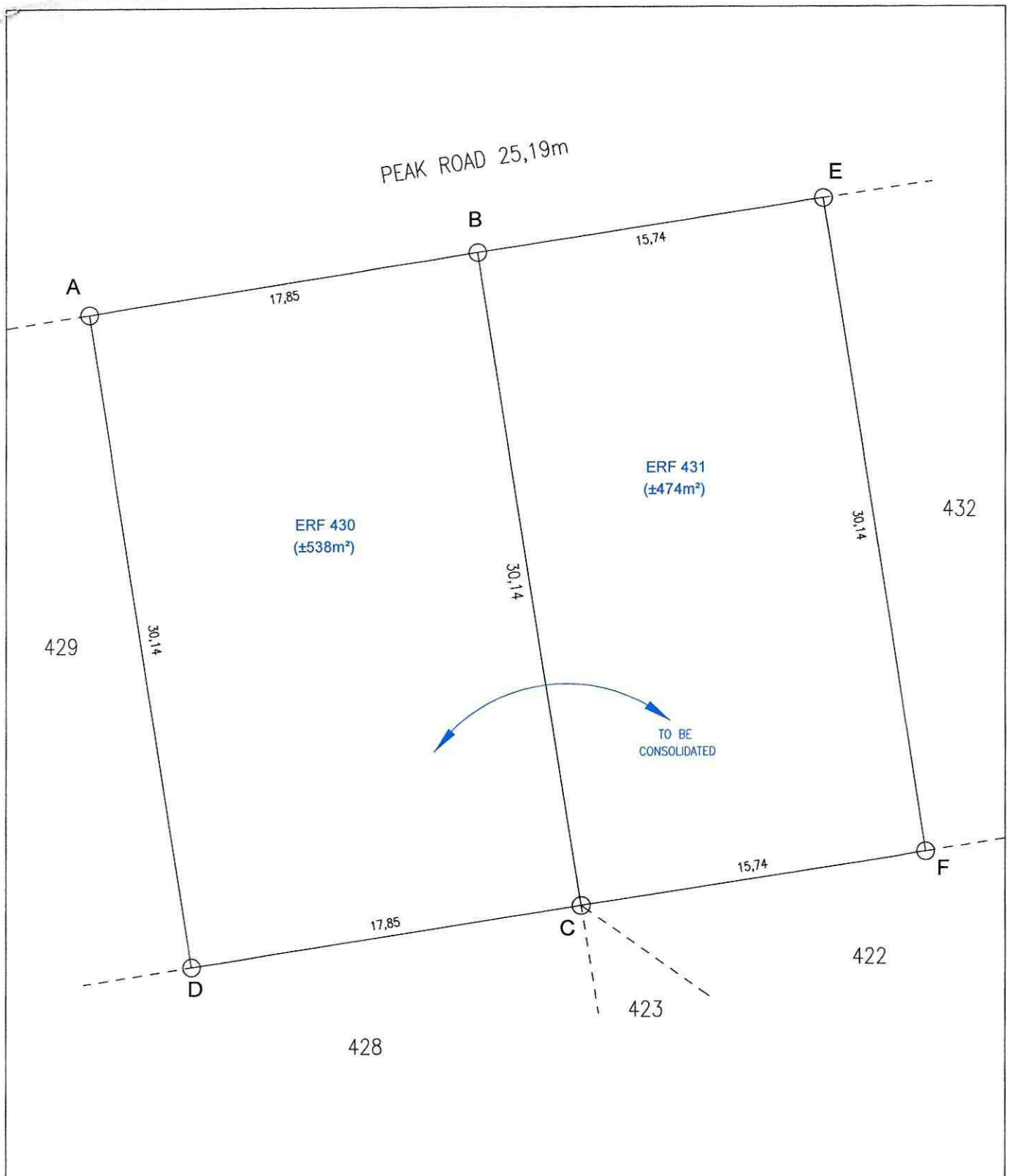
Taking into account all of the above it is clear that the proposed development will have no impact on the surrounding environment which can be construed to be undesirable in respect of the safety, welfare and amenity value of the specific site conditions and the preservation of the surrounding built and natural environment. The proposal will also in no way impact on any existing rights.

The proposal can be seen to be compliant with these evaluation criteria for the following reasons:

- The proposal complies with the guidelines as set out in the higher order spatial planning policies which promote socio-economic integration.
- The proposed development is of an appropriate scale and form that relates to the surrounding urban fabric, development pattern and land use character of the adjoining business erven.
- The proposal will relate directly to the existing built form of the adjoining business properties and will thus fit in to the surrounding urban context.
- The placement of the proposal within an existing commercial district is seen to be compatible with the existing character and represents an acceptable land use intensification in the area.
- The proposed development will not detract from any existing rights of the surrounding erven.
- There is adequate servicing capacity to accommodate the proposed development and adequate on-site parking can be provided for.
- The application will not undermine the public interest.

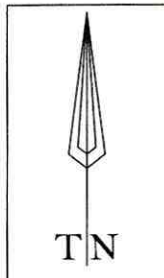
10. CONCLUSION

The proposed consolidation of Erven 430 and 431 Pringle Bay is considered to be a compatible use in the specific area and it will result in the optimal utilisation of the property. It will thus constitute a desirable development in terms of The Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020. With this in mind, it is therefore honourably considered that the proposed application will be endorsed with Council's consent.



LEGEND:

- ABCD — ERF 430 PRINGLE BAY
- BEFC — ERF 431 PRINGLE BAY
- AEFD — CONSOLIDATED PROPERTY (±1 013m²)



**CONSOLIDATION PLAN OF
ERVEN 430 AND 431
PRINGLE BAY**

Overstrand Municipality
Administrative District Caledon
Province Western Cape.

NOTES:

- 1) ALL AREAS AND DIMENSIONS ARE APPROXIMATE
- 2) COMPILATION SHEET: AH-4BC / Y41
- 3) ZONING: BUSINESS ZONE 3: LOCAL BUSINESS

SCALE 1/250

DATE : JAN. 2021

PLAN NO: C6099/Cons



DIESEL & MUNNS Inc.

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 PROFESSIONELE LANDMETERS : STADS- EN STREEK BEPLANNERS
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