

ERF 3620, 232 SEVENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS INTERACTIVE TOWN & REGIONAL PLANNING ON BEHALF OF KN NICOLA

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 in terms of Section 16(2)(b) for a departure to relax the eastern lateral building line from 2m to 1.87 to allow for a proposed roof and windows.

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. 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 / (e) alida@overstrand.gov.za) on or before **25 June 2021**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to **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 3620, SEWENDE STRAAT 232, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA, AANSOEK OM AFWYKING : MNRE INTERACTIVE TOWN & REGIONAL PLANNING NAMENS KN NICOLA

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek om afwyking ingevolge Artikel 16(2)(b) ontvang is om die oostelike laterale boulyn van 2m na 1.87 te verslap om voorsiening te maak vir 'n voorgestelde dak en vensters.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. 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 / (e) alida@overstrand.gov.za) bereik voor of op **25 Junie 2021**, met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan **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 3620, 232 SEVENTH STREET, VOËLKLIP, EHERMANUS, UMMANDLA WOMASIPALA WASE-OVERSTRAND: ISICELO SOPHAMBUKO: MESSRS INTERACTIVE TOWN & REGIONAL PLANNING EGAMENI LIKA-KN NICOLA

Isaziso sikhutshwa ngokwemiqathango yeCandelo 48 loMthetho oYilwayo oLungisiweyo ongokuSetyenziswa koMhlaba kaMasipala, woMasipala waseOverstrand 2020 sokokuba isicelo sifunyenwe ngokwemiqathango yeCandelo 16(2)(b) sokuphambuka ukuze kunyenyiswe umda ongasempuma wesitrato wesakhiwo ukususela kwi-2m ukuya kutsho kwi-1.87m ukulungiselela uphahla kunye neefestile ezicetywayo.

linkcukacha eziphelileyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure yesi-08:00 neye-16:30 kwiSebe: loCwangciso lweDolophu, Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho uYilwayo mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi komhla **wama-25 uJuni wama 2021**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuzaz into malunga nesi saziso ungatsalela umnxeba ku**Mnu. P Roux** kule nombolo yomnxeba 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: aconradie@overstrand.gov.za

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1. Introduction

a. Brief
Refer to **Annexure B** for the Power of Attorney.

Interactive Town and Regional Planning was appointed by the owner of the property Neale Kalis to prepare and submit an application for a building line departure on Erf 3620, Voëlkop in terms of the relevant legislation.

b. Background

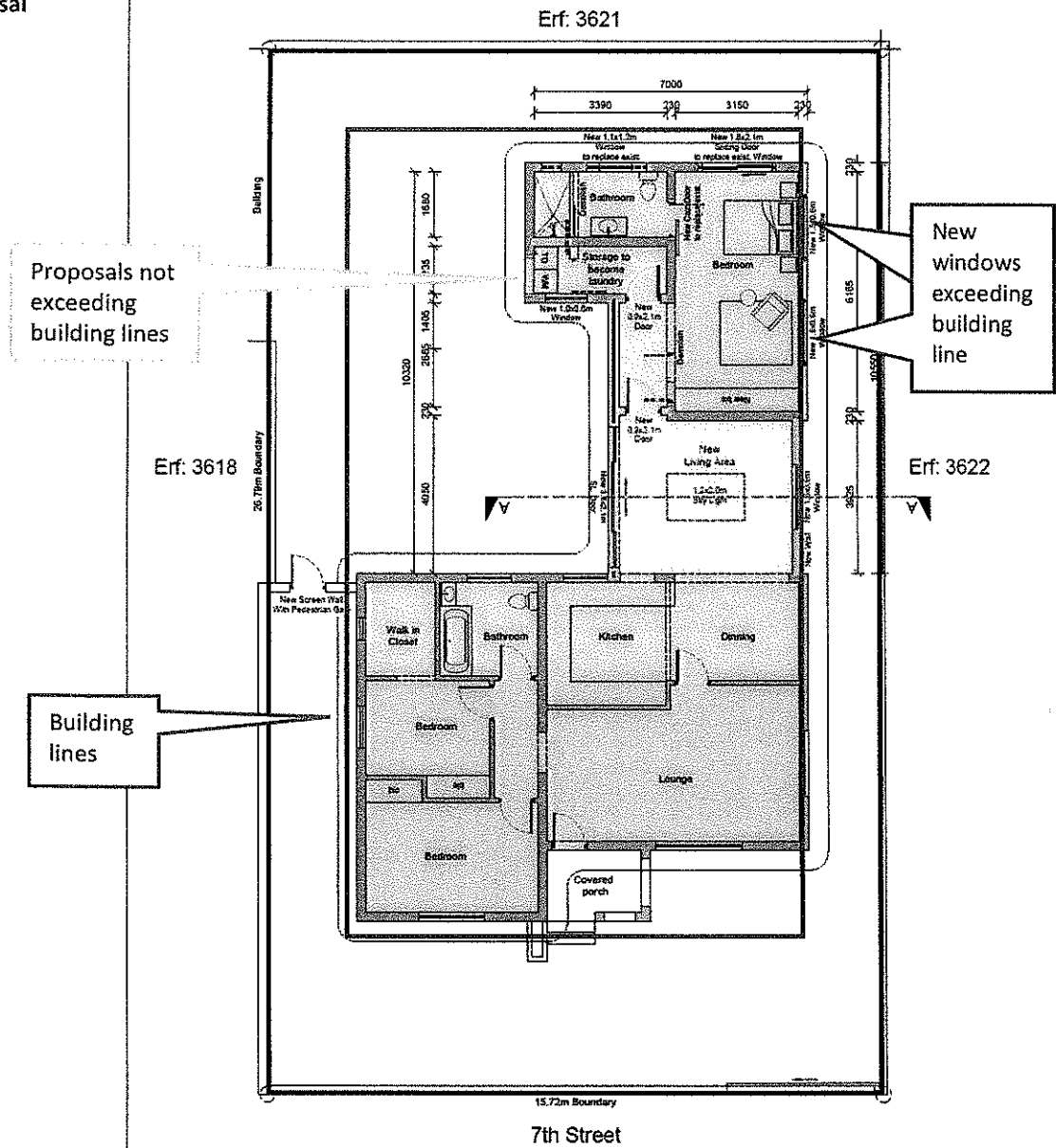
The application area consists of a 421m² single residential erf situated at 232 Seventh Street, Voëlkop, accommodating an approved existing dwelling which slightly exceeds the 2m eastern side building line up to 1.87m.

The owner wishes to renovate the house which includes internal changes as well as external changes involving replacing the flat part of the existing roof with a sloped thatch roof and adding two windows to the existing eastern outer wall of the dwelling.

Together, both the roof replacement and addition of the windows will exceed the eastern 2m side building line up to 1.87m, thus requiring a departure for building line relaxation.

c. Development Objective & Application Proposal

The **development objective** is to replace the flat part of an existing roof with a sloped thatch roof as well as to add two windows to an existing wall, both of which exceed the eastern 2m side building line.



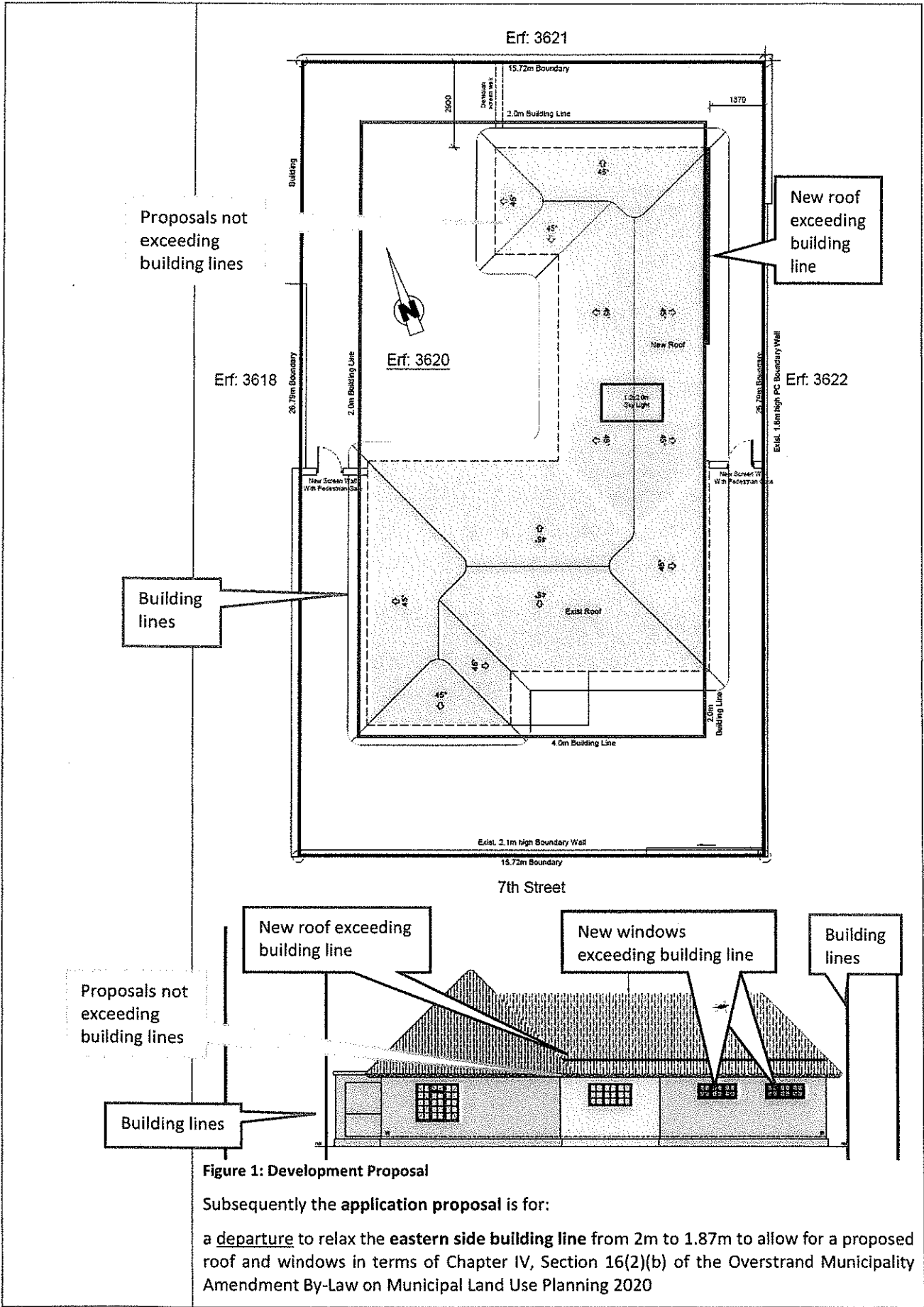


Figure 1: Development Proposal

Subsequently the application proposal is for:

a departure to relax the eastern side building line from 2m to 1.87m to allow for a proposed roof and windows in terms of Chapter IV, Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning 2020

2. The Application

<p>a. Analysis: Title Deed Refer to Annexure D for the Conveyancer Certificate.</p>	<p>The Conveyancer Monica Korf issued a certificate confirming that <u>no</u> restrictive title deed conditions exist against the proposal on Erf 3620 Hermanus.</p>				
<p>b. Analysis: Development Criteria:</p> <p>The development parameters for Erf 3620 Hermanus as per the Overstrand Municipality Land use Scheme, 2020 are summarised as follows:</p>	<p>Parameters</p>	<p>Existing Zoning:</p>	<p>Proposal:</p>	<p>Comments</p>	
	<p>Zoning</p>	<p>Residential Zone 1: Single Residential (SR1)</p>	<p>Residential Zone 1: Single Residential (SR1)</p>	<p>Consistent</p>	
	<p>Primary Use</p>	<p>Crèche, dwelling house, guest rooms, home occupation, second dwelling unit and self-catering</p>	<p>Dwelling house</p>	<p>Consistent</p>	
	<p>Consent Uses</p>	<p>Day care centre, green house, guest house, house shop, institution, place of instruction, place of worship, residential building and intensive horticulture</p>	<p>None</p>	<p>Consistent</p>	
	<p>Coverage</p>	<p>50%</p>	<p>37%</p>	<p>Consistent</p>	
	<p>Height</p>	<p>8m</p>	<p>7m</p>	<p>Consistent</p>	
	<p>Building lines</p>	<p>Street</p>	<p>4m</p>	<p>4m east</p>	<p>Consistent</p>
		<p>Side</p>	<p>2m</p>	<p>2m west 1.87m east</p>	<p>Application is for a departure</p>
		<p>Rear</p>	<p>2m</p>	<p>2m</p>	<p>Consistent</p>
<p>Parking</p>	<p>Dwelling house: 2 bays</p>	<p>Dwelling house: 2 bays</p>	<p>Consistent</p>		
<p>c. Application:</p> <p>The application form is attached as Annexure A.</p>	<p>Application is subsequently made in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for the following;</p> <ul style="list-style-type: none"> a <u>departure</u> to relax the eastern side building line from 2m to 1.87m to allow for a proposed roof and windows in terms of Chapter IV, Section 16(2)(b). 				

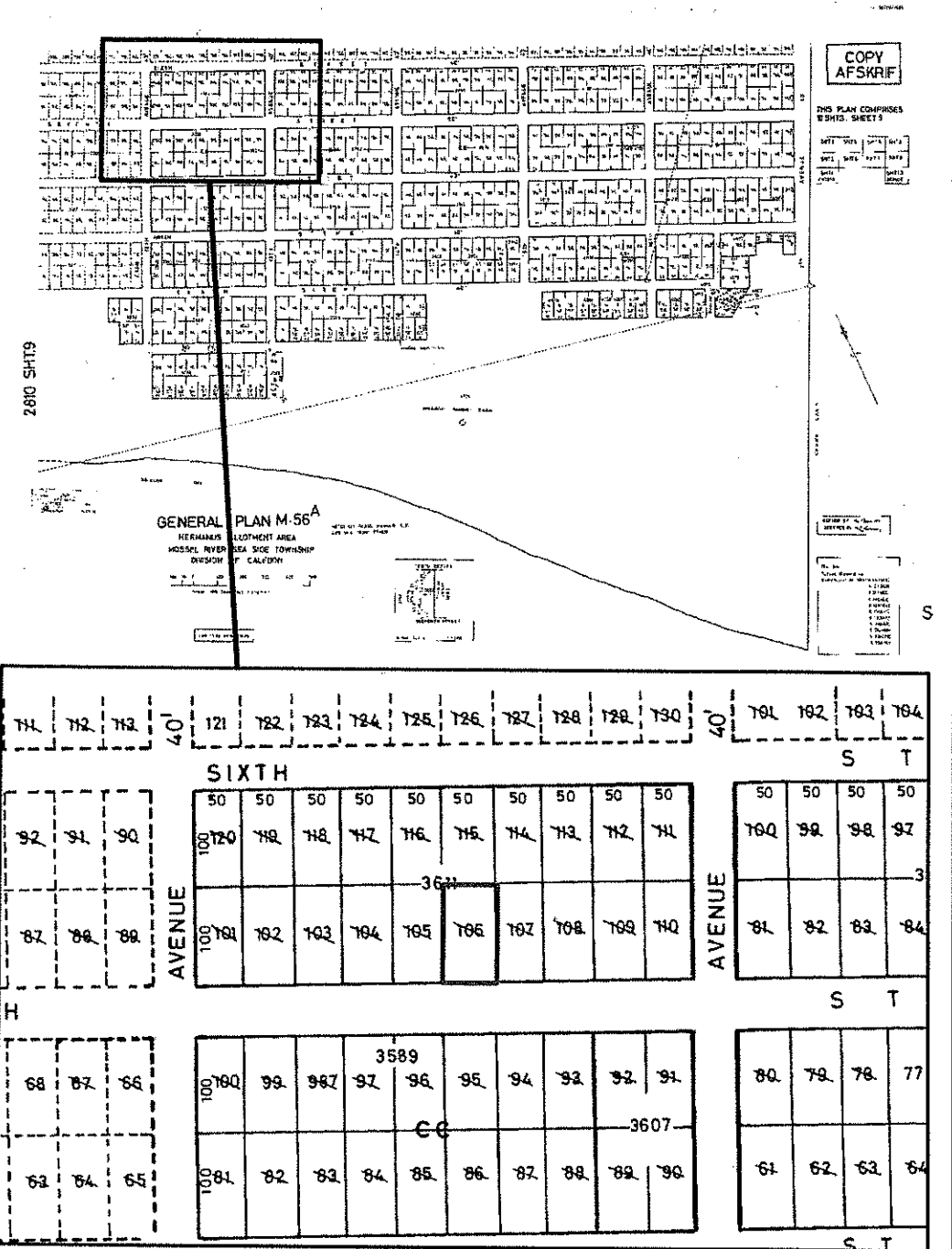
3. Contextual Site Information

a. Property Description

Property	Extent	Title Deed	Registered Owner
3620 Hermanus	421m ²	T14712/2001	Neale Kalis

Refer to Annexure E for the SG Diagrams, Annexure C for the Title Deed of Erf 3620 Voëklip.

The following Surveyor General Plans reflect the application site:



b. Location:

For the Locality Plans refer to Annexure F

Regional Context:

The application area is located within Voëlklip residential suburb. Voëlklip is located on the Eastern side of Hermanus CBD and forms part of the larger Hermanus East area.

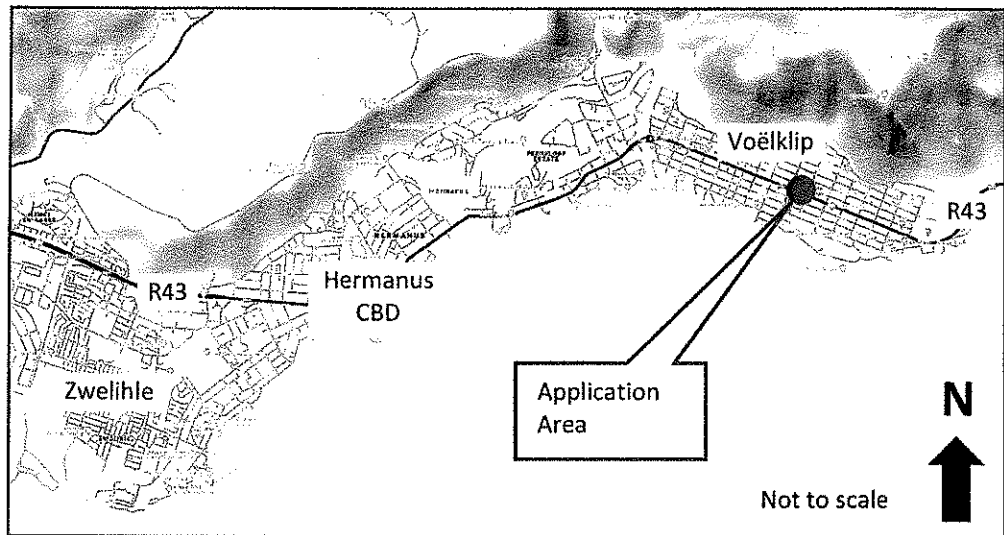


Figure 3: Locality Plan – Regional Context

Local Context:

The application area consists of a residential erf within Voëlklip located at number 232 Seventh Street.



Figure 4: Locality Plan – Local Context

c. Land Use:
Refer to the Extract of Hermanus Zoning plan attached as Annexure G.

The application area accommodates a dwelling house on the property. The surrounding land-uses mostly consist of single residential dwellings and a hotel. No change in land use is proposed. The application proposal is **consistent** with the land use of the area.

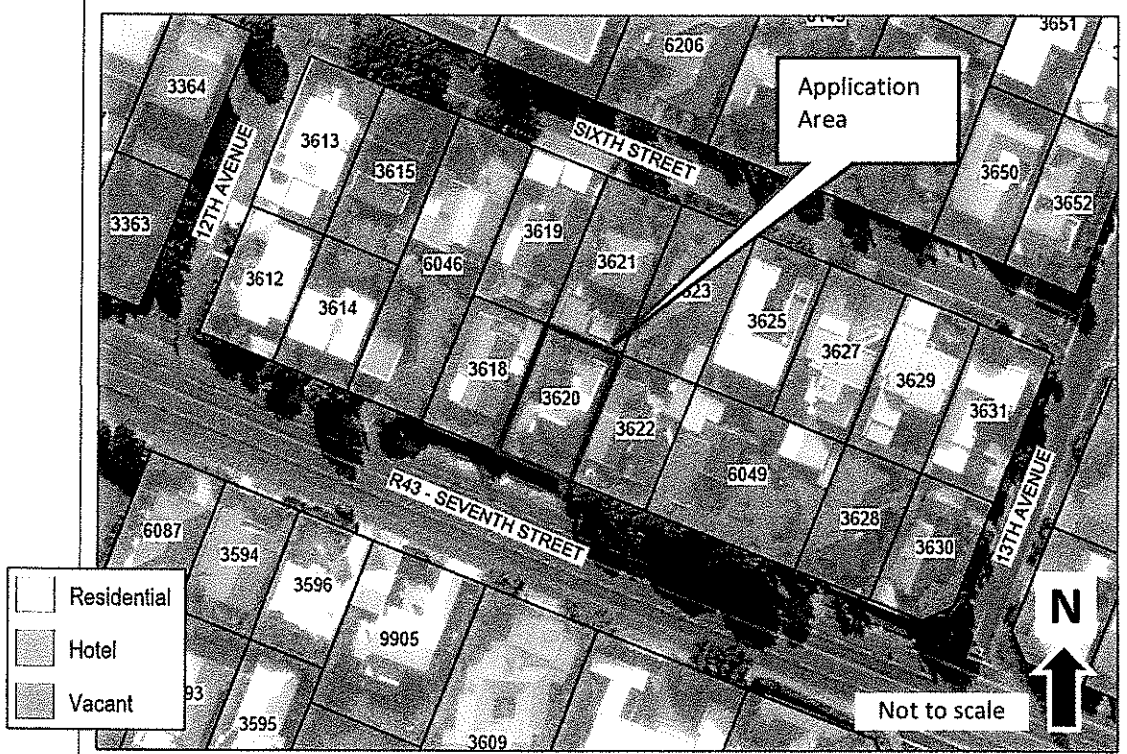


Figure 5: Google Image illustrating the residential land-use activities of the application area and surrounding properties

d. Zoning:
Refer to the Extract of Hermanus Zoning plan attached as Annexure H.

The application area, Erf 3620, Voëlklip is zoned Residential Zone 1: Single Residential. The surrounding erven are zoned Residential Zone 1: Single Residential as well. No change in zoning is proposed. The application proposal is **consistent** with the zoning of the area.

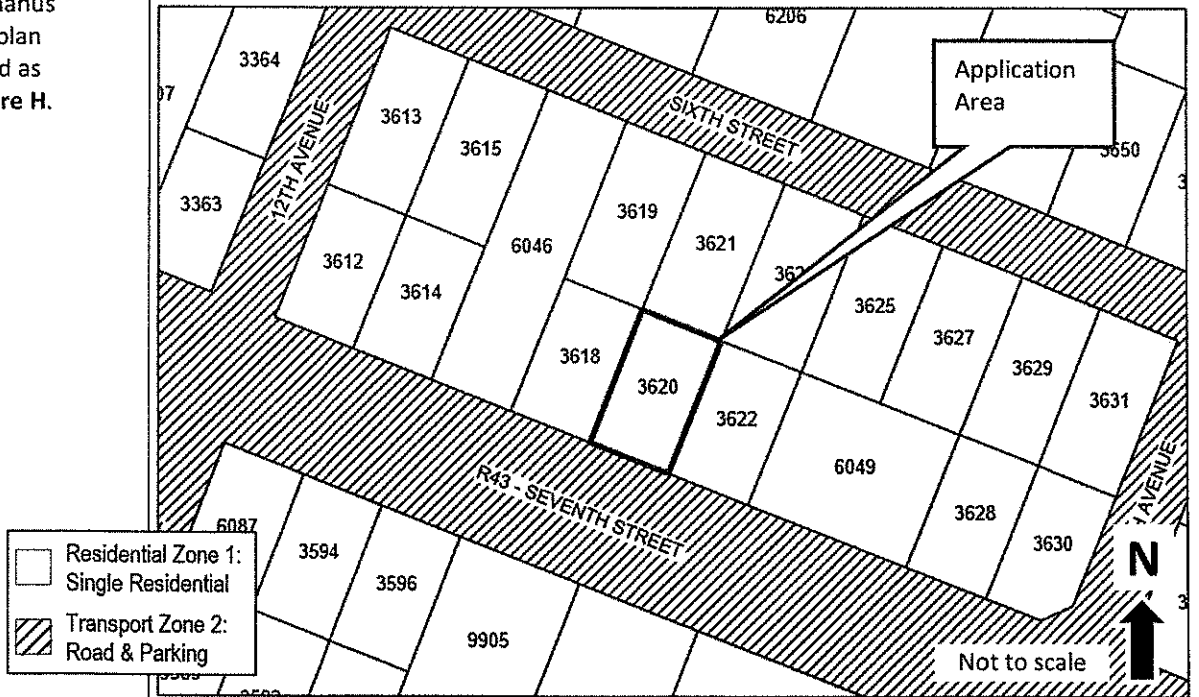


Figure 6: Extract from the Overstrand Municipality: Online zoning viewer

e. Laws and policies relevant to the consideration of the application and forward planning and land use documents

The following policy is applicable to the application area.

i. **Overstrand Municipal Spatial Development Framework, 2020**

The application area falls within an existing urban development area within the Urban Edge.

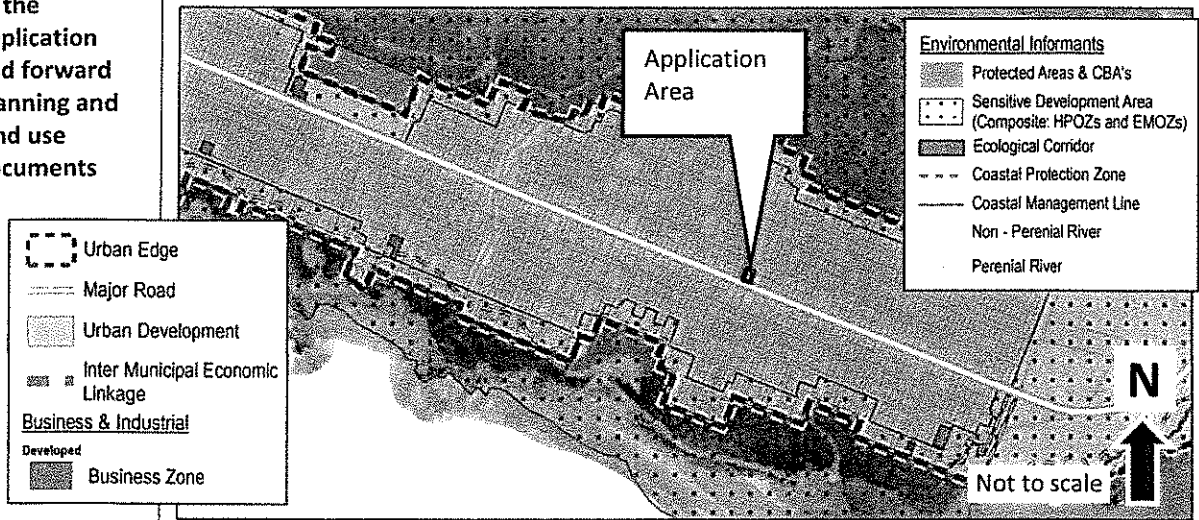


Figure 7: Spatial Development Framework 2020 Spatial Proposals Plan

The application is consistent with the Overstrand Municipal Spatial Development Framework, 2020.

ii. **Overstrand Municipality Growth Management Strategy, 2010**

The application area is within an area earmarked for 10 to 20 Dwelling Units Per Hectare Densification Zone.

No further densification is applicable to this application, as the proposal is for a roof and two windows, for which a building line departure is required.

The application is consistent with the Overstrand Municipality Growth Management Strategy, 2010.

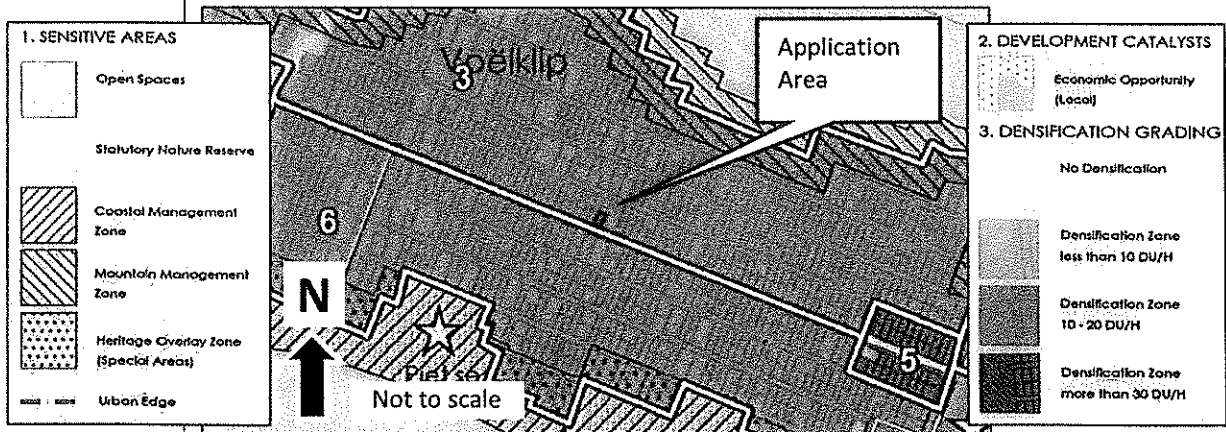


Figure 8: Extract from the Overstrand Municipality Growth Management Strategy, 2010 reflecting the envisaged land-uses for the area.

4. Motivation

Motivation for the application:

Refer to Annexure I for the Building Plan and Annexure H for the neighbour's consent.

a. Introduction and Background

The application area consists of a 421m² single residential erf situated at 232 Seventh Street, Voëlklip with an approved existing dwelling which slightly exceeds the 2m eastern side building line up to 1.87m.

The owner wishes to renovate the dwelling which includes internal changes as well as external changes which involve replacing the flat part of an existing roof with a sloped thatch roof and adding two windows to the existing eastern outer wall of the dwelling.

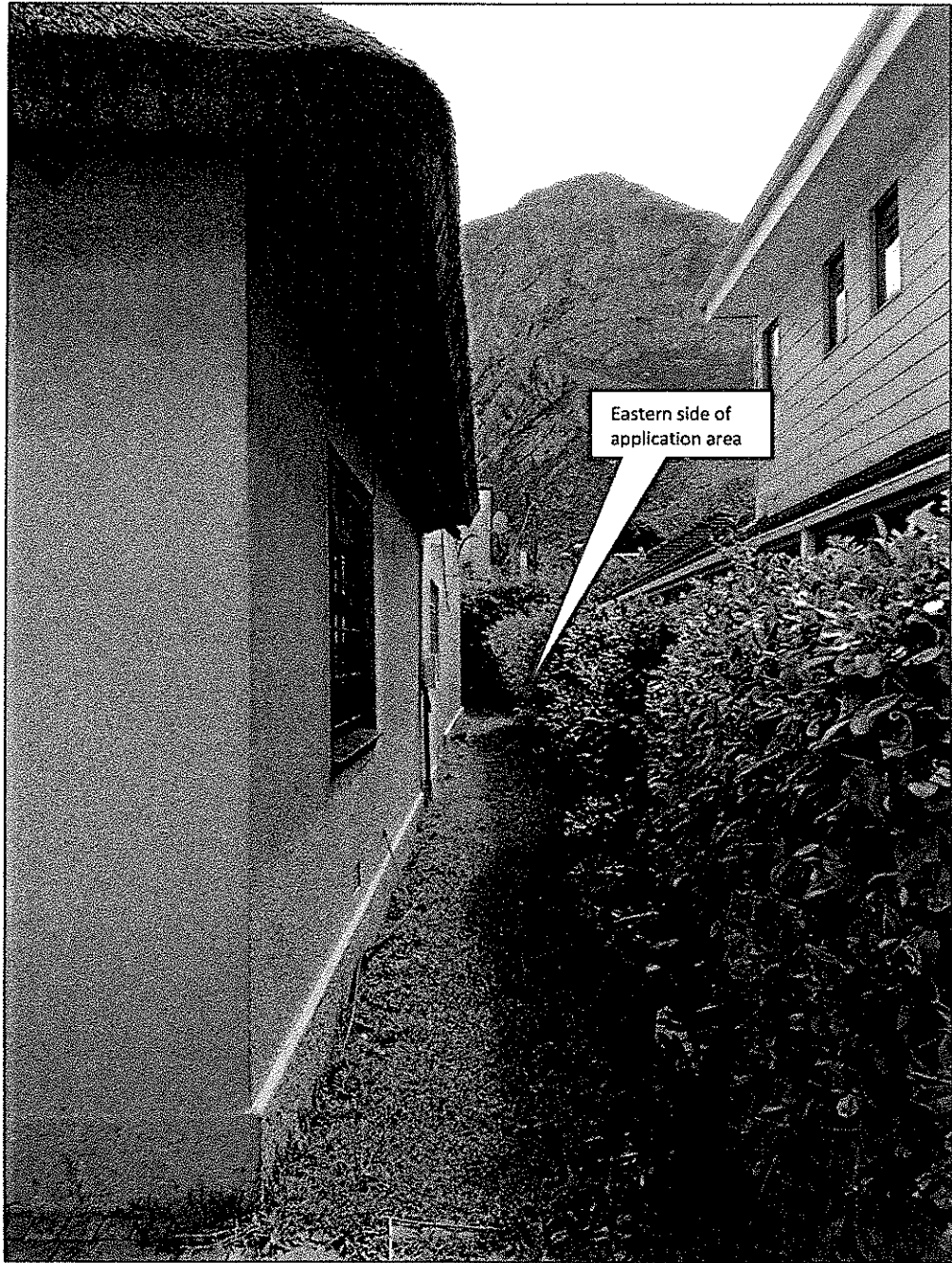
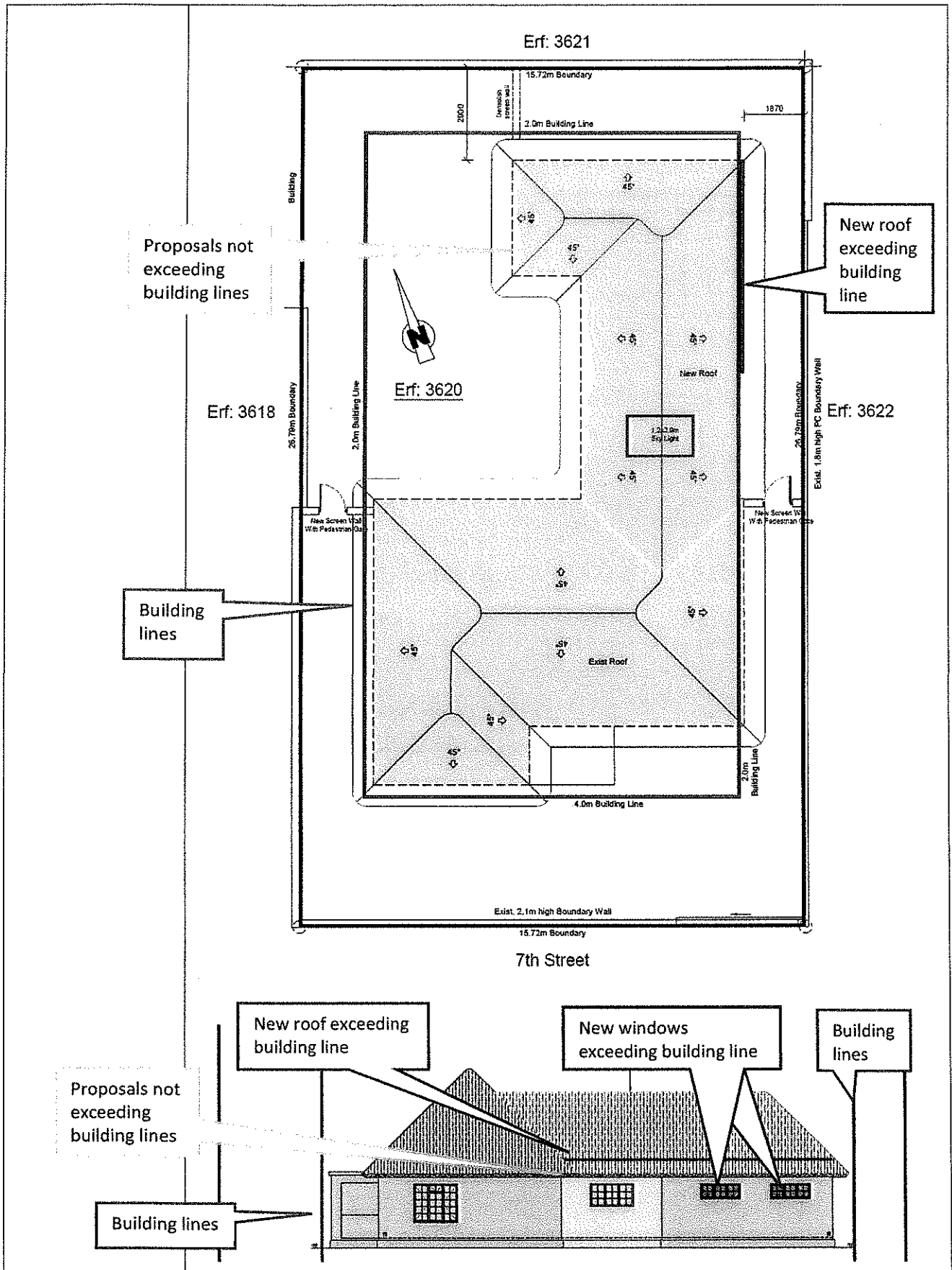


Figure 9: Photo of eastern side of application area where external changes are proposed

Together, both the roof replacement and addition of the windows will exceed the eastern 2m side building line up to 1.87m, thus requiring a departure for building line relaxation.



The application proposal is for the following:

- Departure to relax the eastern side building line

The proposed roof and two windows will exceed the eastern 2m side building line by 0.13m up to 1.87m from the eastern boundary, thus requiring a departure to relax the eastern 2m side building line to 1.87m.

The owner proposes internal renovations to the dwelling as well as external renovations, which involve adding two new windows to the existing eastern outer wall of the dwelling and the replacement of the flat part of the existing roof with a sloped thatch roof.

The proposal will improve the look and feel of the dwelling and add to the value of the property. The proposed replacement of the flat part of the existing roof will improve the appearance of the house as the new thatched roof will ensure uniformity with the existing sloped thatched roof. The windows will improve the eastern façade of the dwelling and allow for additional light and ventilation for the bedroom.

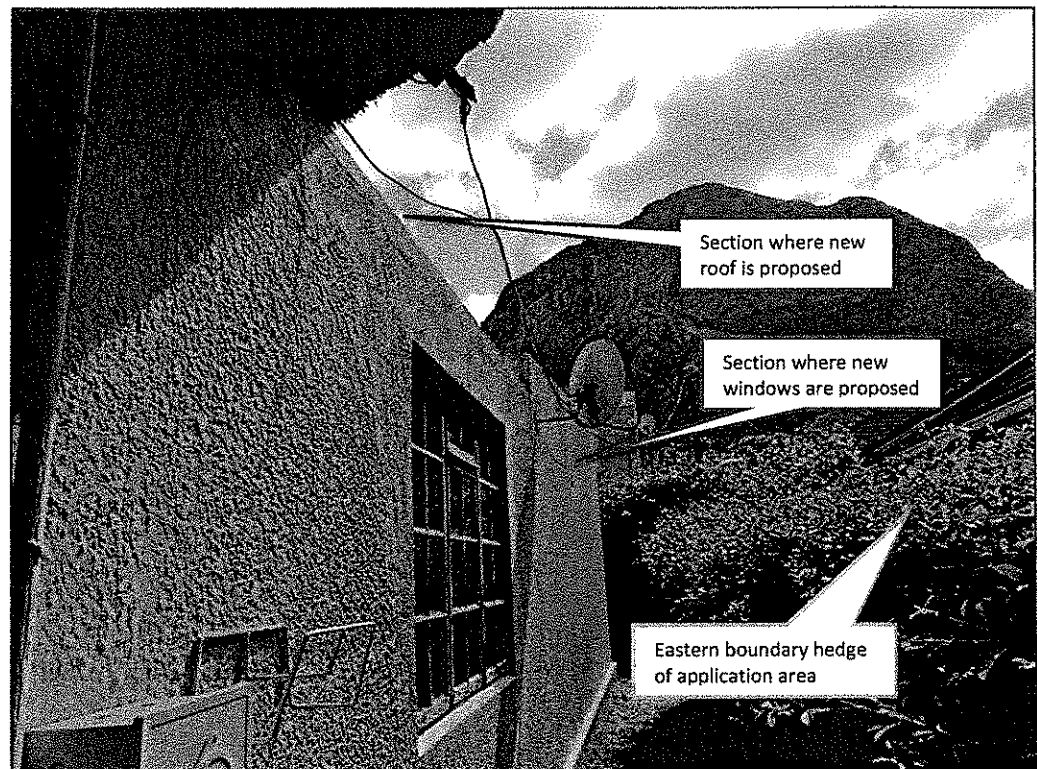


Figure 10: Approximate placement of proposed development on application area

Approval of the departure for building line relaxation is not foreseen to encroach on the privacy of the neighbours to the east, as the proposal will only slightly exceed the building line which still leaves a distance of 1.87m between the proposed roof and the eastern boundary wall. No change in the distance between the proposed roof and the boundary wall will occur as the roof of the existing approved house already exceeds the 2m eastern side building line up to 1.87m.

Furthermore, the hedge between the two adjacent erven serves as a visual barrier between the two dwellings, thus increasing privacy and reducing visual impact for both properties.

Subsequently the submission of the application proposal for a departure to relax the eastern 2m side building line to 1.87m to accommodate the proposed roof and windows.

c. Desirability

- The proposal is in accordance with the relevant spatial planning legislation for the area.
- The approval of the proposal will contribute to satisfying the owner's need for improving the dwelling.
- The approval of the proposal will improve the eastern façade in an efficient and optimal manner.
- The approval of the proposal is foreseen to improve the quality of life and health of the residents/visitors.
- The relaxation of the eastern side building line is not foreseen to cause any negative visual or privacy impact on the adjacent property to the east.
- Access to the property for emergency purposes is still available

d. Planning Principles

In terms of Chapter VI of the Spatial Planning and Land Use Management Act, 2013 the following Planning Principles have been applied to the application site:

- 1) **Spatial Justice** which refers to the need for redressing the past apartheid spatial development imbalances and aims for equity in the provision of access opportunities, facilities, services and land.

Possible results of the development

The proposal will not in any way contribute to the perpetuation of past apartheid spatial development imbalances as the application proposal will accommodate only a proposed roof replacement and addition of windows to the existing approved single residential dwelling.

The application proposal is **consistent with spatial justice**.

- 2) **Spatial Sustainability** which refers to the fact that 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 landscapes and ultimately limits urban sprawl.

Possible results of the development

The proposal will allow for a proposed replacement of a portion of the roof and the addition of two new windows to the existing approved single residential dwelling within the urban edge and will therefore have no impact on agricultural land, environmentally sensitive areas and biodiversity rich areas.

The application proposal can thus be deemed to be **spatially sustainable**.

- 3) **Efficiency** which refers to the manner in which settlements themselves are designed to function in such a way that there will be a minimum need to travel long distances to access services, facilities and opportunities.

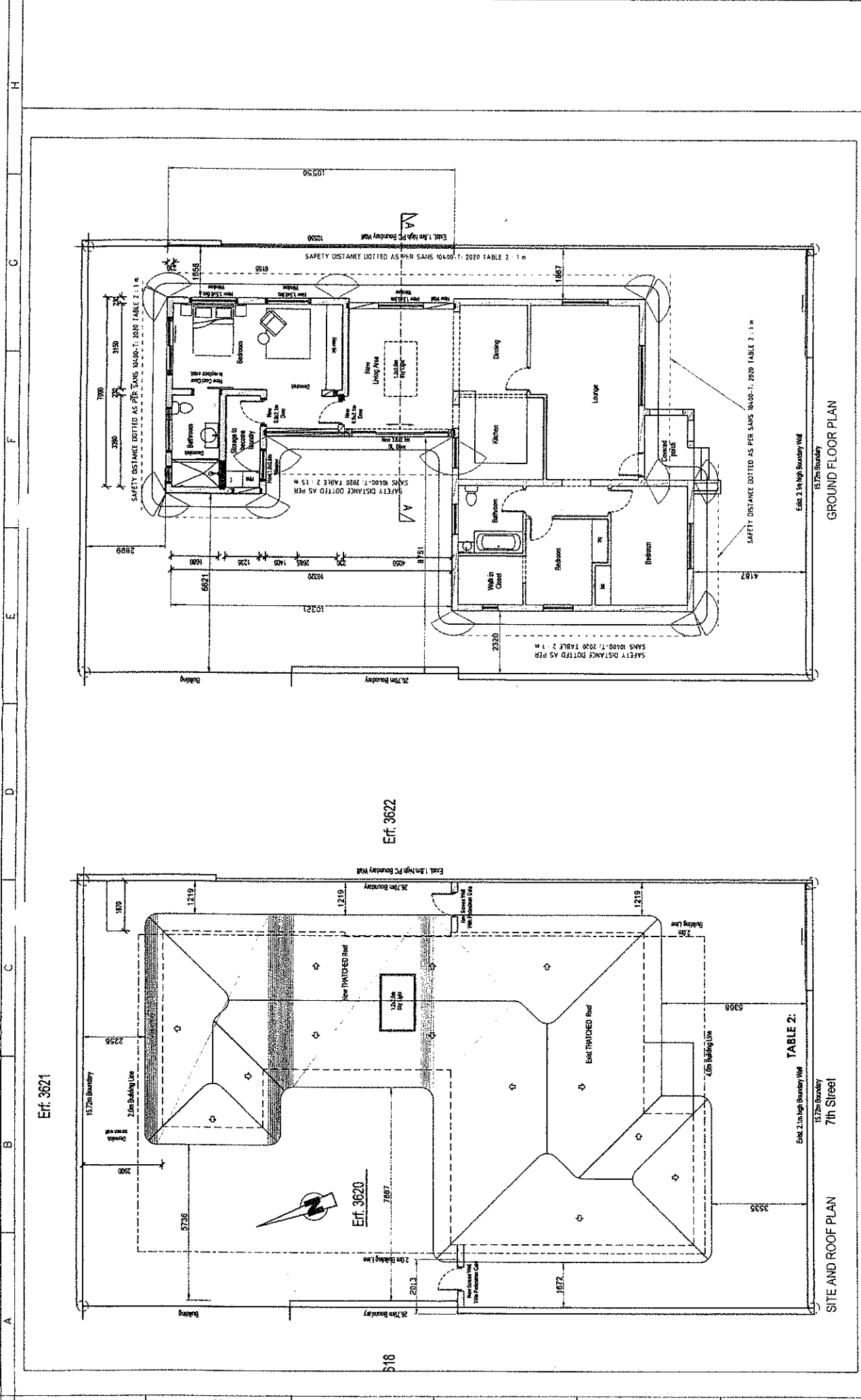
Possible results of the development

The proposal optimizes the property by replacing a portion of the roof and adding two new windows which should benefit the quality of life and health of occupants, improve the appearance of the dwelling and add value to the property, all in an efficient manner and without any negative impact foreseen on the surrounding area.

The application proposal is **consistent with the efficiency principle**.

- 4) **Spatial Resilience** which, in the context of land use planning, refers to spatial plans, policies and land use management systems which should enable communities to be able to resist, absorb and accommodate any economic and environmental shocks which might occur in a timely and efficient manner.

	<p>Possible results of the development The proposed development will not lead to any economical and/or environmental shocks as the application allows for a proposed roof replacement and the addition of two new windows to the existing approved single residential dwelling within a residential suburb.</p> <p>The application proposal is consistent with the principle of spatial resilience.</p> <p>5) Good Administration which, 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 that a joint planning approach is pursued.</p> <p>Possible results of the development Consultive practices are being followed in this application as it is done in consultation with the Planning Department of the Municipality who will also advertise the application in such a manner as to enable the Government and the general public to participate in the eventual decision-making process.</p> <p>The application proposal is consistent with the principle of good administration.</p>
5. Conclusion	
<p>The application as motivated in this report is regarded desirable within its local context and well-integrated within the existing community land-use activities.</p> <p>Furthermore, the application proposal is considered to strike an efficient balance between the optimal use of the application area, providing a satisfactory residential environment, catering for a full range of residential needs and beautifying the eastern façade while minimizing the impact on the surrounding area.</p> <p>It is therefore recommended that the application be approved in terms of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, as follows:</p> <ul style="list-style-type: none"> • a <u>departure</u> to relax the eastern side building line from 2m to 1.87m to allow for a proposed roof and windows in terms of Chapter IV, Section 16(2)(b). 	



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VOELKLIP, HERMANUS

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PROJECT:
HOUSE KALIS, VOELKLIP, HERMANUS

APPROVAL:
 J. PRETORIUS
 PR ENG REG NO: 60000
 DATE: MARCH 2021

DRAWN: J.L. PRETORIUS
DATE: MARCH 2021

REV. A SHEET 1 OF 1 SHEETS A1

DWG no. | PSD-FPL-00264