

PORTION 6 OF FARM NO 586, HEMEL-EN-AARDE VALLEY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE, AMENDMENT OF THE SITE DEVELOPMENT PLAN AND DEPARTURES: ANTON DE KOCK ARCHITECTS ON BEHALF OF BOUCHARD FINLAYSON (PTY) LTD

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 as follows:

- Consent use in terms of Section 16(2)(o) of the By-Law to accommodate agricultural industry and tourist facilities on the property.
- Amendment of the site development plan in terms of Section 16(2)(l) of the By-Law to allow new buildings and spaces to the existing wine cellar building to accommodate a new restaurant, kitchen, public toilets / ablution facilities, fermentation cellar and wine tasting venue.
- Departures in terms of Section 16(2)(b) of the By-Law to deviate from the prescribed total floor space of 5000m² to 5713m² to accommodate the above uses; and to exceed the maximum permissible height of a building from 8m to 9,375m to accommodate thatched roofs over two staff houses.

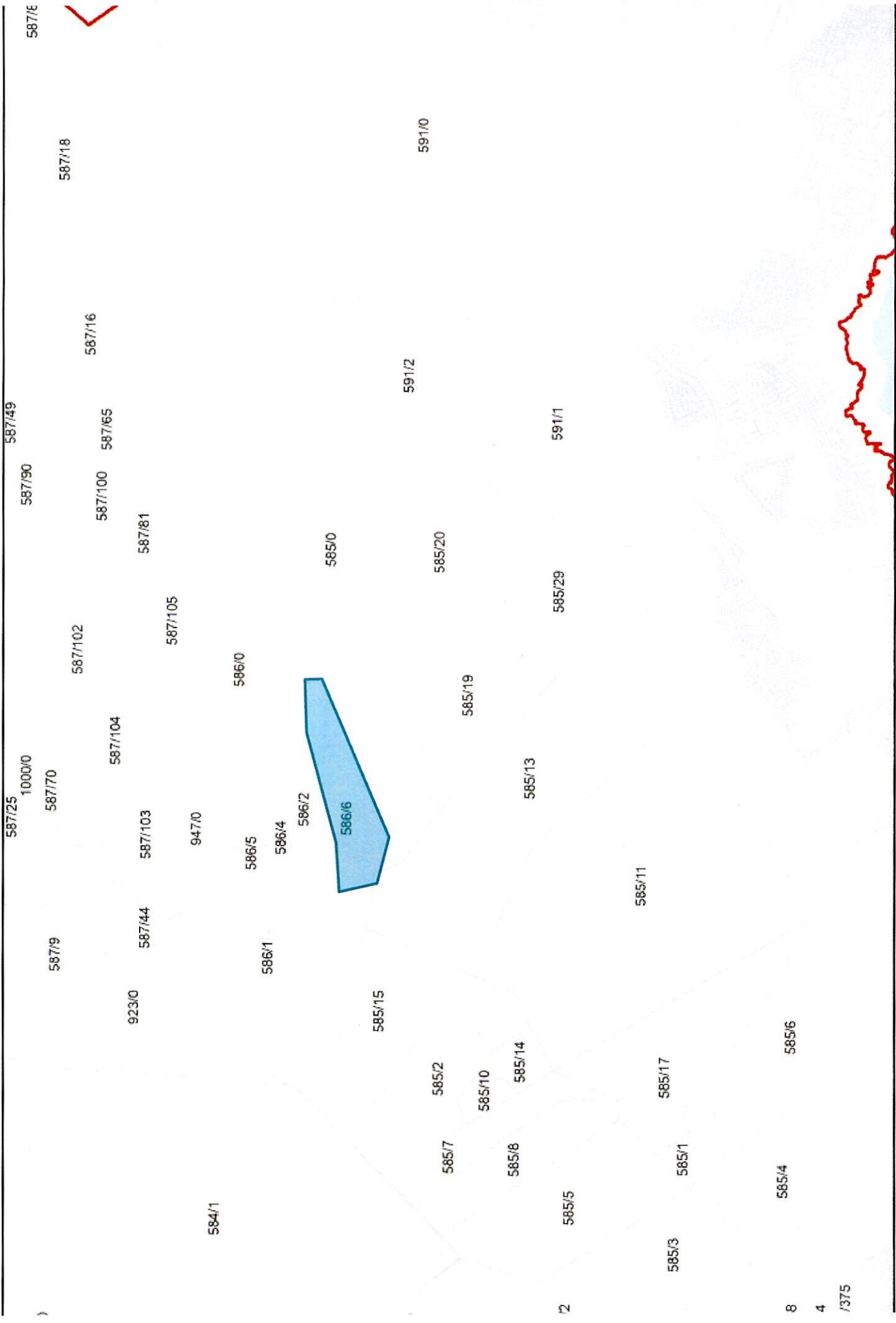
Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law and be submitted at the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) on or before **7 October 2021**, quoting your name, address and contact details, interest in the application, as well as the 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.

GEDEELTE 6 VAN DIE PLAAS NR 586, HEMEL-EN-AARDE VALLEI, OVERSTRAND MUNISIPALE AREA: AANSOEK OM vergunningsgebruik, WYSIGING VAN TERREINONTWIKKELINGSPLAN EN AFWYKINGS: ANTON DE KOCK ARGITEKTE NAMENS BOUCHARD FINLAYSON (PTY) LTD

Kennis geskied hiermee ingevolge Artikel 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruiksbeplanning, 2020, dat 'n aansoek soos volg ontvang is:

- Vergunningsgebruik ingevolge Artikel 16(2)(o) van die Verordening om landbou industrieel en toeriste fasiliteite op die eiendom te akkommodeer.
- Wysiging van die terreinontwikkelingsplan ingevolge Artikel 16(2)(l) van die Verordening om nuwe geboue en spasies aan die bestaande wynkelder toe te laat ten einde 'n nuwe restaurant, kombuis, publieke toilette / ablusie fasiliteite, fermentasiekelder en wynproe area te akkommodeer.
- Afwykings ingevolge Artikel 16(2)(b) van die Verordening om af te wyk van die voorgeskrewe totale vloer ruimte vanaf 5000m² na 5713m² om bogenoemde gebruike te akkommodeer; en om die maksimum toelaatbare hoogte van 'n gebou te oorskry vanaf 8m na 9,375m om rietdakke oor twee werkershuise 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. Enige skriftelike kommentaar op die voorstel moet ingevolge die bepaling van Artikels 51 en 52 van die Verordening ingedien word en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) bereik voor of op **7 Oktober 2021**, met vermelding van u naam, adres, 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



ANTON DE KOCK ARCHITECTS

**MOTIVATION FOR THE AMENDMENT OF APPROVED SITE DEVELOPMENT PLAN
FOR BOUCHARD FINLAYSON WINE ESTATE**

DATE OF DOCUMENT : 2021 05 27

TO THE TOWN PLANNING BRANCH
OVERBERG MUNICIPALITY
HERMANUS

ERF NUMBER: FARM 586 PORTION 6
ZONING: "AGRICULTURAL ZONE I" WITH SPECIAL CONSENT - (COPY ATTACHED)
TITLE DEED : No. T 108444 (2002) - (COPY ATTACHED)
REG. OWNER: BOUCHARD FINLAYSON (PTY.) LTD.
APPLICANT : ANTON DE KOCK OF ANTON DE KOCK ARCHITECTS

REF 1: APPROVED SITE DEVELOPMENT PLAN No: CD 00 WD REV 5 - 2016 08 28
APPROVAL NUMBER 30904, DATED 2016 09 26

REF 2: AMENDED SITE DEVELOPMENT PLAN No. CD 00 WD REV 6 - 2021 05 27

Dear Sir / Madam

GENERAL OVERVIEW OF PROPOSAL

It is the Owner's intention to improve the operations of the Wine Estate's wine making facilities and simultaneously improve the experience of visitors to the Estate. To this end it is proposed to add new buildings and spaces to the existing Wine Cellar building to accommodate a new Restaurant, Kitchen, Public Toilets, a new Red Wine Fermentation Cellar and Wine Tasting venue. The new buildings will locate to the North and South of the existing lawn area, located to the West of the existing Cellar

The existing Cellar is congested and not functioning optimally. Existing fermentation tanks in the existing Cellar will be removed off site to de-congest the existing area. New tanks will be installed in the proposed red wine fermentation Cellar. It is not the intention to increase the holding capacity and production of wine by adding Cellar space, but to improve operations.

It is envisaged that the open West facing verandah of the existing Wine Cellar will be enclosed with glazing in order to link the two new buildings at either end of the existing Cellar Building. The existing public toilets on the North end of the existing Cellar building will be demolished to establish an enclosed Public circulation route to the existing Barrel maturation Cellar and to facilitate Public viewing of the two existing barrel maturation Cellars along this route. The existing Administration Offices are to be renovated. The existing Wine Tasting area will be converted to a large Meeting Room.

ARCHITECTURAL PROPOSAL

Please refer to " Addendum A "

- Architectural Presentation, dated March 2021, as tabled and approved by the Owners on 15 March 2021
- Site Plan, Floor plans , Sections, Elevations and an Artist impression included with the document

ANTON DE KOCK ARCHITECTS

MOTIVATION FOR THE AMENDMENT OF APPROVED SITE DEVELOPMENT PLAN FOR BOUCHARD FINLAYSON WINE ESTATE

DATE OF DOCUMENT : 2021 05 27

PROPOSED INCREASE IN TOTAL FLOOR AREA

Permitted Total floor area = 5 000 m²

The Total Floor area contained on the previously approved SDP (REV 5) submitted with Building Plan approval No 30904, 26 09 2016, was 4 278 m²

The proposed additional floor area is 1 362 m²

The proposed total floor area is 5 640 m²

Application is therefore being made for the total floor area to exceed the permitted floor area by 640m².

Motivation for increase in floor area :

Relative to the Site area of 32,32Ha, the overrun of 640m² of the permitted total floor area of 5 000m² equates to 0,19% of the site area, and is therefore relatively minimal. We thus motivate that the Agricultural Character of the Site, as intended by the Agricultural Zoning of the Farm, is not adversely affected by the proposed increase in permitted floor area.

SEWERAGE DISPOSAL AND WINE PRODUCTION WASTE WATER DISPOSAL

Please refer to attached " Addendum B " containing

- a) Sewerage, Storm water & Wine production waste water layout and disposal diagram
- b) Site layout with sewer conservancy tank and plant localities

SEWERAGE

The Farm has the following existing services

- 1) Manor Houser (Homestead) - conservancy tank 1
- 2) Existing Cellar and administration office - conservancy tank 2
- 3) Staff houses 5, 6, 7 & 8 - conservancy tank 3
- 4) Staff day room, staff houses 1, 2, 3 & 4 - Biolitic treatment plant
- 5) Wine Makers house - Ballam Waterslot Gem sewerage water treatment plant

The above conservancy tanks 1, 2 & 3 fall outside of the 100m fall out line around various water bodies on the farm. The tanks are all monitored by Farm Management and emptied by pumping by Municipal services on a regular period schedule.

Farm Management prefers to have 2 additional suitably sized conservancy tanks installed to service the new Restaurant, Kitchen, Admin Offices & Wine Tasting facilities, and to add these tanks to the existing Municipal pumping schedule

WINE PRODUCTION WASTE WATER EFFLUENT

The purpose of the proposed new "Cellar" area for the fermentation of red wine is to de-congest the existing fermentation cellar. Operations are compromised in the Existing Cellar operations due to too many tanks for the available floor space. The aim of the Wine Maker is to install new suitable tanks in the new Cellar area and to remove and discard some of the existing tanks in the existing Cellar. The new red fermentation area will not increase the production of wine and therefore not lead to an increase of wine making waste effluent

Bouchard Finlayson is authorised to irrigate 1048 m³ of treated winery waste-water per annum on 5 ha of Kikuyu grass, in terms of Schedule 2 of a General Authorisation for the disposal of winery effluent , as per the National Water Act 1998. The Farms waste water volume over the past 8 years averages less than 500m³ / Annum

ANTON DE KOCK ARCHITECTS

MOTIVATION FOR THE AMENDMENT OF APPROVED SITE DEVELOPMENT PLAN FOR BOUCHARD FINLAYSON WINE ESTATE

DATE OF DOCUMENT : 2021 05 27

PARKING

Please refer to attached "Addendum C" Parking and traffic, containing existing status and proposals based on historic information and proposed design populations

Parking Bays required :

Total parking bays required for visitors to the restaurant & wine tasting facility = 44 bays

Total parking bays required for estimated number of Staff = 12 bays

Parking bays provided for Visitors:

The existing parking area will be extended in order to provide 16 parking bays.

One of the bays will be dedicated for use by the disabled, providing level access into the building.

28 parking bays are proposed is at a lower level, of which 20 will be shaded.

Total bays provided for Visitors: 44 bays

Parking provided for Staff

Administration Staff members typically use the 6 carport bays area near the Manor House, because the Manor House is occupied by the Owners only once during a typical year.

An additional 6 bays are proposed for Staff off the service road near the Stores.

Total Bays provided for Staff = 12 bays

TRAFFIC

Expected increase in the number of passenger car visitation per day :

Farm Management records that an average of 41,4 passenger cars per day visited the Farm over a past period of 3 years

Once the new facilities are complete, it is estimated that an average of approximately 56 passenger cars could be expected per day .

Historic passenger car visitation will thus increase by an average of approximately **14,6 passenger cars per day**

Peak Traffic :

The new Restaurant facility could on occasion cause a peak traffic situation during a typical midday lunchtime period, when running at maximum capacity. It is estimated that (up to a maximum) 36 cars could be expected to arrive at the Farm for lunch

At worst, all 36 cars could arrive in a realistic hour's period say, from 12h00 to 13h00

On average, this would imply that one car will arrive every 1 minute, 36 seconds over this period of time

At best, all 36 cars could arrive over a more reasonable three hour period from 11h30 to 13h30.

On average, this would imply that one car will arrive every 5 minutes over this period of time

We are of the opinion that the estimated increase in the number of passenger cars visiting the Farm per day and the estimated number of peak time arrival of passenger cars, will not lead to the congestion of the turn off to the main entrance gate of the Farm, at the R320 Hemel & Aarde Road (to Caledon)

ANTON DE KOCK ARCHITECTS

**MOTIVATION FOR THE AMENDMENT OF APPROVED SITE DEVELOPMENT PLAN
FOR BOUCHARD FINLAYSON WINE ESTATE**

DATE OF DOCUMENT : 2021 05 27

ADDITIONS AND ALTERATIONS TO STAFF HOUSES 5 & 6

Please refer to "Addendum A-1 "

- Proposed additions and alterations to Staff houses 5 & 6

It is the Owner's intention to improve the accommodation provided by existing Staff houses 5 and 6

The two units are in close proximity to one another, but not connected by an enclosed and covered space

- It is proposed to enclose and roof the connecting space between the units, (currently defined as a space with low walls, masonry columns and open pergola) and to improve the existing Lounge area so that all three occupants of the combined arrangement may share a suitably sized living space
- it is also proposed to add a covered verandah
- To this end the existing kitchen counter and sink will be relocated
- all 3 bathrooms remain un-altered

STAFF HOUSES 5 & 6 : ADDITIONAL FLOOR AREA

The additional total floor area is 67m² and is included in the application for total additional floor area, as depicted on the Site Development Plan rev 6, referred to in this application. (see "Schedule" on SDP REV 6)

STAFF HOUSES 5 & 6 : SEWERAGE DISPOSAL

Please refer to attached " Addendum B " containing

- a) Site layout with sewer conservancy tank and plant localities

An existing sewer conservancy tank (Tank No 3) services Staff Houses 5 6 & 7

No additional sanitary ware items are proposed. The only plumbing alteration is that the existing kitchen sink waste line will be relocated and re-connected into the existing system.

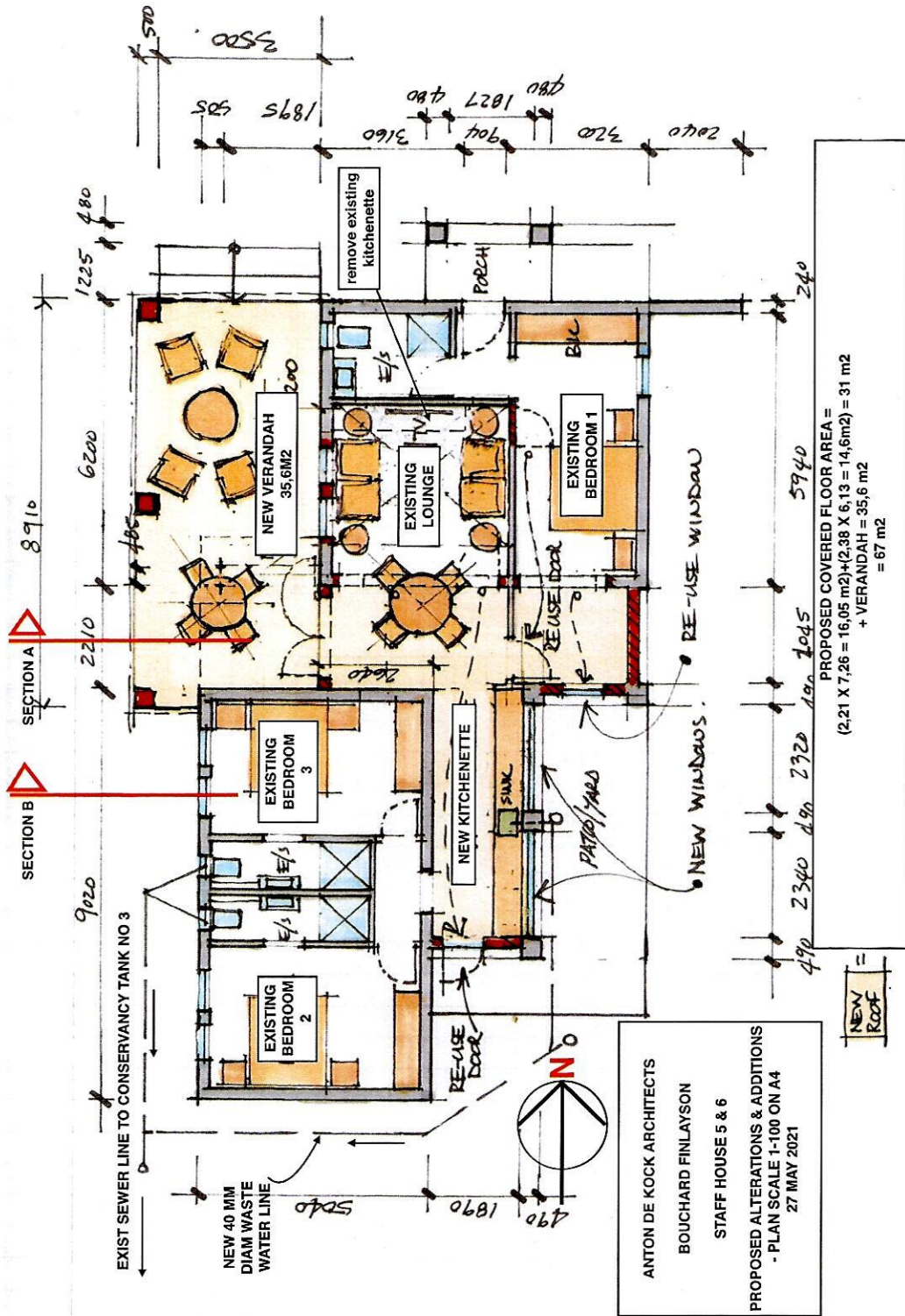
No additional sewer water volume is thus proposed and no additional sewer conservancy storage is thus required

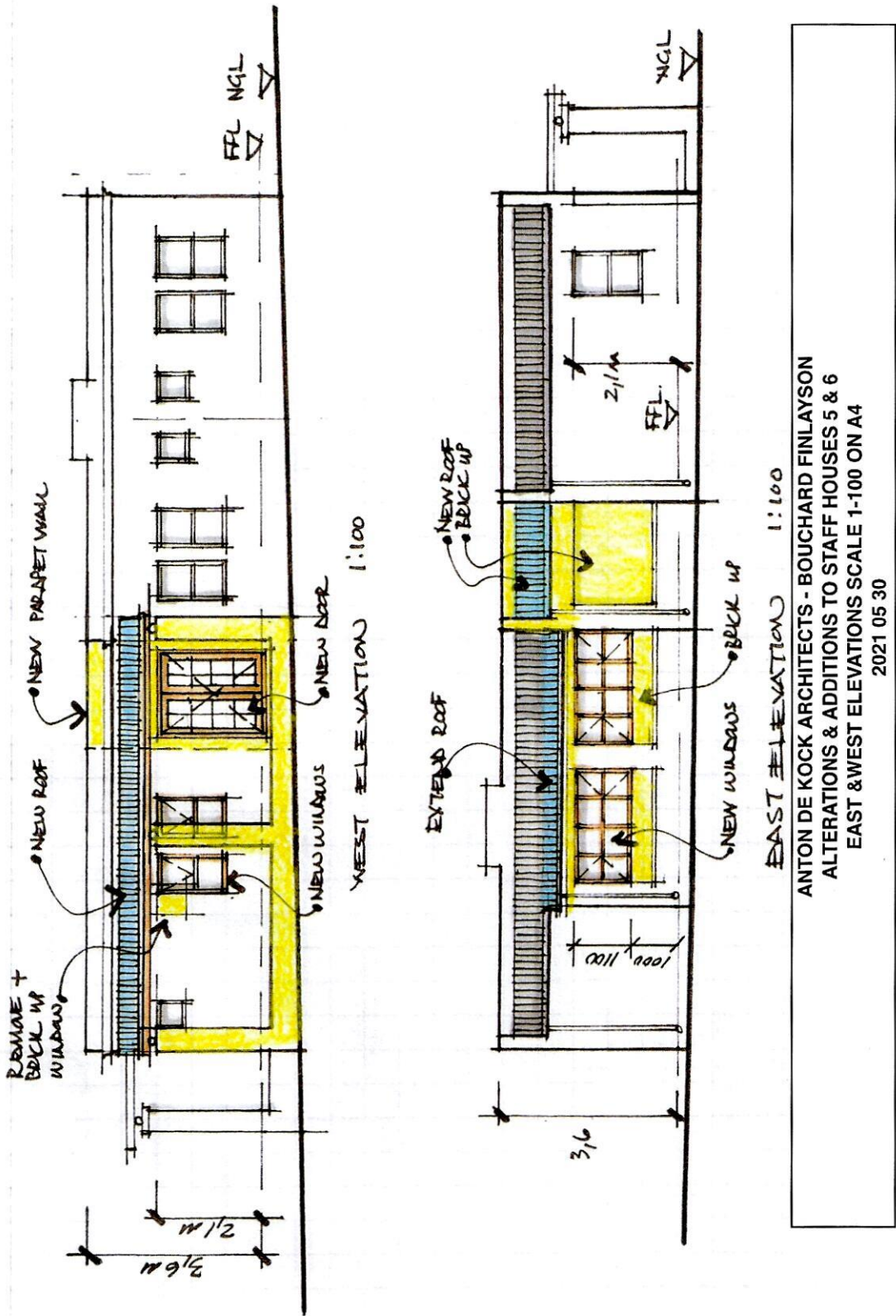
STAFF HOUSES 5 & 6 : PARKING AND TRAFFIC

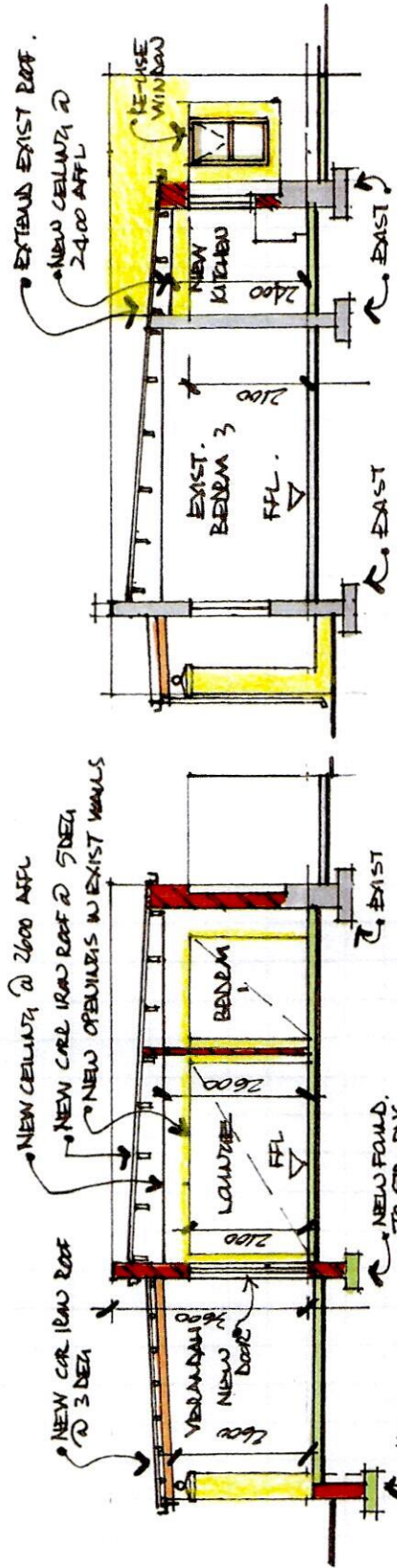
No additional parking bays are proposed On- site requirements and provisions remain as previously defined above.

“ Addendum A-1 “

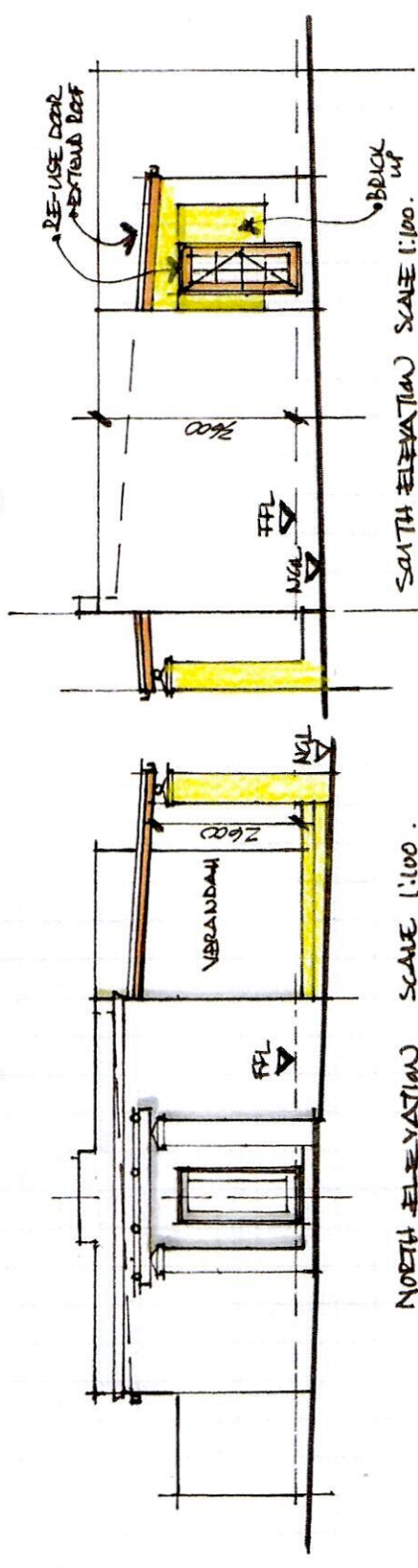
- ARCHITECTURAL PRESENTATION, STAFF HOUSES 5 & 6 , DATED MAY 2021 , APPROVED BY THE OWNERS 27 MAY 2021







SECTION (A) SCALE 1:100



SECTION (B) SCALE 1:100

SECTION (B) SCALE 1:100

ALTERATIONS & ADDITIONS TO STAFF HOUSES 5 & 6 - SECTION A & B, NORTH ELEVATION & SOUTH ELEVATION - SCALE 1:100 ON A4
 ANTON DE KOCK ARCHITECTS - BOUCHARD FINLAYSON
 2021 05 30

“Addendum A-2” - (Added 2021 08 07) Base Level and Building heights

BOUCHARD FINLAYSON -SDP MOTIVATION REPORT - BUILDING HEIGHT 2021 08 07

BASE LEVEL AND HEIGHT OF BUILDINGS

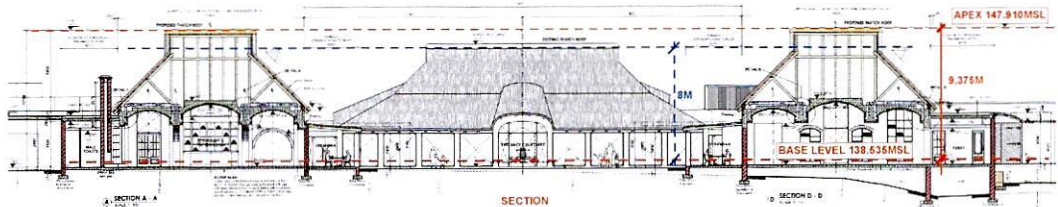
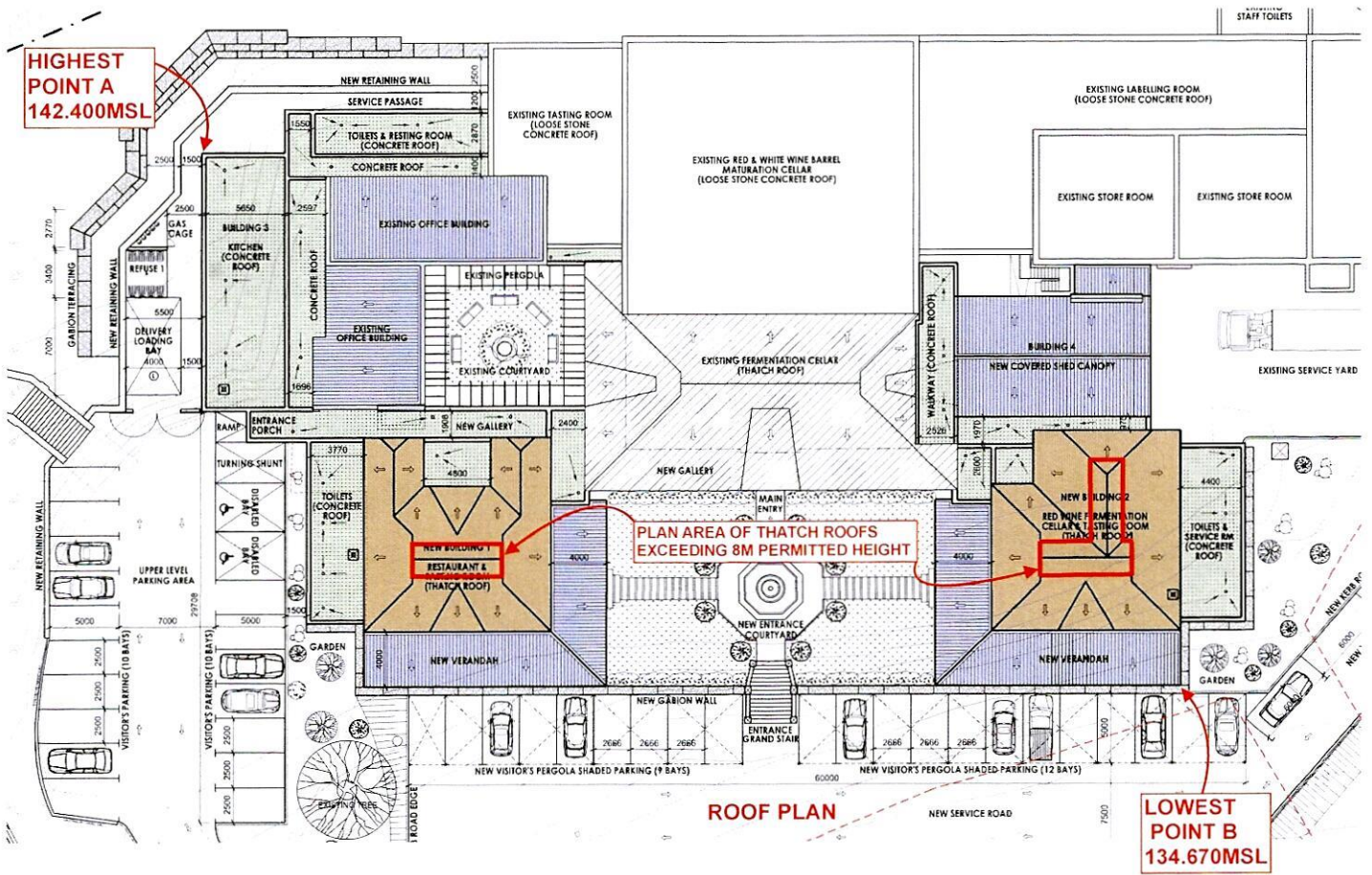
- as per Schedule 2 of Bylaw, Overstrand Municipality Land Use Scheme 2020

Agriculture Zone 1: Permitted height to be 8 m above base level

Ref to Roof Plan and Section

Base level calculation :

Highest point : Point A : 142,400 MSL
 Lowest point : Point B : 134.670 MSL
 Total 277.070
 Average $277.250/2 = 138.535$ MSL



The level of the top of the two thatch roofs is 147.910 MSL. The maximum height of the thatched roofed buildings is thus 147.910 MSL less the base level of 138.535 MSL = **9,375 m**
 The proposed total height of the proposed buildings, including roofs, thus exceeds the permissible height of 8m for buildings in Agri Zone 1, **by 1,375 m**

“Addendum A-2” - (Added 2021 08 07) Base Level and Building heights

Motivation to exceed permissible building height of 8m

- 1) The roofs exceeding the permissible height are thatch roofs, a natural and traditional Cape roofing material
- 2) The appearance of the colour of the thatch roofing material is recessive by nature
- 3) The building area exceeding the permitted height is insignificant relative to the total footprint of the proposal -

The total proposed building footprint area is 1295m²

The total proposed building footprint area exceeding 8m height is 48,9m²

The building area exceeding 8m height is 3,77% of the proposed building footprint area

- 4) Part of Building 2 is purposed for Wine Making operations and require clear spans and a clear height of approx 5m over a floor space of 9m x 9m. We understand that the Town Planning Scheme allows for building heights up to 12 m to accommodate Farm operation activities.

**“Addendum A-3” (Added 2021 07 03) Refuse
DOC ITEM- REFUSE REMOVAL AND DISPOSAL**

All Glass, Paper, Cardboard & plastic waste products are separated and delivered to Hermanus Recycling.

Used corks are collected and returned to the supplier for recycling.

Organic and all other waste is delivered weekly to the Hermanus Municipality “Oorlaaistatie”

A 5 tonne truck takes all refuse once a week on a Friday to Hermanus for further processing

REFUSE AREA 1

A refuse area of 10 m² (screened from Public view)

is proposed outside the Kitchen for the Restaurant and Office areas.

Area calculation as follows :

(a) required refuse area for Restaurant & Kitchen area: 2m² per 100 m² =

actual area 453m² divided by 100m² = 4,53, multiplied by 2m² = 9,06 m² (rounded)

plus

(b) required refuse area for Offices : 0,5m² per 100 m²

actual area: 166m² divided by 100m² = 1,66 multiplied by 0,5m² = 0,83 m²

(a) plus (b) = 9,89m² = **10 m²** (rounded)

REFUSE AREA 2

A refuse area of 4,5m² (screened from Public view)

is proposed outside the Wine Tasting area.

Area calculation as follows:

required refuse area of **Wine Tasting & Services area**: 2m² per 100 m² =

actual area: 218m² divided by 100m² = 2,18, multiplied by 2m² = **4,5m²** (rounded)

Bulk refuse storage for existing operations is located near the tractor store , near the entrance to the Farm and screened from Public view. Refuse from the Restaurant Office and Wine Tasting Refuse areas will be carted to the existing bulk storage area on a daily basis and further processed from this locality

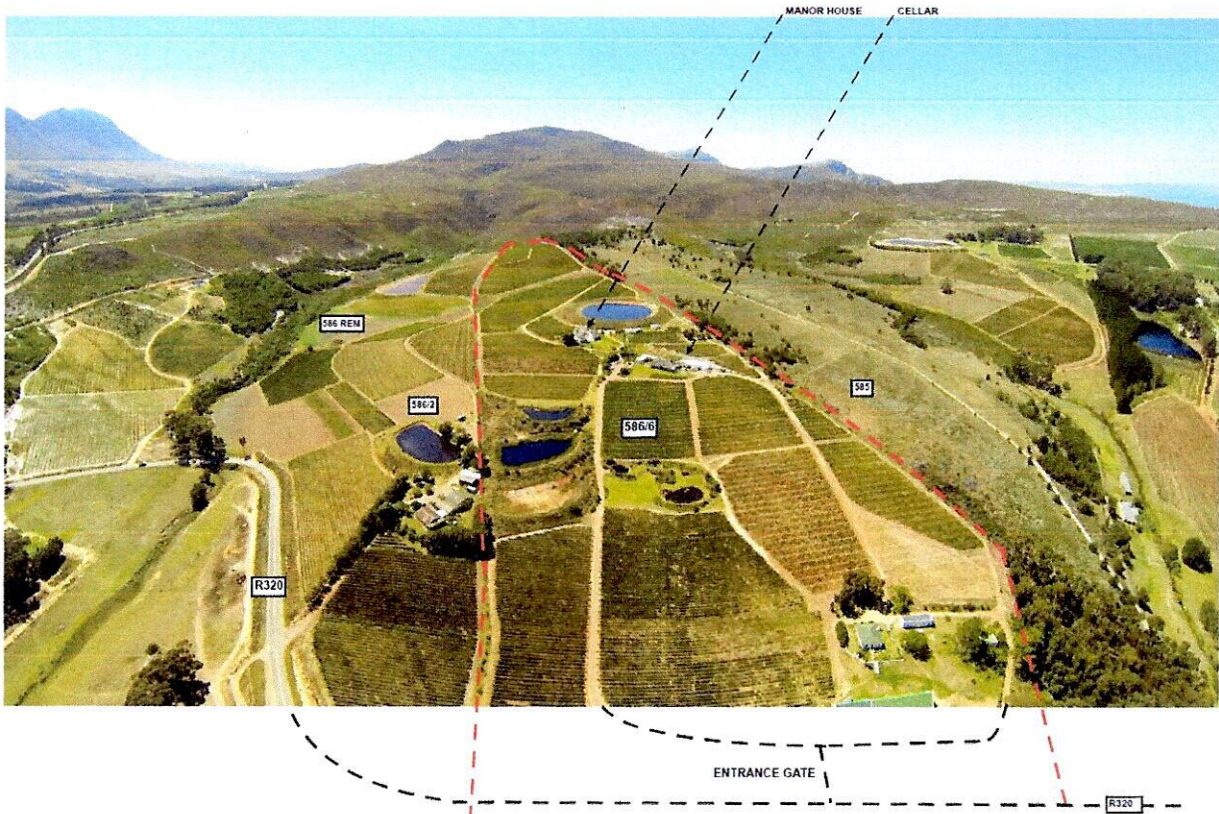
The additional organic waste which will be generated by the commercial kitchen and restaurant needs to be considered. It is envisaged that a dedicated composting producing area will be established on the Farm to enable local composting on site.

"Addendum C-1" - (Added 2021 08 05) Parking Calculation

BOUCHARD FINLAYSON PARKING CALCULATION BASED ON SCHEDULE 2 OF OVERSTRAND BY LAW OF 2020	
VISITORS PARKING BAYS REQUIRED	AS DEFINED UNDER AGRICULTURAL INDUSTRY & TOURIST FACILITIES: RESTAURANT & RECREATIONAL FACILITIES (I.E. WINE TASTING AREAS)
	REQUIRED : 4 BAYS PER 100 M2 OF GLA
	GLA = 473m2 (Restaurant) + 444m2 (Wine tasting areas) = 917M2
	917m2 / 100m2 = 9,17 x 4 bays = 36,68 Bays
TOTAL VISITORS BAYS REQUIRED	37 VISITORS BAYS
TOTAL VISITORS BAYS PROVIDED	44 VISITORS BAYS
BAYS FOR THE DISABLED	REQUIRED : 1 BAY PER 25 VISITORS BAYS OR PART THEREOF
	37 BAYS / 25 = 1,84 = 2 BAYS
	NOTE : Of the 44 bays provided, 2 bays are dedicated for use by the disabled , thus 42 bays will be available for general visitors. An additional 5 bays are provided, in excess of the required 37 bays
OFFICE STAFF PARKING BAYS REQUIRED	4 BAYS PER 100 m2 of GLA
	GLA=160 m2
	160m2/ 100 m2 = 1,6 x 4 bays = 6,4 bays
	7 STAFF BAYS REQUIRED
OFFICE AND KITCHEN STAFF	TOTAL ACTUAL STAFF NUMBER EXPECTED TO ARRIVE BY PRIVATE PASSENGER CAR = 12 STAFF
TOTAL STAFF BAYS PROVIDED	12 BAYS
	NOTE: 6 BAYS ALLOCATED AT CARPORT AREA AT MANOR HOUSE AND 6 BAYS AT STORES
	VISITORS AND STAFF PARKING BAYS
ALL	TOTAL NUMBER OF PARKING BAYS REQUIRED = 44 BAYS
ALL	TOTAL NUMBER OF PARKING BAYS PROVIDED = 56 BAYS

9) "Addendum D"

ADDITIONAL MOTIVATION (AS AMENDED): PROPOSED AMENDMENT OF AN APPROVED SITE DEVELOPMENT PLAN AND DEPARTURES: PORTION 6 OF THE FARM NO. 586, CALEDON ("BOUCHARD FINLAYSON")



1. The report below serves as addendum motivation to the land use application submitted by **Messrs Anton de Kock Architects** ("the architect") and dated 31 May 2021 to the Overstrand Municipality ("the Council"), and relating to proposed alterations and additions (including an amendment of the Site Development Plan) to the existing buildings on this portion of the farm, known as "Bouchard Finlayson".
2. This addendum must be read and considered with the motivation submitted by the architect (dated 27 May 2021) and which is already in Council's possession.
3. Subsequent to the submission of the application, the Municipality requested vide a letter for additional information (dated 8 June 2021) that additional information be provided with respect to the adjudication criteria contained in the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020. The request also relates to certain documentation which are submitted to the Council together with this addendum motivation.
4. An extension of time (until 6 July 2021) to submit the above-mentioned information and documents was granted by the Council.
5. The relevant land use applications are in terms of Section 16(2)(b), (l) & (o) of the Overstrand Municipality Amendment By-Law: 2020 for the following:
 - 5.1 Permanent departure from Chapter 5: Section 5.1.2(a) to permit a total floor space of **5713m²** in lieu of a floor space of 5000m² permitted.

5.2 Permanent departure from Chapter 5: Section 5.1.2(c) to permit the maximum height of the proposed buildings to be 9,375m from the base level to the top of the structure, in lieu of 8m permitted.

5.3 Council's consent in terms of Chapter 5: Section 5.1.1(b) to permit "agricultural industry" and "tourist facilities" (i.e. the proposed restaurant, wine tasting facility etc.) on the Agriculture Zone 1 property.

5.4 Council's approval to permit the amendment of the approved Site Development Plan to permit the above-mentioned alterations and additions.

6. ADJUDICATION CRITERIA

The following are the adjudication criteria contained in Section 66 of the By-Law, and which must be taken into account when assessing the application.

66. General criteria for consideration of applications

- (1) When the Authorised Official or Municipal Planning Tribunal considers an application it must have regard to the following:
 - (a) the application submitted in terms of this By-law;
 - (b) the procedure followed in processing the application;
 - (c) the desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding proposed land uses;
 - (d) the comments in response to the notice of the application and the comments received from organs of state and internal departments;
 - (e) the response by the applicant to the comments referred to in paragraph (d);
 - (f) investigations carried out in terms of other laws which are relevant to the consideration of the application;
 - (g) a registered planner, or a planner eligible for registration, written assessment, which includes:
 - (i) an amendment of a Spatial Development Framework or land use scheme
 - (ii) an approval of an overlay zone contemplated in the land use scheme
 - (iii) a phasing, amendment or cancellation of a subdivision plan or part thereof
 - (iv) a determination of a zoning
 - (v) a rezoning
 - (h) the integrated development plan and Municipal Spatial Development Framework;
 - (i) the applicable Local Spatial Development Frameworks adopted by the Municipality;
 - (j) the applicable policies of the Municipality that guide decision-making;
 - (k) the Provincial Spatial Development Framework;
 - (l) where applicable, the regional spatial development framework;
 - (m) the policies, principles, planning and development norms and criteria set by national and provincial government;
 - (n) the matters referred to in Section 42 of the Spatial Planning and Land Use Management Act;
 - (o) the principles referred to in Chapter VI of the Land Use Planning Act; and
 - (p) the relevant provisions of the land use scheme.
- (2) A 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—
 - (a) is consistent with the development parameters of the zoning;
 - (b) is consistent with the development parameters of the overlay zone;
 - (c) complies with the conditions of approval; and
 - (d) complies with this By-law.
- (3) When a site development plan is required in terms of development parameters or conditions of approval—
 - (a) the Municipality may not approve a building plan if the site development plan has not been approved; and
 - (b) the Municipality may not approve a building plan that is inconsistent with the approved site development plan.

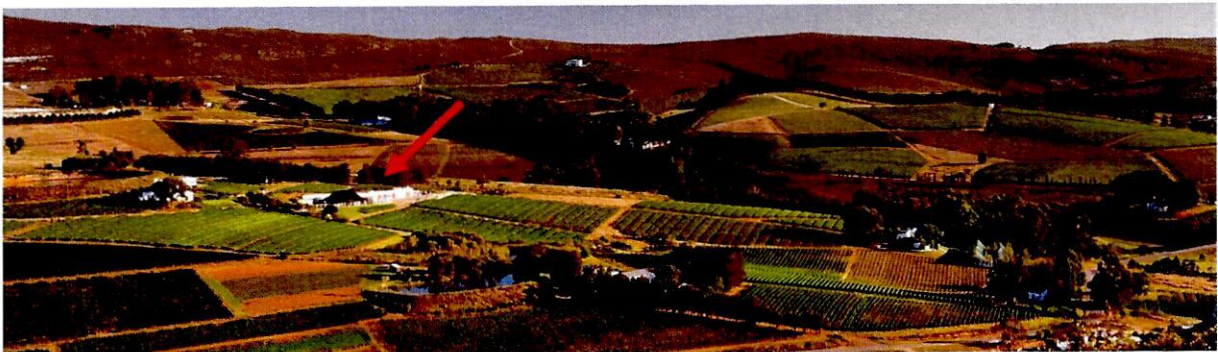
7. MOTIVATION

The proposal is considered desirable, compliant with the various approved statutory documents and legislation, and satisfies the applicable adjudication criteria, as demonstrated below:

- Bouchard Finlayson (“the Farm”) is an establish, well-known and award-winning wine farm in the Hemel-en-Aarde Valley, just outside Hermanus. Together with the many other tourist facilities/attractions in this Valley, it has established itself as a popular and desirable destination place for local and international tourists alike.

The road through the Valley (Main Road R320) is, for example, identified as a “major scenic route” in the PSDF.

- The Farm is but one of many numerous wine farms and other facilities (on similar Agriculture Zone 1 zoned farms) that are used for tasting, restaurant, wedding, accommodation and other outdoor activities purposes. Bouchard Finlayson already contains a wine tasting facility (which also offers meals, albeit on a relatively limited scale, at present).
- It is noted that a considerable number of building plans (permitting the existing land uses) have been approved over the years, as confirm
- Some of the main positives of the Valley, as well as of the Farm itself, is the rural character and location of these facilities (as demonstrated on the image below of the Farm; existing wine cellar is identified with the arrow), the spectacular views, proximity to Hermanus (itself a popular tourism destination famous for, *inter alia*, whale watching and shark diving) and Cape Town, and – of course – good wine, among other things.



7.1 Provincial Spatial Development Framework (PSDF)

- The Western Cape Provincial Spatial Development Framework (‘PSDF’) was approved in 2009 as a Section 4(6) Structure Plan in terms of the repealed Land Use Planning Ordinance 15 of 1985 (LUPO), which Framework provides to guide municipal Integrated Development Plans and Spatial Development Frameworks.
- The over-arching aim of the PSDF is to guide and encourage the growth of the Western Cape’s economy.
- That said, the PSDF seeks to improve the effectiveness of public investment in the Western Cape’s built and natural environments by:

- adopting credible spatial planning principles to underpin all capital investment programmes,
 - spatially targeting and aligning the various investment programmes, and
 - opening-up opportunities for community and business development in targeted areas.
- The PSDF serves to guide the location and form of public investment in the Western Cape’s urban and rural areas, and has an important contribution to make by providing clarity and certainty on where public infrastructure investment will be targeted) thereby opening-up new economic opportunities in these areas.
 - One of the policies of the PSDF relates to “diversify and strengthen the rural economy” (including for developments outside the “urban edge” such as the Farm):

“Compatible and sustainable rural activities (i.e. activities that are appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate) and of an appropriate scale and form can be accommodated outside the urban edge”.
 - The PSDF promotes the protection, management and enhancement of senses of place, cultural and scenic landscapes by means of the following:
 - Using heritage resources, such as the adaptive use of (historic) buildings to enhance the character of an area, stimulate urban regeneration, encourage investment and create tourism opportunities, while ensuring that interventions in these heritage contexts are consistent with local building and landscape typologies, scale, massing, form and architectural idiom.
 - The proposal is considered entirely consistent with, and supportive of, the PSDF by directly supporting tourism and thus the economy, by contributing to much-needed job creation (and retaining those jobs) which directly benefit and support the rural community, by diversifying tourism, economic and recreational facilities and opportunities, and at the same time protecting the historic and natural environment, as well as retaining valuable agricultural land.
 - Lastly, and as is demonstrated above, the proposal is consistent with various Policies contained in the document e.g.
 - Policy R1: Protecting biodiversity and ecosystem services,
 - Policy R3: Safeguard the Western Cape’s agricultural...resources, and manage their sustainable use,
 - Policy R5: Safeguard cultural and scenic assets,
 - Policy E2: Diversify and strengthen the rural economy (including the strengthening of rural livelihoods),
 - Policy S1: Protect, manage and enhance the sense of place, cultural and scenic landscapes, to enhance the character of an area, encourage investment and create tourism opportunities...while ensuring that such proposals are consistent with local building and landscape typologies, scale, massing, form and architectural form),
 - Policy S3: Promote compact, mixed use and integrated settlements (i.e. prioritise rural development investment...acknowledging that agriculture and tourism remain important economic underpinnings of rural settlements).
 - As already noted, the Farm takes direct access off Main Road R320 (the main route through the Valley). This road is an identified “tourism route” with the Farm (and the Valley) being in and in

close proximity to an identified “leisure” area, close to an identified “Regional Centre” (Hermanus).

- The proposal is considered to be highly desirable given its context, and is also considered consistent with the principles of the PSDF. It is a sensitive, sensible and contextually appropriate application.
- The Valley and the Farm play an important part in supporting (rural) tourism and by directly contributing – significantly, to the Western Cape’s economy. It also has a very direct and substantial positive impact on the economy and attraction of Hermanus.
- In this regard, the proposed consent to permit the expansion of the existing “agricultural industry” and “tourist facilities” is considered desirable and consistent with the principles of the PSDF, and it should be supported.

7.2 Western Cape Land Use Planning Guidelines for Rural Areas (2019):

The proposed is considered consistent with the principles of this document in that it complies with and support the following:

- It promotes sustainable development in appropriate rural locations,
- It safeguards priority biodiversity area and ecosystems (it is not next to a river, for example),
- It helps the Municipality to manage its rural areas more effectively, and
- It supports the principles of the zoning scheme and SDF (see below).

7.3 Overstrand Integrated Development Plan (IDP)

- The proposal is **consistent** with the IDP in that it directly supports the Mission of the IDP:

“Creation of sustainable communities by delivering optimal services to support economic, social and environmental goals in a politically stable environment.”

And it also supports the IDP with regard to one of its Strategic Goals:

“The promotion of tourism, economic and social development.”

The IDP identifies “tourism” as a “key economic driver in the Overstrand Area”, and recognizes wine farms (of which there are 26) as one of the top 5 agri-tourism activities in the municipality.

As such, the proposal should be supported.

7.4 Overstrand Municipality Spatial Development Framework (MSDF)

The proposal is **consistent** with the MSDF (a component of the IDP) in that it supports the objective of creating and supporting an integrated, sustainable and habitable region and town. This can be achieved by inter alia increasing and supporting tourism facilities which directly supports the local economy as well as lead to the creation of employment opportunities and thus the reduction of unemployment.

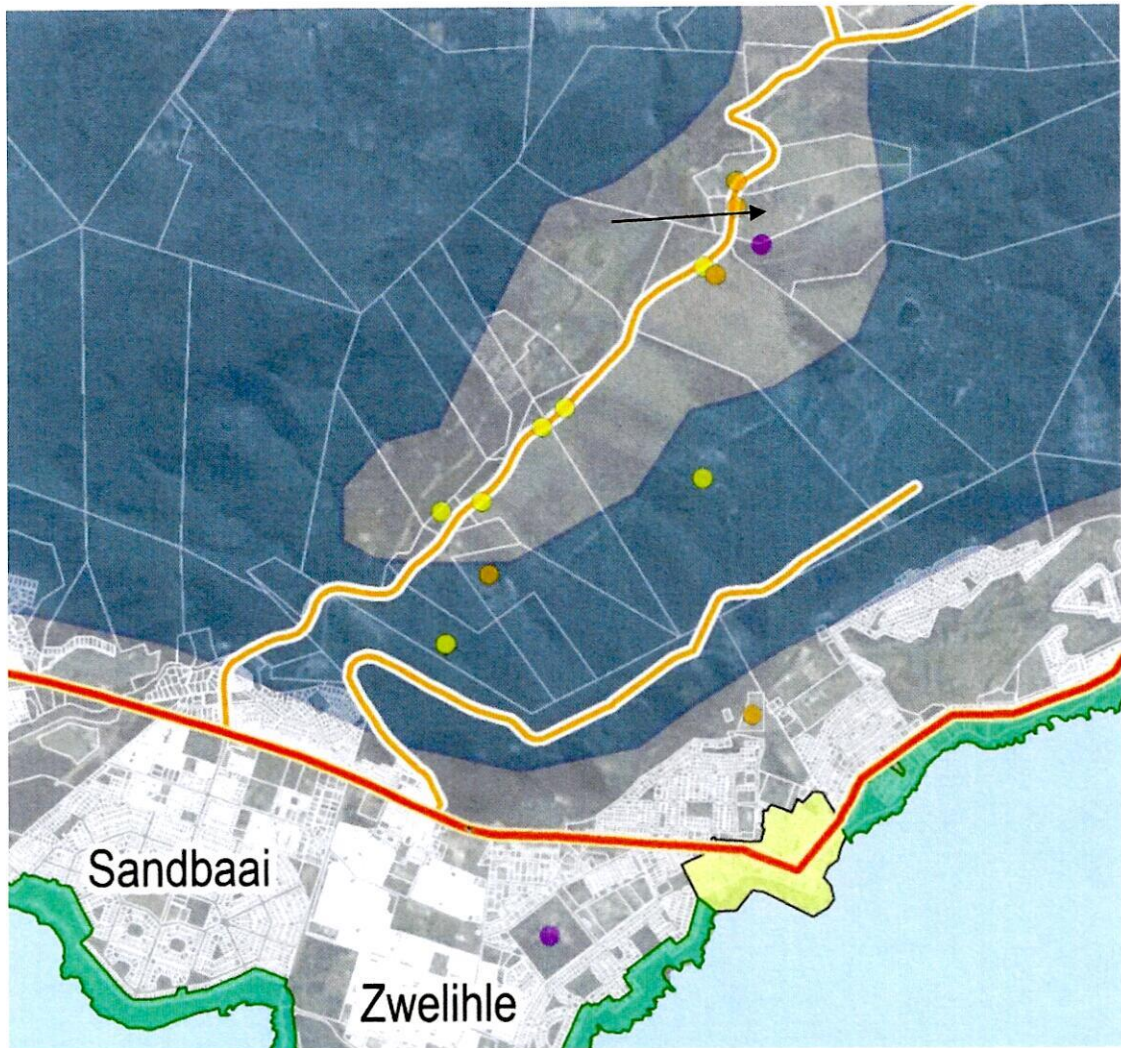
7.5 SLUMA AND LUPA

The proposal is consistent with the principles of the following in SPLUMA and LUPA:

- **Spatial sustainability:** The proposal encourages and supports the development of sustainable and viable communities in sustainable and appropriate locations, and it also protects and manages natural resources. The additional employment opportunities that will be created during construction as well as on a permanent basis thereafter, will promote economic growth and stability.
- **Spatial resilience:** The proposal, by creating more employment opportunities and hence income for the employees, will help to protect them from the effects of “economic shocks” and to be financially more resilient.
- **Spatial efficiency:** By making use (partially) of existing structures, but also by adding new structures on land that has already been disturbed, the proposal optimises the use of the existing resources and infrastructure which will, in turn, minimise the impact on the environment.
- **Spatial justice:** The proposal will, by creating additional employment opportunities in close proximity to areas where great unemployment exists, help to alleviate poverty and will therefore support the principle of spatial justice.

7.6 Schedule 2: Overstrand Municipality Land Use Scheme, 2020

- With regard to the Heritage Protection Overlay Zone (HPOZ), the following is noted:
 - The Farm takes access off a road that is identified as a “route of local scenic significance”.
 - Given the fact that proposed buildings are in excess of 400m from this road, as well as their relative low height and backdrop of mountains, it is not believed that the proposed height departure will have any material impact on this road (or views from it), and the proposal is considered desirable.
 - The property is not situated in a Local or Coastal Strip HPOZ.
 - The property is – primarily, outside the identified HPOZ area for “significant landscape: very high”. Only the extreme eastern portion of the Farm falls within this area; the area where the proposed building work is situated is not affected.



- The only structure on the Farm which is older than 60 years and may be considered to have some heritage value is an old cottage which is not part of the proposed alterations and additions.
- It is not clear whether the property is situated within or affected by an Environmental Management Overlay Zone, and the Council is kindly requested to confirm this. If applicable, the application can be amended to include reference to this aspect.

7.6.1 Miscellaneous

- There is no building line departure; the proposal complies with the applicable 30m common boundary building line that applies to properties zoned Agriculture Zone 1.
- There is no parking departure (sufficient on-site parking will be provided as required by the Zoning Scheme) for the “agricultural industry” and “tourist facilities” (restaurant and tasting room).
- The existing entrance to the Farm from the R320 will be retained.
- Sufficient sight lines into both directions exist, as demonstrated on the Google Street images below:



The main road through the Hemel-en-Aarde Valley in a northern direction (entrance to Bouchard Finlayson is to the right).



The main road through the Hemel-en-Aarde Valley in a southern direction (entrance to Bouchard Finlayson is to the left).

- It is not believed that the proposal will cause any undue traffic congestion or safety hazards; however, the application will be circulated to the relevant technical branch (Transport) to comment on.
- There are no title deed conditions which restricts the proposal.
- With regard to the fact that the Farm is situated outside the “Urban Edge”, the proposal is not a form of “township development” in the traditional sense of the word, but purely with the aim to enhance and encourage agri-tourism, which is permitted with Council’s consent. In fact, (and without citing precedent), the proposal is entirely within the existing character of the Hemel-en-Aarde Valley which is dotted with similar tourism facilities.

- The proposed height departure is considered desirable for the following reasons:
 - The proposed height of 9.375m is only 1.375m higher than permitted (8m). The proposed departure is not considered material and is considered relatively insignificant given the context of the area and the fact that the buildings are more than 400m from the main road.
 - It must also be noted that agricultural buildings could be up to 12m in height.
 - The proposed height is specifically aimed to be in character and in harmony with the roof (including its height) of the existing manor house and wine cellar (see images below); it would therefore not detract from what is already on the property.



The existing Manor House on the Farm



View of the manor house (left) and the existing wine tasting facility/cellar to the right.

- The proposed roofs will consist of thatch which is a natural product of a relatively dark colour, and which fits comfortably in the area from a visual and aesthetic point of view. (It is not a shining and “hard” roof consisting of corrugated iron sheets, for example).
- In the event, the proposed departure is considered desirable and will not have any material impact on the natural environment, views, or neighbouring properties.
- The proposed floor space departure is also considered desirable for the following reasons:
 - The departure is only to permit 640m² extra floor space.
 - Given the fact that the Farm measures 32,32 ha (32 3200m²), this constitutes a negligible 0,0019% of the entire farm area.
 - It is noted that the Council may relax the 5000m² floor space restriction (if required for bona fide farming activities); it is therefore not considered inappropriate or unreasonable to request Council to also relax this floor space restriction for the proposed tourism facilities, given the obvious and already-demonstrated desirability of the proposal.
- The application complies with the minimum threshold requirements of the By-Law, and as such, it should be approved.
- The proposal will not have any impact on existing rights.
- The proposal will, as demonstrated, have positive socio-economic impacts by (i) creating more employment opportunities (both temporary during construction and permanent post-construction) with direct positive impact on employees’ lives, (ii) actively support the local and Provincial economy, and (iii) improve the viability and attraction of the Farm.
- The proposal will be fully compatible with the surrounding land uses and with the Valley in general, and is considered compatible with the character of the natural and built environment.

- The Farm already has sufficient infrastructure and engineering services to accommodate the proposal; however, the proposal should be circulated to the Council's internal branches for comment. Where necessary (unlikely) the necessary and required upgrading of infrastructure will be for the owner's own cost.
- Given that the subject structures and particular area earmarked for the alterations and additions are not older than 60 years or within an HPOZ, there is no impact on heritage.
- The proposal will not have any impact on the biodiversity of the area, given that no natural vegetation will be affected, and the proposal is also not in close proximity to any water course, wetland or similar natural feature.

NOTES:

1. THE ARCHITECT'S RESPONSIBILITY IS TO DESIGN THE BUILDING TO MEET THE SPECIFICATIONS AND STANDARDS OF THE BUILDING DEPARTMENT AND TO PROVIDE THE NECESSARY DETAILS FOR THE CONTRACTOR TO CONSTRUCT THE BUILDING IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS OF THE BUILDING DEPARTMENT.
2. THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OF THE FOUNDATION OR THE STRUCTURE OF THE BUILDING.
3. THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OF THE MECHANICAL, ELECTRICAL, OR PLUMBING SYSTEMS.

SPECIFICATIONS:

1. FOUNDATION: CONCRETE ON GRADE.

2. WALLS: 8" CMU WITH 1/2" GYPSUM BOARD ON INTERIOR AND EXTERIOR.

3. ROOF: ASBESTOS-FLAME RESISTANT FIBERGLASS/CEMENT FLOORING.

4. FLOORING: POLISHED CONCRETE.

5. PAINTS: EXTERIOR - 100% SOLID VINYL FLUOROPOLYMER EMULSION; INTERIOR - 100% SOLID VINYL FLUOROPOLYMER EMULSION.

6. WINDOWS: 1/2" GLASS UNITS WITH 1/2" AIR SPACE AND 1/2" POLYURETHANE INSULATION.

7. DOORS: 1 3/4" SOLID CORE WITH 1/2" AIR SPACE AND 1/2" POLYURETHANE INSULATION.

8. ROOFING: 2" POLYURETHANE INSULATION WITH 1/2" GYPSUM BOARD ON TOP.

9. MECHANICAL: 14.5 SEER AIR CONDITIONING SYSTEMS.

10. ELECTRICAL: 120/240V SINGLE PHASE SERVICE WITH 100 AMP MAIN BREAKER.

11. PLUMBING: 1/2" COPPER WATER PIPING WITH 1/2" PEX RADIANT HEATING/COOLING PIPING.

12. FINISHES: INTERIOR WALLS - 1/2" GYPSUM BOARD WITH VINYL WALLPAPER; INTERIOR FLOORS - POLISHED CONCRETE; EXTERIOR WALLS - 8" CMU WITH STUCCO FINISH; EXTERIOR FLOORS - POLISHED CONCRETE.

FOR APPROVAL

NO.	DATE	DESCRIPTION
1	10/15/2024	PRELIMINARY DESIGN
2	11/05/2024	FINAL DESIGN
3	11/20/2024	PERMITS
4	12/01/2024	CONSTRUCTION
5	12/15/2024	COMPLETION

ANTON DE KOCK ARCHITECTS
 SAA PRACTICE NO. PD 8395
 58 PEARSON DRIVE, SUITE 100
 FARMERSBURGH, NY 12526
 TEL: 518.491.6805
 EMAIL: anton@adkarch.com
 WWW: ADKARCH.COM

ARCHITECT

PROPOSED ALTERATIONS AND ADDITIONS TO EXISTING

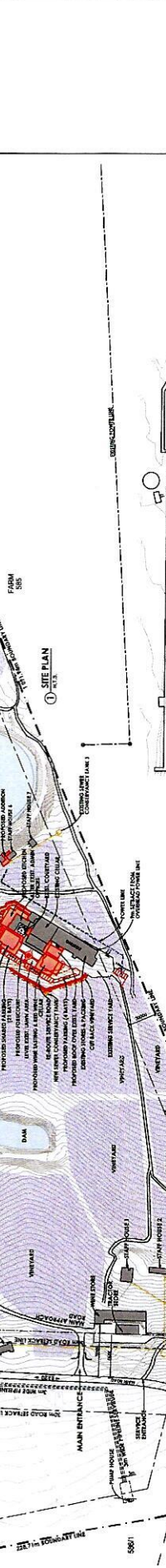
CUBIT

BOUCHARD FINLAYSON (PTY) LTD
 FARMERSBURGH POSITION 6
 DRAWING TITLE
 SITE AND ROOF PLAN

MUNICIPAL APPROVAL

PROJECT NO. 2024/01/02
 DATE 2024/11/20
 DRAWN BY: [Name]
 CHECKED BY: [Name]

APP. NO. BFC LA 1
 DRAWN BY: [Name]
 CHECKED BY: [Name]



SANS 10400 PART 1 (ROOFS)

ROOF RESISTANCE CALCULATION

Roof Type: Flat
 Wind Speed: 42.37 m/s (97.3 mph)
 Exposure Category: B
 Basic Wind Speed: 33 m/s (74 mph)
 Directional Factor: 0.85
 Gust Factor: 1.0
 Risk Factor: 1.0
 Importance Factor: 1.0
 Terrain Factor: 1.0
 Reference Wind Speed: 33 m/s (74 mph)
 Design Wind Speed: 42.37 m/s (97.3 mph)
 Design Wind Pressure: 0.85 x 1.0 x 1.0 x 1.0 x 1.0 x 0.5 = 0.425 kN/m²

Description	Area (m²)	Pressure (kN/m²)	Force (kN)
Roof Deck	1200	0.425	510
Roof Structure	1200	0.425	510
Roof Cladding	1200	0.425	510
Roof Finishes	1200	0.425	510
TOTAL	4800	0.425	2052

NOTE:
 1. ALL BUILDINGS TO BE FINISHED WITH 30m
 2. ALL BUILDINGS TO BE FINISHED WITH 30m

AREA OF VINES TO BE REMOVED = 723.17m²

2 ROOF PLAN
 SCALE: 1:50

