

**ERVEN 596, 597 & 1851, 29, 27 & 31 ANNE ROAD, PRINGLE BAY: APPLICATION FOR SUBDIVISION AND CONSOLIDATION: PLAN ACTIVE (obo W ROUX / G DAEMS & GJ VERGAUWEN)**

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 that an application has been received for Subdivisions in terms of Section 16(2)(d) of the By-Law, as follows:

- Erf 1851 Pringle Bay into a Portion A ( $\pm 80\text{m}^2$ ) and a Remainder ( $\pm 1872\text{m}^2$ );
- Erf 597 Pringle Bay into a Portion B ( $\pm 173\text{m}^2$ ) and a Remainder ( $\pm 1002\text{m}^2$ ); and
- Erf 596 Pringle Bay into a Portion C ( $\pm 143\text{m}^2$ ) and a Remainder ( $\pm 1053\text{m}^2$ ).

Application has also been received for Consolidations in terms of Section 16(2)(e) of the By-Law, as follows:

- Portion A ( $\pm 80\text{m}^2$ ) and Portion B ( $\pm 173\text{m}^2$ ) to be consolidated with Remainder Erf 596, Pringle Bay to create a newly consolidated erf of  $\pm 1306\text{m}^2$  in extent.
- Portion C ( $\pm 143\text{m}^2$ ) to be consolidated with Remainder Erf 1851, Pringle Bay to create a newly consolidated erf of  $\pm 2015\text{m}^2$  in extent.

The purpose of the application is to realign the erf boundaries to accommodate existing structures on Erf 596, Pringle Bay.

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](mailto:loretta@overstrand.gov.za)) on or before **22 October 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 596, 597 & 1851, ANNEWEG 29, 27 & 31, PRINGLEBAAI: AANSOEK OM ONDERVERDELING EN KONSOLIDASIE: PLAN ACTIVE (nms W ROUX / G DAEMS & GJ VERGAUWEN)**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek ontvang is vir Onderverdelings ingevolge Artikel 16(2)(d) van die Verordening, soos volg:

- Erf 1851 Pringlebaai in 'n Gedeelte A ( $\pm 80\text{m}^2$ ) en 'n Restant ( $\pm 1872\text{m}^2$ );
- Erf 597 Pringlebaai in 'n Gedeelte B ( $\pm 173\text{m}^2$ ) en 'n Restant ( $\pm 1002\text{m}^2$ ); en
- Erf 596 Pringlebaai in 'n Gedeelte C ( $\pm 143\text{m}^2$ ) en 'n Restant ( $\pm 1053\text{m}^2$ ).

Aansoek is ook ontvang vir Konsolidasies ingevolge Artikel 16(2)(e) van die Verordening, soos volg:

- Gedeelte A ( $\pm 80\text{m}^2$ ) en Gedeelte B ( $\pm 173\text{m}^2$ ) moet met Restant Erf 596, Pringlebaai gekonsolideer word om 'n nuutgeskepte gekonsolideerde erf van  $\pm 1306\text{m}^2$  te skep.
- Gedeelte C ( $\pm 143\text{m}^2$ ) moet met Restant Erf 1851, Pringlebaai gekonsolideer word om 'n nuutgeskepte gekonsolideerde erf van  $\pm 2015\text{m}^2$  te skep.

Die doel van die aansoek is vir die herbelyning van die erfgrense om bestaande strukture op Erf 596, Pringlebaai te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en by die 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](mailto:loretta@overstrand.gov.za)) voor of op **22 Oktober 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** at 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.

**IZIZA EZIBIZWA ERVEN 596, 597 & 1851, 29, 27 & 31 ANNE ROAD, PRINGLE BAY: ISAZISO NGOKWAHLUHLULA NOKUHLENGHLENGISA: NGABAKWAPLAN ACTIVE (egameni likaW ROUX / G DAEMS & GJ VERGAUWEN)**

Kukhutshwe isaziso esimayela nemiba yeSoloty lama48 Omthethwana kaMasipala NgeZicwangciso Zokusetyenziswa koMhlaba kaMasipala waseOverstrand, ku2020 isaziso eso sithi kufunyenwe isicelo Sokwahlula-hlula ngokwemiba yeSoloty le16(2)(d) loMthethwana, ehamba ngolu hlobo:

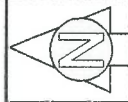
- Isiza uErf 1851 Pringle Bay abe yinxalenye ebizwa uPortion A ( $\pm 80\text{m}^2$ ) neNtsalela ( $\pm 1872\text{m}^2$ );
- Isiza uErf 597 Pringle Bay abe yinxalenye ebizwa uPortion B ( $\pm 173\text{m}^2$ ) neNtsalela ( $\pm 1002\text{m}^2$ ); kunye,
- neSiza uErf 596 Pringle Bay abe yinxalenye uPortion C ( $\pm 143\text{m}^2$ ) neNtsalela ( $\pm 1053\text{m}^2$ ).

Kukwafunyenwe isicelo soHlengahlengiso ngokwemiba yeSoloty le16(2)(e) loMthethwana, ngale miba ilandelayo:

- Inxalenye yesiza esinguPortion A ( $\pm 80\text{m}^2$ ) nesiza esinguPortion B ( $\pm 173\text{m}^2$ ) siza kuhlengahlengisiweyo neNtsalela yesiza uErf 596, Pringle Bay ukudala nokuhlengahlengisa isiza esitsha esingu erf  $\pm 1306\text{m}^2$  ubungakanani.
- Inxalenye yesiza ebizwa uPortion C ( $\pm 143\text{m}^2$ ) iza kulungiselela neNtsalela yeSiza uErf 1851, Pringle Bay ukudala isiza esitsha esihlengahlengiswe nge $\pm 2015\text{m}^2$  ubungakanani.

Injongo yesi sicelo kukungqamanisa nokuhlanganisa imida yesiza ukulungiselela izakhiwo esele zikhona kwiSiza esinguErf 596, Pringle Bay.

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwintsuku zaphakathi evekini phakathi kwentsimbi ye08:00 neye16:30 kwiSebe: Izicwangciso zeDolophu, Paterson Street, Hermanus naseBetty's Bay Library, Clarence Drive, Betty's Bay. Naziphi na izimvo ezibhaliweyo zingangeniswa ngokwezibonelelo zeSoloty lama51 nelama52 zoMthethwana osovuchaziwe ngentla zifike kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) ngomhla okanye ngaphambi komhla wama **22 Okthobha 2021**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla kwakho. Imibuzo ngefowuni ingathunyelwa kuMchwangcisi weDolophu, **Nkszn. H van der Stoep** kwa-028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvula. Nabani na ongakwazi ukufunda nokubhala angandwendwela kwiSebe LeziCwangciso zeDolophu apho igosa likaMasipala liza kumnceda ukufaka izimvo zakhe ngokusemthethweni.



Scale: **NTS**  
 Drawing Nr: **ERF 1851 PBL.dwg**  
 Date: **JULY 2021**

Plan Description:  
**LOCALITY MAP**

Property Description:  
**ERVEN 1851, 596 & 597**  
**PRINGLE BAY**

All distances approximate  
 and subject to survey.  
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 Town & Regional Planners



**PROPOSED SUBDIVISION & CONSOLIDATION (ERF  
BOUNDARY REALIGNMENTS)**

**ERVEN 1851, 596 & 597 PRINGLE BAY**

**DIVISION: CALEDON**

**OVERSTRAND MUNICIPALITY**

**MOTIVATION REPORT**

**1. BACKGROUND**

Plan Active Town & Regional Planners has been appointed by G. Daems and G.J. Vergauwen, the owners of erf 1851 Pringle Bay, and W. Roux, the owner of erven 596 and 597 Pringle Bay, to apply for the subdivision and consolidation (erf boundary realignment) of the respective properties.

Erf 1851 Pringle Bay is 1952m<sup>2</sup> in extent and held by Title Deed no. T49826/2017. Erven 596 and 597 Pringle Bay are 1196m<sup>2</sup> and 1175m<sup>2</sup> in extent respectively and held by Title Deed no. T13599/1983 and T58942/2014 respectively.

The subject properties are currently developed. The structures on erf 596 Pringle Bay are positioned close to the common erf boundaries with erven 1851 and 597 Pringle Bay. As a result, the structures encroach both the lateral building lines on the subject property. The respective owners therefore intend to realign the erf boundaries to accommodate the existing structures on erf 596 Pringle Bay. The realignment of erf 596 and 1851 Pringle Bay will be a land swap; whereas the realignment with erf 597 Pringle Bay will merely be a subdivision and consolidation.

## **2. APPLICATION DETAILS**

Application is made in terms of:

- Chapter 4, Section 16(2)(d) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, for the subdivision of erven 1851 and 597 Pringle Bay;
- Chapter 4, Section 16(2)(e) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, for the consolidation of portions of erven 1851, 596 and 597 Pringle Bay with erven 1851 and 596 Pringle Bay.

## **3. NEED AND DESIRABILITY**

### **3.1 PROPERTY DESCRIPTION**

Erven 1851, 596 and 597 Pringle Bay are situated at 31, 29 and 27 Anne Road, Pringle Bay respectively. Refer to the locality plan attached.

The subject properties are developed with dwellings and outbuildings for single residential use purposes. The erven enjoy spectacular mountain views with erf 1851 Pringle Bay also fronting towards the ocean.

### **3.2 ZONING**

Erven 1851, 596 and 597 Pringle Bay have the following land use rights:

<b>ERF NUMBER</b>	<b>ZONING</b>
Erf 1851	Residential Zone 1: Single Residential (SR1)
Erf 596	Residential Zone 1: Single Residential (SR1)
Erf 597	Residential Zone 1: Single Residential (SR1)

2

Surrounding properties are zoned for single residential, public road and public open space purposes.

### 3.3 LAND USE

The subject properties are currently developed with dwellings and ancillary outbuildings for single residential living purposes.

Land uses that surround the subject properties are single and double storey dwellings (permanent residences and holiday homes), vacant erven and public open spaces.

### 3.4 THE POTENTIAL OF THE PROPERTY

The existing dwelling and outbuilding on erf 596 Pringle Bay are positioned almost on the common erf boundaries with erven 1851 and 597 Pringle Bay. These structures therefore encroach the lateral building lines on both the adjacent properties, erf 1851 and erf 597 Pringle Bay. The application is therefore to realign the erf boundaries of erven 1851, 596 and 597 Pringle Bay to create sufficient lateral building lines for the existing structures on erf 596 Pringle Bay. The erf boundary realignment between erven 1851 and 596 Pringle Bay will be a land swap.

The zoning and land use of the subject property will remain unchanged. The location of the subject properties within an existing established single residential area allows the properties to be developed for low impact land uses only in future. The proposed subdivisions and consolidations (erf boundary realignment) will not hinder any future land use applications on either of the portions after subdivision and consolidation.

When evaluating the proposed subdivisions and consolidations (erf boundary realignment) against surrounding erf sizes, minimum erf sizes, minimum street frontage widths, the proposed layout, etc. it is evident that the subject properties have the potential to be realigned. The extent of the erven after erf boundary realignment is still compatible with the minimum and average erf sizes of the area. The respective sizes of the erven after erf boundary realignment will be  $\pm 2015\text{m}^2$ ,  $1306\text{m}^2$  and  $1002\text{m}^2$  respectively. The erf sizes in the immediate vicinity range from  $999\text{m}^2$  up to  $\pm 1350\text{m}^2$  - with erf 1851 Pringle Bay being an exceptionally large erf in

this residential block. Properties opposite erven 1851, 596 and 597 Pringle Bay range from  $\pm 658\text{m}^2$  to  $750\text{m}^2$  in extent.

The proposed erf shapes follow the existing asymmetrical pattern / layout of this specific residential block. Access to all three the subject properties will remain unchanged from Anne Road.

It is therefore submitted that the proposed erf sizes, erf shapes and accesses for the three newly realigned erven after subdivision and consolidation are compatible with the character of the area and therefore has the potential to be subdivided and consolidated (realigned).

### **3.5 PROPOSAL**

The following are proposed:

- The subdivision of erven 1851, 596 and 597 Pringle Bay in terms of Chapter 4, Section 16(2)(d) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, as follows:
  1. Erf 1851 Pringle Bay:
    - Portion A:  $\pm 80\text{m}^2$ ;
    - Remainder:  $\pm 1872\text{m}^2$ .
  2. Erf 597 Pringle Bay:
    - Portion B:  $\pm 173\text{m}^2$
    - Remainder:  $\pm 1002\text{m}^2$
  3. Erf 596 Pringle Bay:
    - Portion C:  $\pm 143\text{m}^2$
    - Remainder:  $\pm 1053\text{m}^2$
- The consolidation in terms of Chapter 4, Section 16(2)(e) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, as follows:
  1. Portion A ( $\pm 80\text{m}^2$ ) and Portion B ( $\pm 173\text{m}^2$ ) to be consolidated with Remainder erf 596 Pringle Bay ( $\pm 1053\text{m}^2$ ) to create a newly consolidated Remainder erf 596 Pringle Bay of  $\pm 1306\text{m}^2$ .

2. Portion C ( $\pm 143\text{m}^2$ ) to be consolidated with Remainder erf 1851 Pringle Bay ( $\pm 1872\text{m}^2$ ) to create a newly consolidated Remainder erf 1851 Pringle Bay of  $\pm 2015\text{m}^2$ .

The potential of the subject property is discussed in detail in *Section 3.4 Potential of the property*.

When the proposed subdivision and consolidation of erven 1851, 596 and 597 Pringle Bay were considered cognisance was taken of the following criteria:

- physical characteristics of the subject properties;
- compliance with SR1 land use restrictions;
- surrounding and minimum erf sizes;
- accessibility to the subject properties;
- impact on the character of the area;
- asymmetrical pattern and proposed erf shapes;
- applicable spatial planning policies and densification guidelines.

The subject properties are currently developed. The structures on erf 596 Pringle Bay are positioned almost on the common erf boundaries with erven 1851 and 597 Pringle Bay. As a result, these structures encroach both the lateral building lines on the subject property. Refer to the aerial photograph below:



The respective owners therefore intend to realign the erf boundaries to accommodate the existing structures on erf 596 Pringle Bay. The realignment of erf 596 and 1851 Pringle Bay will be a land swap; whereas the realignment with erf 597 Pringle Bay will merely be a subdivision and consolidation.

### 1. Proposes subdivisions

It is proposed to subdivide erf 1851 Pringle Bay as follows:

<b>TOTAL AREA</b>	1952m <sup>2</sup>
<b>AREAS FOR SUBDIVISION</b>	Portion A: ±80m <sup>2</sup> Remainder: ±1872m <sup>2</sup>
<b>OWNERS</b>	Remainder: G. Daems and G.J. Vergauwen Portion A: Transferred to W. Roux
<b>TITLE DEED</b>	T49826/2017

It is proposed to subdivide erf 597 Pringle Bay as follows:

<b>TOTAL AREA</b>	1175m <sup>2</sup>
<b>AREAS FOR SUBDIVISION</b>	Portion B: ±173m <sup>2</sup> Remainder: ±1002m <sup>2</sup>
<b>OWNERS</b>	Remainder: W. Roux Portion B: W. Roux
<b>TITLE DEED</b>	T58942/2014

It is proposed to subdivide erf 596 Pringle Bay as follows:

<b>TOTAL AREA</b>	1196m <sup>2</sup>
<b>AREAS FOR SUBDIVISION</b>	Portion C: ±143m <sup>2</sup> Remainder: ±1053m <sup>2</sup>
<b>OWNERS</b>	Remainder: W. Roux Portion C: Transferred to G. Daems and G.J. Vergauwen
<b>TITLE DEED</b>	T13599/1983

Refer to the subdivision and consolidation plan attached.

## 2. Proposed consolidations

It is proposed to consolidate the subject properties as follows:

Newly consolidated remainder erf 596 Pringle Bay:

<b>TOTAL EXTENT OF PROPOSED CONSOLIDATION</b>	±1306m <sup>2</sup>
<b>PROPOSED CONSOLIDATION</b>	Portion A: ±80m <sup>2</sup> Portion B: ±173 Remainder erf 596: 1053m <sup>2</sup>

Newly consolidated remainder erf 1851 Pringle Bay:

<b>TOTAL EXTENT OF PROPOSED CONSOLIDATION</b>	±2015m <sup>2</sup>
<b>PROPOSED CONSOLIDATION</b>	Portion C: ±143m <sup>2</sup> Remainder erf 1851: 1872m <sup>2</sup>

Refer to the proposed subdivision and consolidation plan attached.

## 3. General

No densification is proposed with this application. At present there is no site development plans available for the future development of the consolidated properties (if any). Further development of the respective erven after the erf boundary realignment will be done in accordance with the Amended Overstrand Municipal Planning By-Law, 2020. The zoning of the newly realigned erven will remain unchanged (Residential Zone I: Single Residential).

The subdivision lines were determined to create sufficient lateral building lines for the existing structures on erf 596 Pringle Bay. Minimum common boundary building lines of 2m (from the proposed subdivision line / new erf boundary) and street building lines of 4m will apply to all the newly realigned portions. As described in *Section 3.4 Potential of the Property* the erf sizes after the erf boundary realignment are still compatible with the minimum and average erf sizes of the immediate residential area.

It was attempted to keep the subdivision lines as simple and practical as possible to

avoid creating unfeasible erf shapes that would have an impact on the future development of the subject properties as well as the character of the area. This residential area is characterised by asymmetrical shaped erven and as a result the proposed erf shapes after subdivision and consolidation are still compatible with the area.

The proposed subdivisions and consolidations (erf boundary realignment) adhere to all other land use restrictions in the Overstrand Land Use Scheme (2020). The impact of the proposed erf boundary realignment is regarded as a low impact land use application.

The coverage for the respective portions after erf boundary realignment will meet the maximum coverage of 50% for SR1 zoned properties.

Refer to Section 3.15 of this report for further motivation in terms of the relevant spatial planning policies.

The proposed subdivisions and consolidations (erf boundary realignment) will not have a negative impact on the surrounding erven as the zoning of the subject properties will remain Residential Zone I, the proposed portion sizes are compatible with similar surrounding property sizes and no deviations from the applicable zoning parameters are proposed.

The proposed subdivision and consolidation of erven 1851, 596 and 597 Pringle Bay are not in contrast to the existing land use tendencies in the surrounding environment and we therefore do not foresee any problems with the proposed application.

### **3.6 ECONOMIC IMPACT**

The proposed subdivisions and consolidations (erf boundary realignment) will have a positive impact on the economy of the area. By allowing the erf boundary realignment, it enables all three subject properties to meet the land use restrictions. This will in turn add value to the subject properties (where no encroachment of structures onto building lines are present). In addition, the three respective erven will

continue to be occupied by three families who will continue to invest and spend in the immediate local business area.

### **3.7 SOCIAL IMPACT**

The proposed subdivisions and consolidations (erf boundary realignment) will have no social impact on the area per se. No negative impacts are anticipated.

The impact on the social wellbeing and social coherence of the adjacent community will be minimal given the extent of the proposed portions after subdivision and consolidation (erf boundary realignment) as well as the fact that the zoning and land use of the newly created portions will be in line with the zoning and land uses associated with the immediate area.

### **3.8 COMPATIBILITY WITH SURROUNDING LAND USES**

The subject properties are situated in an existing low-density residential area. The application does not propose to change the zonings or land uses of the subject properties and therefore the proposed subdivisions and consolidations (erf boundary realignment) are compatible with the surrounding land uses.

As mentioned in Sections 3.4 and 3.5 of this report the surrounding erf sizes, the street frontage widths of existing erven with similar sizes, the conformity with the existing asymmetrical layout, compliance with all land use restrictions after the erf boundary realignment, etc. prove that the subdivisions and consolidations (erf boundary realignment) are compatible with the existing context and character of the area. Smaller properties of between  $\pm 650\text{m}^2$  to  $750\text{m}^2$  in extent exist in the immediate vicinity of erven 1851, 596 and 597 Pringle Bay. The extent of the newly created portions is compatible with the existing low-density residential area.

The development rules applicable to SR1 zoned properties will apply to all the respective portions after the erf boundary realignment.

### **3.9 IMPACT ON EXTERNAL ENGINEERING SERVICES**

Erven 1851, 596 and 597 Pringle Bay are developed and fully serviced erven. The erf boundary realignment will have no impact on the scale and usage of the existing available services since no additional loading of the existing civil infrastructure is anticipated.

Additional services (if required) will be provided to the satisfaction of the Overstrand Municipality.

### **3.10 IMPACT ON SAFETY, HEALTH AND WELLBEING OF SURROUNDING COMMUNITY**

The proposed subdivisions and consolidations (erf boundary realignment) will have no impact on the general safety and wellbeing of the surrounding community. It is anticipated that three families will occupy the three respective erven after the proposed subdivisions and consolidations (erf boundary realignment). Developed properties are considered less of a risk for attracting vagrants and unwanted elements to the area.

All the existing structures on erven 1851, 596 and 597 Pringle Bay are aesthetically pleasing.

Since the proposed subdivisions and consolidations are not associated with a noxious trade with polluting air emissions the impact on the health of the community will be kept to a minimum.

### **3.11 IMPACT ON HERITAGE**

The application does not involve changing the character of a site larger than 5 000m<sup>2</sup>. Consequently, the proposed application for the subdivision and consolidation

of erven 1851, 596 and 597 Pringle Bay do not trigger Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).

Erf 1851 Pringle Bay is positioned in the Coastal Strip of the Heritage Protection Overlay Zone (HPOZ, 2020). The small erf boundary realignment to accommodate the existing structures on erf 596 Pringle Bay will have no impact on the heritage value of the property. The application with erf 596 Pringle Bay is merely considered a land swap. No deviation from the HPOZ (2020) is therefore required.

Erven 596 and 597 Pringle Bay are not situated within the HPOZ (2020). None of the properties are positioned within the Heritage Overlay Zone as determined by the Overstrand Heritage Report (2009). The subject properties do not fall within the Heritage Overlay Zone or Coastal Management Zone as demarcated in the Overstrand Municipal Growth Management Strategy (2010).

The impact on the visual landscape of the area will be kept to a minimum since the subject properties are already developed and this application does not propose new or redevelopment of the subject properties.

From the above it is evident that the proposed application does not encompass any heritage significance and therefore the impact on the heritage value of the area will be kept to a minimum.

### **3.12 IMPACT ON THE BIOPHYSICAL ENVIRONMENT**

The proposed subdivisions and consolidations to realign the erf boundaries do not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998). In addition, the subject properties do not fall within the Environmental Management Overlay Zone (EMOZ, 2020).

Should the future development (if any) of the respective portions after subdivision and consolidation (erf boundary realignment) trigger a NEMA application, due process will be followed prior to the commencement of the construction on site.

### 3.13 TRAFFIC IMPACT, PARKING AND ACCESS

Erven 1851, 596 and 597 Pringle Bay take access from Anne Road. The access to the respective erven after the erf boundary realignment will remain unchanged. Refer to the subdivision and consolidation plans attached.

The impact on the traffic of Pringle Bay and the immediate area will be kept to a minimum since the proposal is in line with the status quo of the area and no additional portions are created.

The development of the respective portions after subdivision will have to comply with the relevant scheme regulations' parking requirements – i.e. at least two parking bays / garages must be provided for on site for each newly realigned portion created.

### 3.14 TITLE DEED

Title deeds no. T49826/2017, T13599/1983 and T58942/2014 have no restrictive title deed conditions that prohibit the proposed subdivisions and consolidations. Refer to copies of the conveyancer's certificates compiled by Johlene Fourie at Bornman & Hayward Attorneys dated 22 July 2021 with annexures.

There are no bonds registered against erven 1851, 596 and 597 Pringle Bay.

### 3.15 FORWARD PLANNING AND LAND USE DOCUMENTS

#### 3.15.1 OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK (2020)

The *Overstrand Spatial Development Framework (2020)* earmarks the area where erven 1851, 596 and 597 Pringle Bay are situated, for urban development purposes. ~~Refer to the Spatial Development Framework Plan (2020) attached.~~ The zoning and

use of the subject properties will remain unchanged (Residential Zone 1: Single Residential). As a result, the impact of the proposed subdivisions and consolidations (erf boundary realignment) on the spatial integrity of the area will be minimal and is therefore consistent with the Overstrand SDF (2020).

### **3.15.2 OVERSTRAND MUNICIPAL GROWTH MANAGEMENT STRATEGY (2010)**

The *Overstrand Municipal Growth Management Strategy (OMGMS, 2010)* specifies that erven 1851, 596 and 597 Pringle Bay form part of Planning Unit no. 2. This planning unit indicates that the status quo for the area must be maintained. The existing status quo will remain since no new erf portions will be created. No deviation from this policy will be required with the proposed erf boundary realignment. The impact on the overall density of Pringle Bay will therefore be kept to a minimum since the proposed application still promotes a low-density residential area.

There is no specified minimum erf size in this area. The newly realigned portions will however be in keeping with the sizes and erf shapes of the properties in the immediate vicinity. The newly realigned portions will be practical with respect to access, developable areas and connecting to bulk services.

The proposal will promote land development in a location that is sustainable. The proposed subdivisions and consolidations are to improved erven within an established residential area and therefore will not impact on urban sprawl or upon a sensitive environment.

### **3.16 PLANNING PRINCIPLES**

The planning principle of spatial resilience does not apply to this application.

Spatial justice: This principle addresses the need to address the past imbalances regarding opportunity. This application is for erven as per the establishment of the existing Pringle Bay Township and this principle does therefore not apply to this application.

Spatial sustainability: The proposed subdivisions and consolidations are to realign the erf boundaries between erven 1851, 596 and 597 Pringle Bay. As contemplated in *Section 3.15 Forward Planning and Land Use Documents* the proposed land use application is in line with the spatial planning policies for the area.

The layout of the proposed single residential erven is practical with respect to access, developable areas and connecting to bulk services. The visual impact will be kept to a minimum since the portions are already developed and no new development / redevelopment is proposed with this application. Since the status quo of the area will be maintained, it is submitted that the newly realigned portions will be compatible with the character of the area and will not impact negatively on the existing rights of anyone else. As a result, the proposed subdivisions and consolidations (erf boundary realignment) will have no adverse impact on the spatial sustainability of the area.

Efficiency: The subject properties are easily accessible and conveniently located close to Kleinmond and major routes. The subdivisions and consolidations (erf boundary realignment) of erven 1851, 596 and 597 Pringle Bay will have a low impact on the character and ambiance of the existing residential area as motivated in this report. It proves to be efficient to allow the erf boundary realignment since the impact will be kept to a minimum. As motivated in the above sections of the report the proposal is compatible with surrounding properties in the immediate area.

The proposed subdivisions and consolidations prove to be efficient since it discourages the phenomenon of urban sprawl, encourages densification and more compact towns and cities, all of which relate to more responsible resource and infrastructure use and sustainable development. Moreover, the proposal is efficient in that it optimizes existing resources and infrastructure and continues the existing suburban development typology.

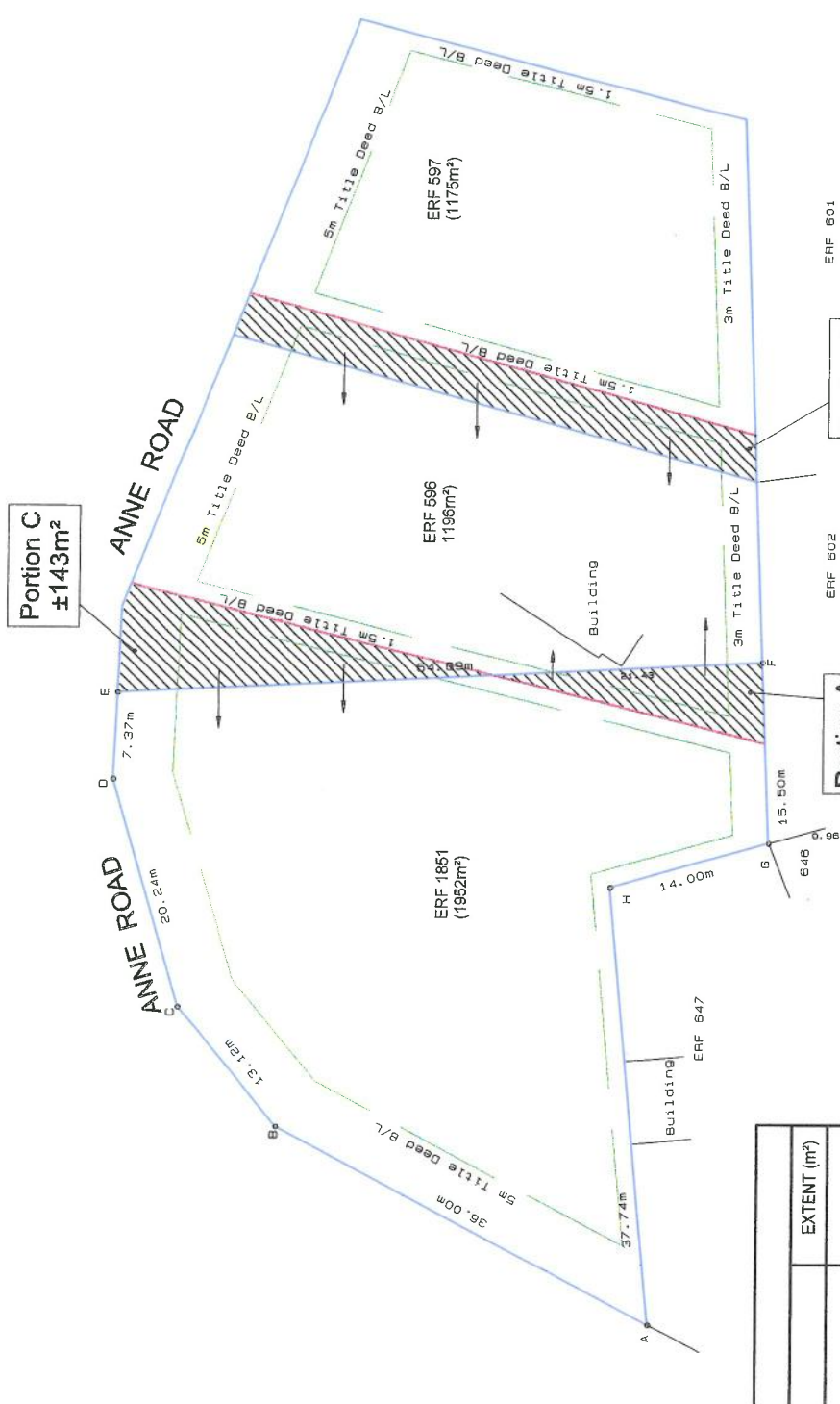
Good administration: Our firm is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's bylaw and related provincial and national land use planning legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020.

#### **4. RECOMMENDATION**

When this application is evaluated, it is important to take note of the following:

- The proposed application will not have a negative impact on the existing land use rights of the subject properties or those of surrounding properties;
- No new portions are created;
- The proposal to realign the erf boundaries is compatible with the existing character and erf sizes of the immediate area;
- The zoning of Residential Zone I: Single Residential and land use (single residential) are compatible with the surrounding zonings of the area;
- Impact on the traffic and services will be kept to a minimum;
- The proposed subdivisions and consolidations comply with the spatial planning policies for the area;
- The proposed land use application does not trigger any listed activities in terms of NEMA (Act 107 of 1998) and Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999);
- The application is fully compliant with the applicable planning principles described in the LUPA (2014) and SPLUMA (2013).

With regards to the above mentioned it would be appreciated if the application for the subdivision and consolidation (erf boundary realignment) of erven 1851, 596 and 597 Pringle Bay, be approved.



NOTES	
DISCRPTION	EXTENT (m <sup>2</sup> )
REMAINDER ERF 1851	±1872m <sup>2</sup>
REMAINDER ERF 597	±1002m <sup>2</sup>
REMAINDER ERF 596	±1053m <sup>2</sup>
PORTION A	±80m <sup>2</sup>
PORTION B	±173m <sup>2</sup>
PORTION C	±143m <sup>2</sup>
CONSOLIDATION OF REM. ERF 1851 WITH PORTION C	±2015m <sup>2</sup>
CONSOLIDATION OF REM. ERF 596 WITH PORTION A & B	±1306m <sup>2</sup>

KEY	PROPERTY BOUNDARIES	
	SUBDIVISION PLAN	
	TITLE DEED BUILDING LINES	
Plan Description:		Scale: 1:400
SUBDIVISION & CONSOLIDATION PLAN		Drawing Nr: sub and consol.dwg
		Date: JULY 2021

Property Description:  
**ERVEN 1851, 596 & 597**  
**PRINGLE BAY**

All distances approximate and subject to survey.  
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 Town & Regional Planners