

ERF 1828, 6 HEMEL-EN-SEE AVENUE, VERMONT: APPLICATION FOR DEPARTURE: ADSQUARED ARCHITECTURE & DESIGN ON BEHALF OF A VAN WYK

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 a departure in terms of Section 16(2)(b) to relax the following:

- the south-western street building line from 4m to 0m to accommodate a proposed carport;
- the south-eastern lateral building line from 2m to 0m to accommodate a carport, and relaxation to 0,899m to accommodate a timber deck balcony;
- the south-western street building line from 4m to 1,840m to accommodate a patio and timber pergola;
- the northern street building line from 4m to 3,5m to accommodate a patio and timber pergola, and
- the north-eastern street building line from 4m to 3,1m to accommodate a timber staircase, and also to accommodate a wall in lieu of 2,1m up to 3,29m high and filling up to 2,29m in lieu of 1m over such building line.

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 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 / loretta@overstrand.gov.za) on or before **25 March 2022**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the Town Planner, **Mr. H Olivier** 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 1828, HEMEL-EN-SEELAAN 6, VERMONT: AANSOEK OM AFWYKING: ADSQUARED ARCHITECTURE & DESIGN NAMENS A VAN WYK

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Gewysigde Verordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek om afwyking ontvang is ingevolge Artikel 16(2)(b) om die volgende te verslap:

- die suidwestelike straatboulyn vanaf 4m na 0m om 'n voorgestelde motorafdak te akkommodeer;
- die suidoostelike lateraleboulyn vanaf 2m na 0m om 'n motorafdak te akkommodeer, en verslapping tot 0.899m om 'n houtdekbalkon te akkommodeer;
- die suidwestelike straatboulyn vanaf 4m na 1,840m om 'n patio en houtpergola te akkommodeer;
- die noordelike straatboulyn vanaf 4m na 3,5m om 'n patio en houtpergola te akkommodeer, en
- die noordoostelike straatboulyn vanaf 4m na 3,1m om 'n houttrap te akkommodeer, en ook om 'n muur hoër as die 2,1m maksimum hoogte toe te laat op 3,9m hoog, en om opvol toe te laat hoër as die maksimum 2,1m hoogte tot op 2,29m oor die boulyn.

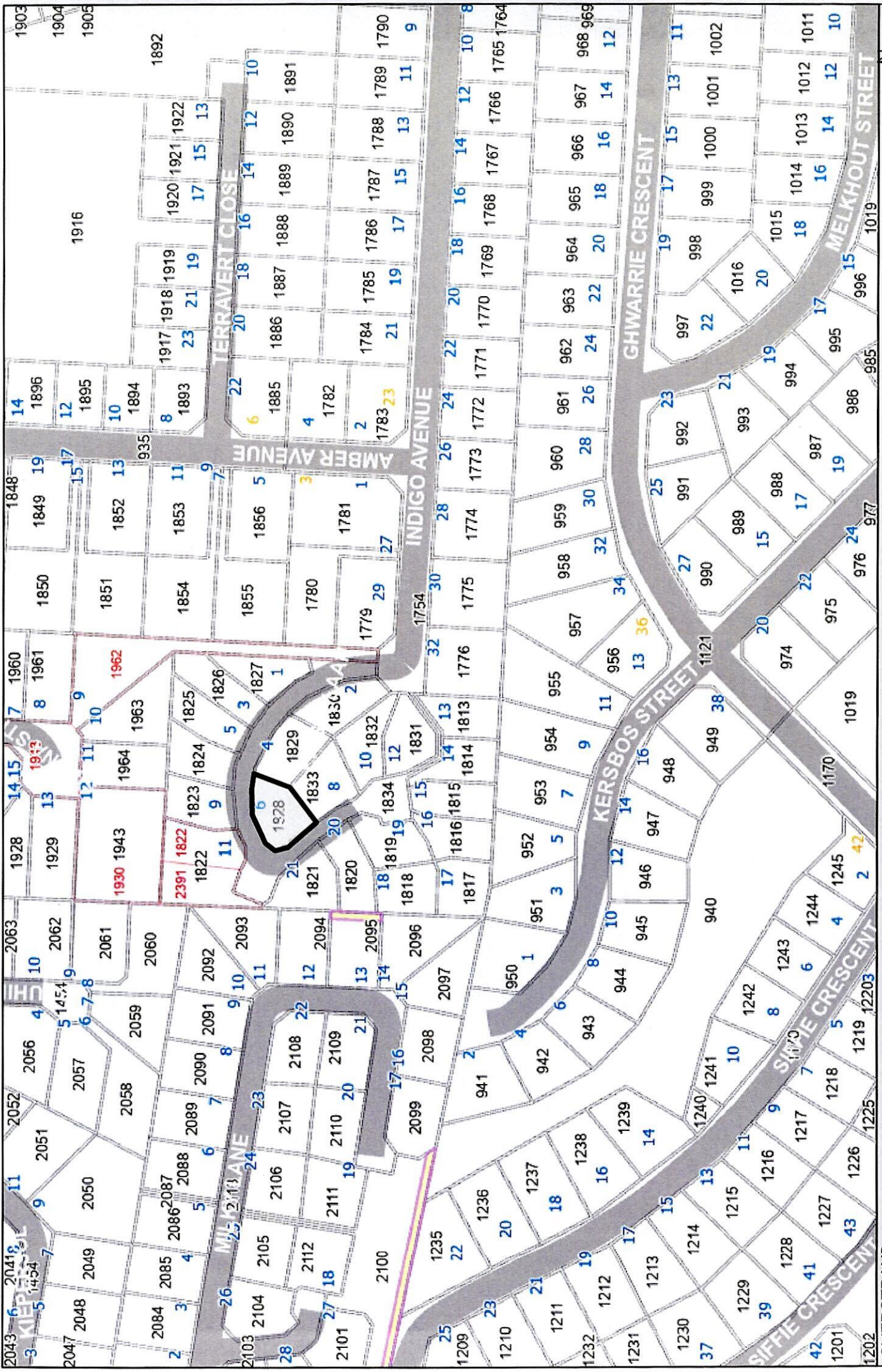
Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) voor of op **25 Maart 2022**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die Stadsbeplanner, **Mnr. H Olivier** 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 1828, 6 HEMEL-EN-SEE AVENUE, VERMONT: ISICELO SOPHAMBUKO: ADSQUARED ARCHITECTURE & DESIGN EGAMENI LIKA- A VAN WYK

Isaziso sinikezwe ngokwemiqathango yeCandelo 48, loMthetho oLungisiweyo kaMasipala waseOverstrand ongokuSetyenziswa koMhlaba kaMasipala, 2020 sokokuba kufunyenwe isicelo sokuphambuka ngokwemiqathango yeCandelo 16(2)(b) sokunyenysiswa kokulandelayo:

- umda wesakhiwo esingasesitalatweni ngasezantsi entshona ukususela kwi-4m ukuya kwi-0m ukulungiselela ulwakhiwo lwekhapoti;
- umda wesakhiwo esisecaleni ngasezantsi empuma ukususela kwi-2m ukuya kwi-0m ukulungiselela ulwakhiwo lwekhapoti, nokunyenysiswa ukuya kwi-0,899m ukulungiselela ulakhiwo lwegqonga lebhalkhoni yamaplanga;
- umda wesakhiwo esingasesitalatweni ngasezantsi entshona ukususela kwi-4m ukuya kwi-1,840m ukulungiselela ulwakhiwo lwephathiyo nenqwanqwa elibhijelwe ngeentyatyambo;
- umda wesakhiwo esingasesitalatweni ngasentla ukususela kwi-4m ukuya kwi-3,5m ukulungiselela ulwakhiwo lwephathiyo nenqwanqwa elibhijelwe ngeentyatyambo; kunye
- umda wesakhiwo esingasesitalatweni ngasentla empuma ukususela kwi-4m ukuya kwi-3,1m ukulungiselela ulwakhiwo lwamanqwanqwa okunyuka awenziwe ngamaplanga, nolwakhiwo ngokunjalo lodonga endaweni ye-1m ngaphezulu kumda wesakhiwo esinjalo.

linkcukacha ezipheleleyo ngesi sindululo ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi yes-i08:00 neye-16:30 kwiSebe: loCwangciso lweDolophu, Paterson Street, eHermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho kaMasipala mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi **komhla, wama25 uMatshi 2022**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umnxeba **uMnu H. Olivier** kule nombolo 028-313 8900. UMasipala angala ukuzamkela izimvo ezifike emva komhla wokuvulwa. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhale izimvo zakhe.



Locality Map

Erf 1828 Vermont



OVERSTRAND
MUNICIPALITY





MOTIVATION REPORT – REV 2

ERF 1828, 6 HEMEL-EN-SEE AVENUE, VERMONT
DIVISION: CALEDON
SINGLE RESIDENTIAL ZONE 1

FILE NO:	Er 1828
	Vermont
SCAN NO:	Hm 1828
CO-LABORATOR NO:	1616638

1. PRE - APPLICATION CONSULTATION

N/A

2. EXISTING DEVELOPMENT ON PROPERTY

The property is currently in extend 470m², falls under the Single Residential Zone 1

Herewith the following that is all existing on the property:

The property consists of a single storey, namely, Ground Storey.

2.1. Ground Storey

The ground storey consists of 2 Bedrooms, 2 Full Bathrooms, Kitchen, Living Room & Study. There is also an existing Storage area with a full bathroom, for the gardener's use.

2.2. Exterior Ground Storey Areas

Currently access is gained from Hemel-en-See Avenue via carriage way crossing, to a driveway area, and a 1.8m high gate to access the dwelling by the front door.

The property has an existing leveled Patio 1 that follows the arch boundary wall around to the Bedroom 1 area. It also has a thatched roof area that does not have approved plans, this will be broken down to open up the area.

3. PROPOSED DEVELOPMENT

3.1. OVERVIEW OF PROPOSED APPLICATION

3.1.1. Application for departures in terms of Section 16(2)(b) read with Section 20(1)(a) of the Overstrand Municipal By-Law (Departures as set below).

3.1.2. Refer to layout plans attached to application; Departures being applied for:

- (a) South-West Street Building line encroachment for the proposed Carport Area, therefor applying for departure. **Permanent Departure of 0m in lieu of 4m Zoning Scheme Building Line.**
- (b) South-East lateral Building line encroachment for the Proposed Carport Area, therefor applying for the departure. **Permanent Departure of 0m in lieu of 2m Zoning Scheme Building line.**
- (c) North-West Street Building line relaxation to accommodate the proposed Patio 2 timber pergola encroachment, therefor applying for the departure. **Permanent relaxation departure of 1.840m in lieu of 4m Zoning Scheme Building Line.**

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- (d) North Street Building line relaxation to accommodate the ex. Patio 1 timber pergola encroachment, therefor applying for the departure. **Permanent relaxation departure of 2.5m in lieu of 4m Zoning Scheme Building Line.**
- (e) North-East Street Building line relaxation to accommodate the proposed new filling of ground 1m above the NGL and the proposed support/retaining balustrade wall for existing Patio 1 in excess of 2.1m high, therefor applying for the relaxation. **Permanent relaxation departure of 3.290m high wall in lieu of 2.1m high, and filling above, 2.29m in lieu of 1m.**
- (f) North-East Street Building line encroachment for the proposed Timber staircase, this is to have access from the existing garden area below to the top of the dwelling at Patio 1, therefor applying for departure. **Permanent Departure of 3.1mm in lieu of 4m Zoning Scheme Building Line.**
- (g) South-East Lateral Building line encroachment for the proposed Timber deck balcony, therefor applying for departure. **Permanent Departure of 899mm in lieu of 2m Zoning Scheme Building Line.**

3.2. PROPOSED DESIGN

3.2.1. Ground Storey

We are proposing the following additions & alterations for the Ground Storey interior:

- Existing Driveway will change to Proposed Carport, the existing boundary wall at 930mm high between erf 1828 & 1833, to be extended approx. 2.410m to form parapet that matches the height of the existing Storage Area's parapet height. The structure will be as per the Engineers details & specifications for the walls, RC beams, Timber Beam & Roof rafters.
- Proposed addition to the dwelling a Scullery, which all plumbing points will be installed and connected to the existing sewer drainage system.
- The existing front door to be extended forward and the existing front steps to be refined to a more suitable stepping rhythm.
- Proposed alteration to the existing Bedroom 1 En-suite, to be extended to the existing exterior wall of the existing envelope of the dwelling, in order to add a new bath and shower for a full bathroom.
- Existing Bedroom 1 to receive a new double aluminium sliding door to have access to the existing exterior Patio Area.
- Existing Bedroom 2 to receive a new double aluminium sliding door.
- Existing Kitchen, two new aluminium sliding windows.
- Proposed Timber Deck Balcony in front of the Existing Living Room, Existing Living Room to receive new aluminium folding sliding doors to have access to the Proposed Balcony, Balcony will be supported by a steel I-beam ring beam that would be fixed to the existing structure on the one end and then fix to 2 supporting steel columns that will be planted in the ground on its own mass concrete footing, all as per the Engineers details & specifications.

- Proposed Timber staircase, that will give access from the Ground Floor Patio 1 area to the bottom of the Garden Area, this will have a balustrade as well. The timber staircase will be a fixed structure that will be supported on the ground as well as against the new wall. Timber staircase and fixing all as per the Engineers details & specifications.
- Existing arched/curved wall at Patio 1 to be demolished, as the wall is not correctly supported and is deteriorated, a new straight wall to be built to replace this curved wall, wall also to be reinforced, as per the Engineers details & specifications.
- Proposed Steps at Bedroom 1, where Sliding door is added to have easy access to the Patio Area level that is lower than the existing bedroom 1 F.F.L.
- Proposed open timber pergola at Patio 1.
- Proposed Patio 2 in front of existing Bedroom 1, with a proposed open timber pergola.
- Proposed Patio 3 in front of existing Bedroom 2.
- Proposed steps from Patio 2 to Patio 3 as there is a level difference.

3.3. ACCESSIBILITY REGARDING EXISTING URBAN DEVELOPMENT

Access to the property is obtained directly from Hemel-en-See Avenue by means of an existing carriage way crossing access point, it is proposed to utilize this specific carriage way crossing access point for this purpose of the application, therefore no additional carriage way crossing will be created.

Pedestrian access to the property is obtained from Hemel-en-See Avenue, by means of an existing access points at the Proposed Carport Area as well as from the Off-street parking area, it is proposed to utilize this specific access point for this purpose of the application, therefore no additional access points will be created.

3.4. ACCESSIBILITY REGARDING THE MAIN ROAD NETWORK

Our proposal for the property as per the attached building plans, will improve the main road network, and have no negative impact on the existing main road network.

3.5. ACCESSIBILITY REGARDING OTHER INFRASTRUCTURES

Our proposal will have no negative impact on the existing infrastructures.

3.6. EFFECT OF ADDITIONAL TRAFFIC ON ENVIROMENT

Our proposal will have no additional traffic, therefor have no negative impact on the environment.

4. CHARACTER OF THE ENVIROMENT

4.1. COMPATIBILITY IN LAND USE IN SURROUNDING AREAS

Erf 1828, Vermont is currently zoned as Residential Zone 1: Single Residential (SR1) in terms of the Overstrand Zoning Scheme. The current zoning remains and there is no change in the land use, all

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areas around this property is also Single Residential Zones along Hemel-en-See Avenue.

4.2. ACCOMMODATION DENSITY

The existing accommodation density will remain unchanged for Erf 1828. Erf 1828 is one of the smallest properties in the surrounding area.

4.3. HISTORICAL ARCHITECTURAL OR CONSERVATION WORTHY AREAS

Erf 1828, Vermont, and all surrounding properties all fall under the Overstrand Heritage & Aesthetics Committee as well as the Whale Coast Conservation, the proposal for Erf 1828 will not have any effect on Historical Architectural or Conservation Worthy Areas (if there is any in the surrounding area), we believe that our proposal will improve the property aesthetics.

Overstrand Heritage & Aesthetics Committee

Contact Person:

Katie Smuts

katie.smuts@gmail.com

elowings@overstrand.gov.za

16 Paterson Street, Hermanus, 7200

Whale Coast Conservation

Contact Person:

Ingrid Du Plessis

028 316 2527 or 072 185 5726

Ingrid.wcc@gmail.com

4.4. PRIVACY OF NEIGHBOURS

There will be no encroachment on the neighbours as the South-East of the dwelling remains the same.

4.5. STREET SCENES & VIEWS

The proposal for Erf 1828, Vermont, will improve the street scenes, and not have a negative impact.

The improvements proposed will enhance the street views, will make the façade's more softer.

We foresee no negative impact on the street scenes and views.

5. DESIRABILITY OF THE PROPOSED UTILISATION

The proposed land use will not have a negative impact on the surrounding area as the land use proposed remains residential.

There will be no added noise impacts, the proposed renovation will be in such a manner that the privacy of surrounding property owners will not be infringed upon.

The zoning will remain unchanged. The application is furthermore permanent in nature.

It is however maintained that no negative impact on existing land use rights will result with the

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approval of this application.

5.1. SERVICES

All the necessary services are already installed that includes electricity, water and sewerage infrastructure.

5.2. SURFACE WATER

All surface water is already accommodated on the property, and any new surface water will be accommodated on the property.

5.3. TRAFFIC IMPACTS, PARKING ACCESS AND OTHER TRANSPORT RELATED CONSIDERATIONS

The proposal improves the access to the dwelling from the street, by means of a Carport & Off-Street Parking Area, that improves the overall parking requirements, as the existing parking available on the property is that of the Existing Driveway only, which improves the on-site parking, and not making the vehicles park on the narrow side walk which could obstruct traffic, and the proposal improves the overall aesthetics of the exterior view from the street. The Dwelling is compliant with the current Zoning Scheme parking requirements and will not have a negative impact on the current traffic, parking or other transport related areas.

6. TITLE DEED

PROPERTY DESCRIPTION:

ERF 1828, VERMONT IN THE OVERSTRAND MUNICIPALITY, DIVISION CALEDON, PROVINCE WESTERN CAPE

IN EXTENT 470m²

TITLE DEED NO. : T69388/2006

OWNERSHIP DETAILS:

Antoinette van Wyk

ID No: 540115 0047 087

Copy of title deeds for subject property is attached as Annexure.

7. ZONING OVERLAY

The zoning of the property is Residential Zone 1: Single Residential (SR1) in terms of the Overstrand Municipality Zoning Scheme of November 2013.

The Land Use parameters associated with this zoning is therefore as follows:

Use of Property

- (a) Primary uses are: day care centre, dwelling house, guest rooms, home occupation, second dwelling unit.

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(b) Consent uses are: creche, green house, guest house, house shop, institution, place of instruction, place of worship, residential building, tourist accommodation.

Development Rules

(a) **Coverage:** Maximum coverage for all buildings on the land is determined in accordance with the net erf area as listed below:

- Net Area of 400m² and greater, maximum coverage of 50%.

(b) Building Lines

(1) **Street Building Line:** The street building line is determined in accordance with the net erf area as listed below:

- Net Area of 400m² and greater, street building line is 4m.

Provided that:

- A corner plot with an average depth of 20m or less has a 3m street building line
- Where a garage obtains direct access off the street a 4m building line applies

(2) **Side and Rear Building Line:** The side and rear building lines are determined in accordance with the net area as listed below.

- Net Area of 400m² and greater, side and rear building lines is 2m

(c) Height

(1) Maximum height of a building measured from the base level to the top of the roof is 8m

(d) Garages and Carports:

16.1.2 The following development rules apply with regard to garages and carports within building lines:

(a) The Council may permit the erection of a garage over a street building line, if in the opinion, the garage cannot reasonably be sited at the prescribed distance

Garage not applicable

(b) **A carport may be erected on the street boundary provided that:**

- (i) The width of such carport shall not exceed 6,5 m;
- (ii) The roof of the carport shall be supported by metal or timber post or brick, concrete or masonry pillars;
- (iii) The carport shall not be enclosed on any side except by:
 - a boundary fence or wall;

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- wall which forms the external wall of a building; or
- security or automated gate.

the height of such carport measured from the natural ground level to the highest point of the structure over the building line may not exceed 3,0 m, but the height may increase at a 40 degree angle away from such boundary(roof); and

(iv) The edges of the roof sheeting must be trimmed with a fascia board not less than 150 mm in width.

(e) Parking: Parking and access shall be provided on the land unit in accordance with 17.1 of the Overstrand Municipality Zoning Scheme of November 2013.

Overstrand Municipality Zoning Scheme of November 2013, section 17, Minimum off-street parking requirements as follows for:

Dwelling House: 2 on site parking bays per dwelling unit provided that on erven less than 400m² only one on site parking bays needs to be provided.

8. SPATIAL PLANNING INITIATIVES

Spatial planning initiatives that were considered for the purposes of this application includes the Western Cape Provincial Spatial Development Framework and the Overstrand Municipal Spatial Development Framework.

The proposal was measured against the principals of these documents, and it was found that it is consistent therewith.

The proposed renovation/alterations to the existing dwelling will not in any way be in contrast with other development frameworks and policy documents of the Local Authority or the Provincial Government.

9. PLANNING PRINCIPALS

The purpose of this section is to analyze the consistency of the application with the planning principals and to also provide a recommendation to the municipality for the development. These spatial planning principals are in terms of Section 42 of the Spatial Planning and Land Use Management Act, 2013 (ACT 16 of 2013) (SPLUMA) and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA).

Below are the spatial principals and the consistency of the proposed development with these planning principals:

9.1. SPATIAL JUSTICE

It refers to the need to redress the past apartheid spatial development imbalances and aim for equity provision of access to opportunities, facilities, services, and land.

Consideration and impact:

- Given that the proposal remains a Single Residential Zone dwelling, it's clear that it

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complies with the current spatial justice requirements, and that there will be no impact.

9.2. SPATIAL SUSTAINABILITY

This essentially refers to sustainable development that promotes less resource consuming development, promote compaction, pedestrianization and mixed-use urban environments. A spatially sustainable settlement ensures the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas.

Consideration and impact:

- Given that the proposal is in an urban area, it is also clear that the proposal complies with the provisions of the Municipal Spatial Development Framework.
- Given the assessment in this report, there is no negative impact on environmentally sensitive and biodiversity rich areas.

9.3. EFFICIENCY

Refers to the need to create settlements that optimise the use of space, energy, infrastructure, resources, and land. This also has to do with the manner in which the settlement itself is designed and functions, which should reduce the need to travel long distances to access services, facilities and opportunities.

Consideration and impact:

- No negative impact on land use rights of the surrounding properties.
- It has been showed and argued in this report that the proposal will have no impact whatsoever on the existing rights of the relevant surrounding property owners.
- Given that the existing land use is a dwelling, and the proposed as stated in this report remains a dwelling, with proposed more usable space, it clearly improves the use of space, and land, it also complies with the manner of design for better function of the dwelling.
- The need to travel long distances remains the same, and existing routes to shops and mall's remains the same.

9.4. SPATIAL RESILIENCE

Spatial resilience also refers to the requirement for flexibility in spatial plans, policies, and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

Consideration and impact:

- This application complies with the Overstrand Growth Management Strategy.
- The proposal has no negative impact on the environment.

9.5. GOOD ADMINISTRATION

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 to ensure that a joint planning approach is pursued.

- Given that the application is made, and legislation specified as per this report, it's clear that it complies with the requirements.
- Given the assessment above and for the reasons listed in the report above, it has been shown that the proposal is desirable as per the relevant consideration criteria.
- Good admin principals will be ensured by the consultative process of the Overstrand Municipality as well as the Heritage Western Cape, which will ensure a joint planning approach is achieved.

The content as above for Section 8 of this report outlines that the application is well aligned with the planning principals as outlined in SPLUMA and LUPA and can therefor be seen as sound from a general planning perspective.

10. RECOMMODATION

This motivational report has provided a clear and completed analyses of the land use proposal. It was shown that the proposal is consistent with the existing spatial planning initiatives and that this should be approved.

This application furthermore attempts to establish the land use in the most desirable manner. It is maintained that the subject property is perfectly located for the proposed development.

It was also shown that the proposed land use is compatible with the character of the surrounding area and that the approval of this application will not result in negative impacts on existing land use rights.

Considering the above, it is our recommendation that the following application be approved:

- (a) South-West Street Building line encroachment for the proposed Carport Area, therefor applying for departure. **Permanent Departure of 0m in lieu of 4m Zoning Scheme Building Line.**
- (b) South-East lateral Building line encroachment for the Proposed Carport Area, therefor applying for the departure. **Permanent Departure of 0m in lieu of 2m Zoning Scheme Building line.**
- (c) North-West Street Building line relaxation to accommodate the proposed Patio 2 timber pergola encroachment, therefor applying for the departure. **Permanent relaxation departure of 1.840m in lieu of 4m Zoning Scheme Building Line.**
- (d) North Street Building line relaxation to accommodate the ex. Patio 1 timber pergola encroachment, therefor applying for the departure. **Permanent relaxation departure of 2.5m in lieu of 4m Zoning Scheme Building Line.**
- (e) North-East Street Building line relaxation to accommodate the proposed new filling of ground 1m above the NGL and the proposed support/retaining balustrade wall for existing Patio 1 in excess of 2.1m high, therefor applying for the relaxation. **Permanent relaxation departure of 3.190m high wall in lieu of 2.1m high, and filling above, 1.6m in lieu of 1m.**
- (f) North-East Street Building line encroachment for the proposed Timber staircase, this is to have access from the existing garden area below to the top of the dwelling at Patio 1, therefor applying for departure. **Permanent Departure of 3.1mm in lieu of 4m Zoning Scheme Building Line.**

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(g) South-East Lateral Building line encroachment for the proposed Timber deck balcony, therefor applying for departure. **Permanent Departure of 899mm in lieu of 2m Zoning Scheme Building Line.**

11. Given the above mentioned, the application does not fail to comply with the minimum requirements as stated in MPBL and should therefore not be refused but supported by the decision-maker.

In terms of the MPBL, if the application is not refused, when deciding whether to approve the application or not, the decision-maker must consider all relevant considerations as listed in this section.

In this regard, the following should be noted:

- In terms of the applicable (relevant special development framework), the area and subject property is designed for urban development. Given that the proposal is in an urban area, it's clear that the proposal complies with the provisions.
- It has been shown in the report that the proposal complies with any relevant criteria contemplated.
- Given the nature of the application, i.e. permanent departures, the proposal does not trigger and is not in conflict with any relevant Council policy.
- Given the assessment and for reasons as listed in this report, it has been shown that the proposal is desirable as per relevant consideration criteria of the MPBL.
- With regards to this proposal there are no other relevant considerations as prescribed in national or provincial legislation.

Given the above and considering the desirability assessment, the decision-maker should approve the application.

12. DESIRABILITY, REASONS FOR SUPPORT OF THE PROPOSAL AND WAIVING OF PUBLIC ADVERTISING

From the above, it is evident that the departures should be supported by Council. In terms of the City's notification policy for development applications, the public participation on applications can be waived by the District Manager if no impact on the surrounding property owners or area is envisioned.

Therefore, the reasons for support of the proposal and waiving of public participation can be summarized below:

- The application will have no impact on the surrounding property owners, as motivated above and therefore the application is eligible for a waiver of advertising to the surrounding property owners.
- Has no impact on the character of the area is anticipated, as the design of the proposal was done sensitively with the character of the area and the existing buildings on site in mind.
- The departures are minor in nature and will have no impact whatsoever on the adjacent property owners or area.

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ARCHITECTURE + DESIGN

t) 068 182 8901 e) danie@adsquared.co.za or nikki@adsquared.co.za w) www.adsquared.co.za

a) 25 Grimsby Road, Three Anchor Bay, 8005 p.a.) Postnet Suite 041, Private Bag X7, Sea Point, 8060

We trust that the information above and other document and building plans submitted provides Land Use Management with enough information to make an informed decision and look forward to your considered response.

Yours faithfully

Daniel Jacobus Louw



m: 083 4806 660 e: danie@adsquared.co.za **SACAP No:** PAT 20766

Professional Capacity: Professional Architectural Technologist



adsquared
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 Email: info@adsquared.com

date JAN 2021
drawn NG
rev R1

project no AD2102V
scale 1:100
drawing no 2-1

PROPERTY INFORMATION
 House Van Wyk
 6 Hemel-En-See Avenue
 Vermont
 ERF 1828

Owner: *Aileen Wyk*

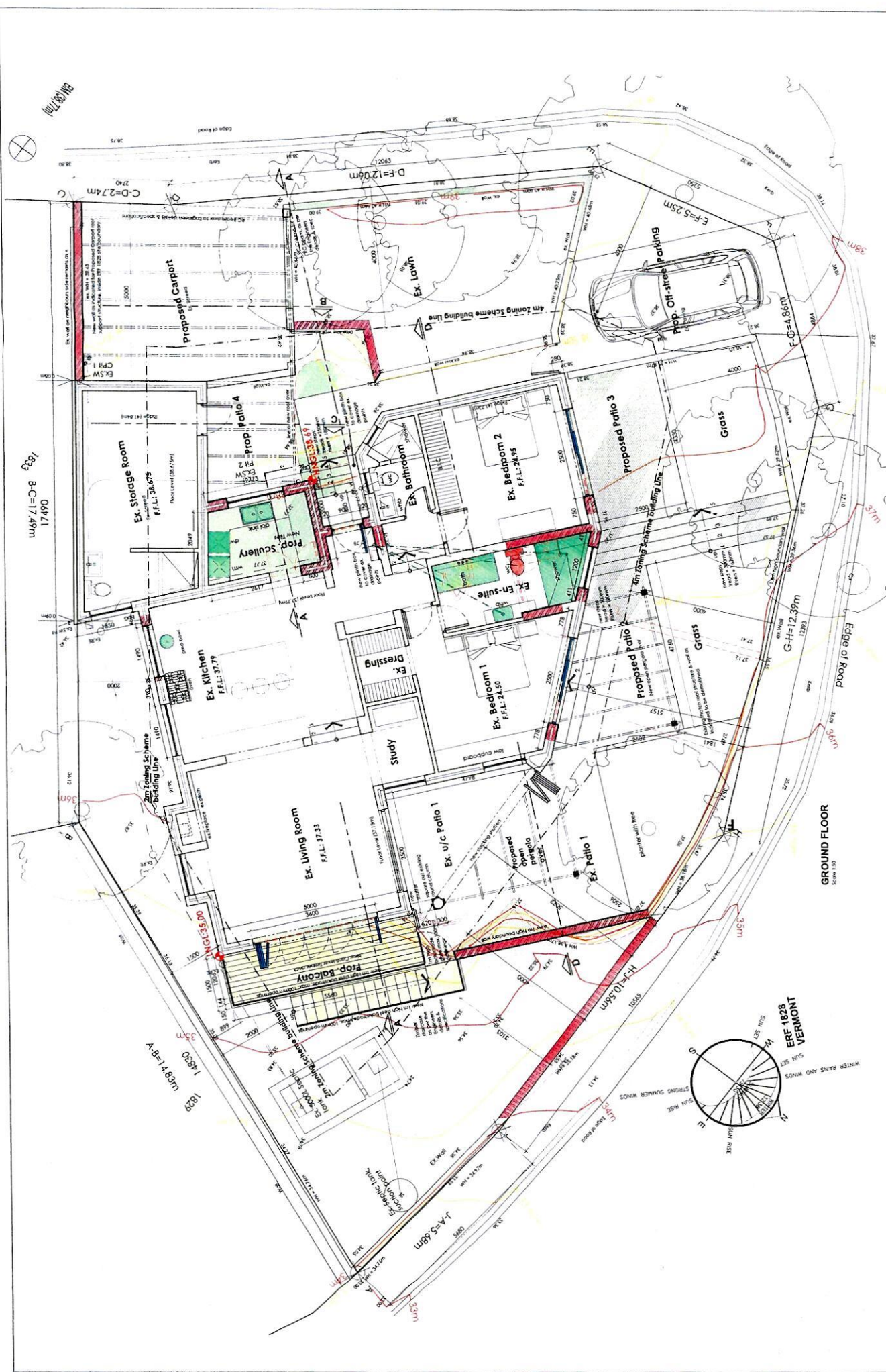
DRAWING NAME
 SITE & ROOF LAYOUT

Designer: *Dan Jacobs*
 Daniel Jacobs Law
 SACAP Reg. No. PAT 20766

REVISION ISSUE
 COUNCIL SUBMISSION
 REV 0 - 8 OCTOBER 2021
 REV 1 - 9 NOVEMBER 2021

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REV.	DATE	DESCRIPTION



date	JAN 2021
project no	AD2102V
scale	1:100
drawing no	4-1
drawn	NG
rev	R1

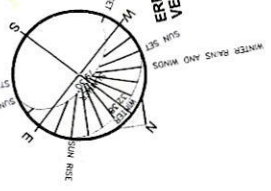
PROPERTY INFORMATION
 House Van Wyk
 6 Hernal-En-See Avenue
 Vermont
 ERF 1828
 Owner: *Aileen Wyle*

DRAWING NAME
 GROUND FLOOR LAYOUT
 Designer: *Daniel Jacobson*
 Daniel Jacobson-LOW
 SACAP Reg. No. FAT 20766

REVISION ISSUE
 COULC SUBMISSION
 REV 0 - 8 OCTOBER 2021
 REV 1 - 9 NOVEMBER 2021

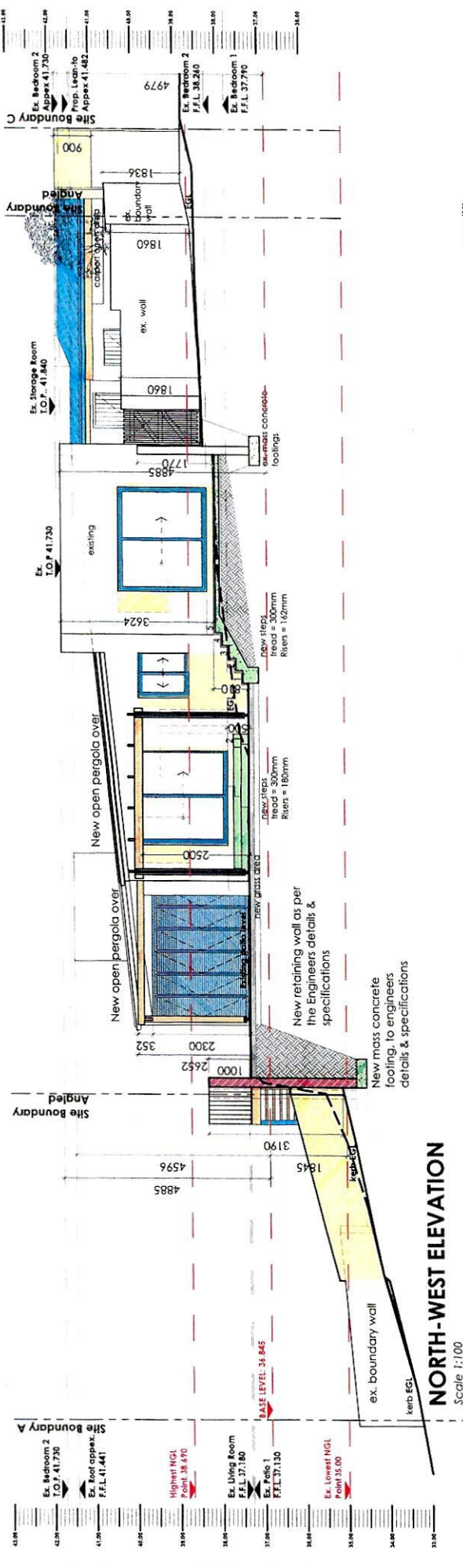
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REV.	DATE	DESCRIPTION

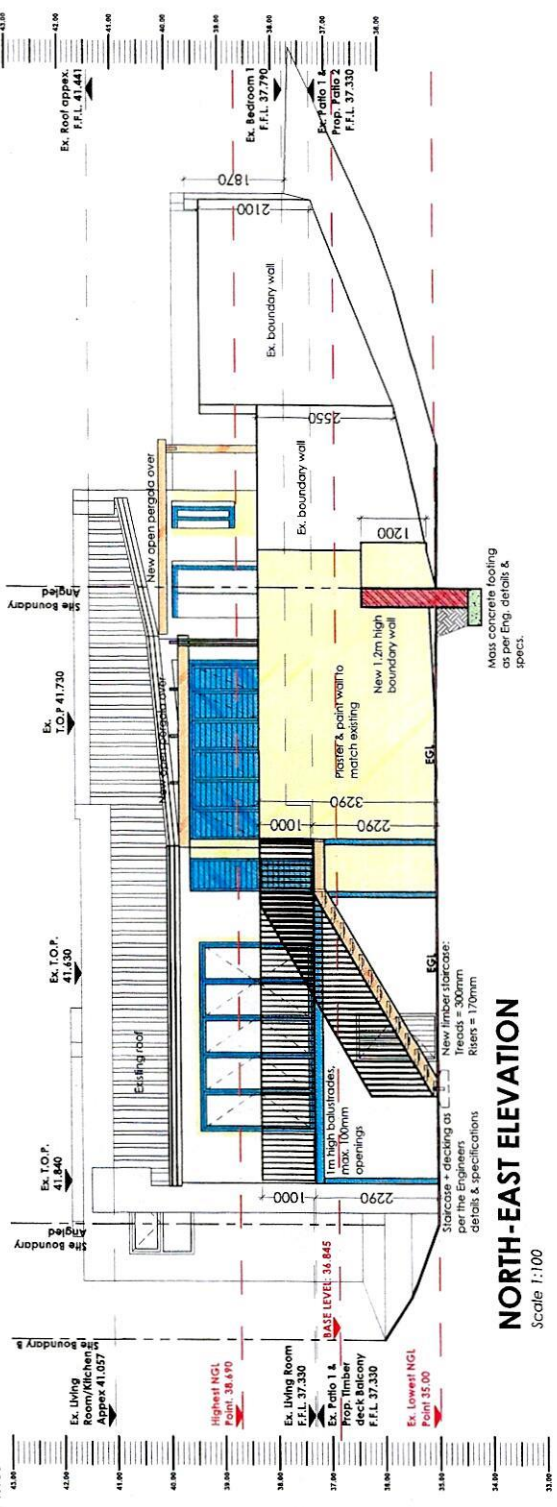


GROUND FLOOR
 Scale 1:100

VERMONT
 ERF 1828



NORTH-WEST ELEVATION
Scale 1:100



NORTH-EAST ELEVATION
Scale 1:100

REVISION UPDATE RECORD	
rev. date	description

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REVISION ISSUE
COUNCIL SUBMISSION
REV 0 - 8 OCTOBER 2021
REV 1 - 9 NOVEMBER 2021

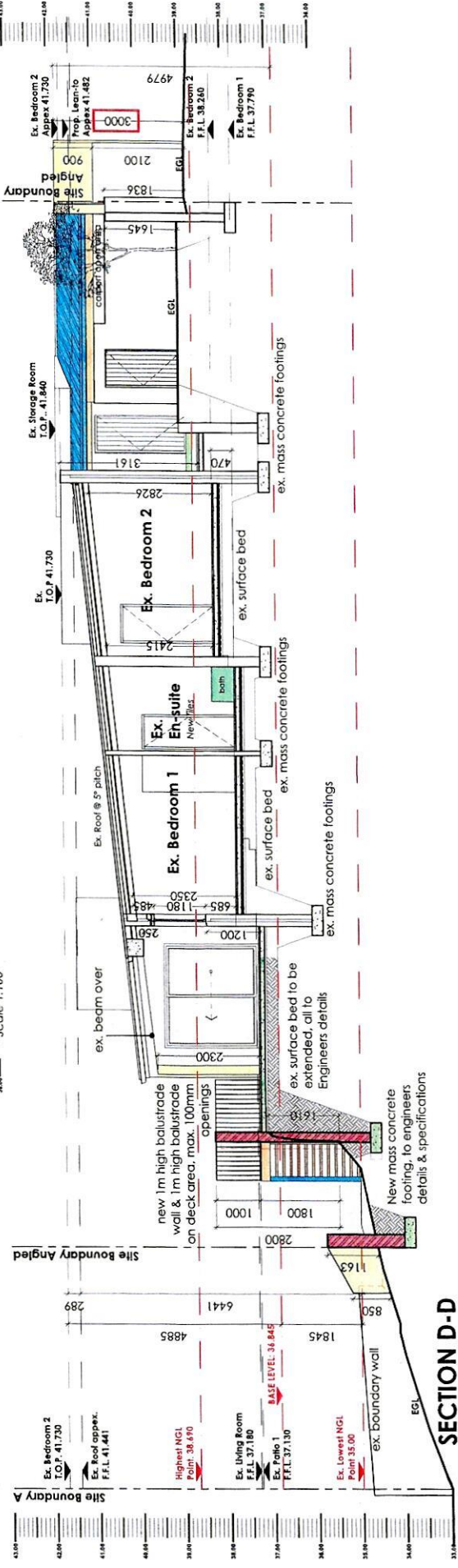
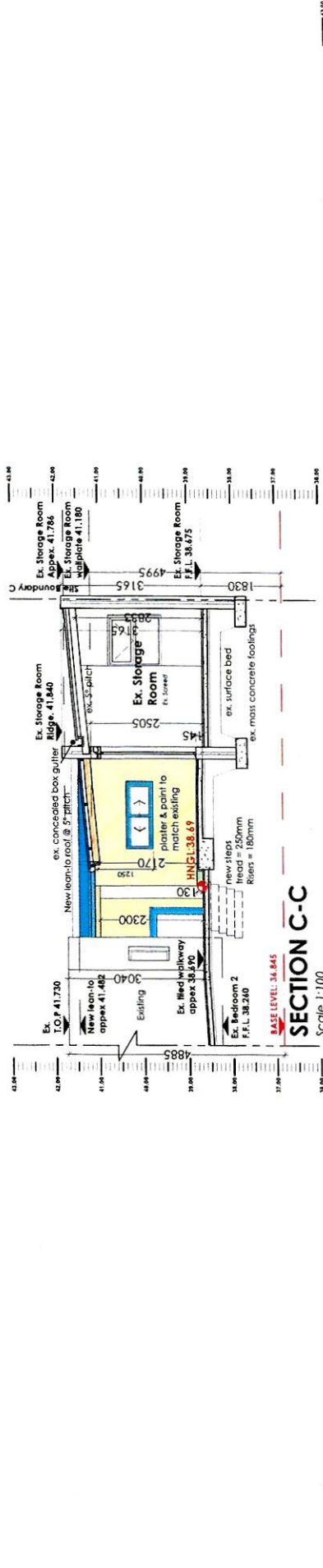
DRAWING NAME
ELEVATIONS
NORTH-WEST
NORTH-EAST
Designer: *Dan*
Daniel Jyocopus Logan
SACAP Reg. No: PA1 20786

PROPERTY INFORMATION
House Van Wyk
& Hemeit-En-See Avenue
Vermont
ERF 1828
Owner: *Aren Woyt*

project no
AD2102V
scale
1:100
drawing no
5-2

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date
JAN 2021
drawn
NG
rev
R1



SECTION C-C
Scale 1:100

SECTION D-D
Scale 1:100

REV	DATE	DESCRIPTION	BY