

4.2

**ERF 3010, 93 ATLANTIC DRIVE, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA:
PROPOSED DEPARTURE : MESSRS ADSQUARED ARCHITECTURE & DESIGN CC ON
BEHALF OF JA HOLTZHAUSEN**

3010 HON

H Olivier

23 November 2020

(028) 313 8900

Hermanus Administration

1. EXECUTIVE SUMMARY

An application was received on 5 August 2020 from Messrs Adsquared Architecture & Design CC on behalf of JA Holtzhausen on Erf 3010, Onrustrivier for an application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 for a departure to relax the following:

- southern lateral building line from 2m to 1,243m to accommodate alterations and new windows;
- northern building line from 3m to 1,5m and 0m to accommodate the change of the existing balcony area as an extension to the dwelling on ground floor and first storey area, and the new pergola over the courtyard respectively;
- rear building line from 2m to 0m to accommodate a new pergola over the courtyard, and
- height restriction from 8m to 10,710m to accommodate a change to the existing roof structure.

A Locality Plan of the property concerned is attached as Annexure A. The Motivation Report from the applicant in support of the proposal is attached as Annexure B, and the proposed Site Development Plan is attached as Annexure C.

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUD / SITE HISTORY

The erf measures 495m² in extent and is located in a residential area. The erf is zoned Residential Zone I and is developed with a triple storey dwelling with garage.

The applicant wants to upgrade the dwelling and want to cover and enclose balconies, create new windows on the existing footprint over building lines, construct new pergolas in the back yard over building lines, make internal changes and want to raise portions of the roof for architectural reasons.

4. SUMMARY OF APPLICANT'S MOTIVATION

The motivation for the application is as follows:

- ❖ The existing property consists of three (3) storeys.
- ❖ The departures include:
 - Placing high-level windows on the south of the dwelling, which already encroach the 2m Zoning Scheme Building line up to 1,243m to the southern lateral boundary.

- Extension of the dwelling on top of the existing balcony/walkway which already encroach the 3m northern street building line up to 1,5m.
- A pergola is also proposed which will encroach the 3m northern street building line and the 2m western lateral building line up to the property boundaries.
- The raising of a portion of the existing roof to 10,710m in lieu of the 8m height restriction (applicable to the existing building).
- ❖ No additional coverage will be created.
- ❖ The roof covering will be removed.
- ❖ Access to the property is directly from Atlantic Drive. The proposal will improve accessibility from the road network.
- ❖ No new infrastructure or services will be required.
- ❖ No additional traffic will be created.
- ❖ No change in zoning is proposed and the property will remain zoned for Residential Zone I: Single Residential purposes.
- ❖ Accommodation density will remain the same.
- ❖ No impact on historical architectural and conservation worthy areas, and the proposal will improve the aesthetics.
- ❖ High level windows will be placed in the south facing wall ensuring privacy to the adjacent neighbour.
- ❖ The eastern side of the property will also be more pleasing on the eye from the Onrus Beach.
- ❖ The proposal will have no negative impact on the parking area to the north and will be more aesthetically pleasing.
- ❖ There is a public parking area to the west, which will not be negatively affected.
- ❖ Street scenes will be improved, and not have a negative impact.
- ❖ The proposal will not over modernize the structure and make the dwelling more appealing on the eye.
- ❖ The renovations will be desirable as it will not impede on the privacy of surrounding property owners.
- ❖ New surface water will be accommodated.
- ❖ In line with the Provincial- and Overstrand SDF and Policy Documents.

❖ **Planning Principles**

Spatial Justice

Complies with the requirements with no impact.

Spatial Sustainability

Complies as it is in an urban area, and no impact on environmentally sensitive and biodiversity rich areas.

Efficiency

No negative impact on land use rights of surrounding properties. A derelict home will be improved, and better use will be made of space and land.

Spatial Resilience

Complies with Overstrand Growth Management Strategy and will have no negative impact on the environment.

Good Administration

The proposal complies with legislation, the application is desirable in terms of the relevant criteria, and a good consultative process took place with the Overstrand Municipality and Heritage Western Cape.

- ❖ The application was duly motivated in terms of the relevant criteria and legislation and complies therewith.
- ❖ The waiving of the public participation process should be considered as the application has no impact on surrounding property owners, no impact on the character of the area is expected, and the departure is of a minor nature and will have no impact on the adjacent property owners or area.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Notices	Yes	5 August 2020	11 September 2020
Ward councillor	Yes	5 August 2020	11 September 2020
Total comments	FIVE (5)		
Total letters of support	NONE		
Was public participation undertaken in accordance with Section 46 - 50 of the By-Law on Municipal Land Use Planning?			Yes
Was the application processed correctly (if no, elaborate below):			Yes
Is the proposal consistent with the principles referred to in Chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)			Yes

6. SUMMARY OF COMMENT FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments
Engineering Department	14/08/2020	See Annexure G.
Telkom	14/08/2020	See Annexure F.
Fire Department	13/08/2020	No objection.
Building Department & Local Heritage	17/08/2020	Supported. Building older than 60 years.

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION, THE APPLICANT'S RESPONSE AND THE MUNICIPAL TOWN PLANNER'S COMMENT

Objection 1 – Height Restrictions

The height restriction protects the aesthetical character of the area. Views from the north and west will be impeded creating loss of enjoyment and property value. Neighbours did not consent to the existing dwelling being above 8m, and this is a blatant ignorance of regulations. The house should be changed to comply with the 8m. High buildings will change the whole aesthetics of Onrus Beach.

Applicant's response

The existing roof structure outline will remain the current height, no height will be added to the existing roof. The only modification is the replacement of the existing roof tiles with metal roof sheeting. No views of neighbours will be affected negatively.

Town Planner's response

The objections and applicant's response are duly noted.

Most of the proposal is to replace roof sheeting on the entire roof, which does not require any town planning application. There is however a portion of the roof on the western side of the dwelling which the applicant proposes changing by raising the roof. This portion of the roof will not be higher than the existing roof structure to its east, but it will be a raising of a portion of the roof above the existing 8m height restriction. The applicant's response is therefore not supported, as there is a new portion of roof that will be created.

It is to be noted that the applicant refers to the 8m height restriction line in terms of the existing building, but this line will change and will be approximately 0,58m higher if the pergola is approved, as it would extend the footprint of the building.

Objections were received from property owners located west and north-west of the property, all concerned about the impact on their views. The portions to be added above the existing calculated 8m height restriction line is a triangular portion approximately 2m wide at the highest point at 10,710m high, and a portion 2,5m wide at 9,54m high.

Although these proposed additions should visually not block views due to the existing roof structure to the east, impact thereof was not duly addressed by the applicant for the writer to evaluate the impact thereof on the objectors' views. The objectors' concerns were therefore not duly addressed and their concerns regarding loss of view, enjoyment and property value, therefore does have some merit.

Some objectors are of the opinion that the existing dwelling which is higher than 8m in height was not legally constructed at such heights and should be lowered to 8m. It is to be noted that the existing dwelling was constructed in approximately 1999. If the legislation is considered since 1986 to 2013, there were no specific height restriction. A dwelling could have been constructed with a basement, which had to comply with certain criteria, two (2) storeys each of 4m in height and a roof with no specific height limitation. This building is historic and is considered existing rights, and therefore a legal structure, and only changes / additions to such buildings can be considered in terms of the 8m height restriction.

Objection 2 – Building lines

Building lines protect the aesthetical character. The building can be demolished, and a new dwelling built in compliance with building lines. The relaxation of the northern and eastern building lines next to public areas impede on public interests.

Applicant's response

Building lines as per the Zoning Scheme Regulations has changed over the years, and although the house once was within those building lines, the new Zoning Scheme requires a building plan departure for alterations made to the existing structure within the old building lines.

The building work is within the existing footprint, which once was the Zoning Scheme Regulations.

The alterations and additions will not affect any neighbour's views or have a negative impact on streetscape.

Town Planner's response

The existing dwelling on Erf 3009 has been constructed 1,234m from the southern building line and 1,5m from the northern street building line. The applicant is correct that less restrictive building lines were applied prior to 1986, when the first building plans for the dwelling were approved.

The applicant proposes to do internal changes and window changes on the outside wall facing south, he also proposes to enclose an area below an existing balcony, and also place a roof on top and enclose the first floor balcony which was constructed 1,5m from the northern street boundary line. The third proposal is to construct a pergola west of the dwelling up to the western- and northern building line.

The changes to the southern side of the dwelling is considered cosmetic and internal with no real impact on neighbours or public interest. The proposed pergola is an open low structure that is more of architectural importance. It would also be hidden behind the milkwood trees to the west and north of it, which areas are part of public parking areas. The structure would hardly be visible by neighbours or the public using the parking lot, and it is therefore not foreseen to have any negative impact.

The alterations / additions on the northern side of the property is considered major changes. The comment that alterations should be done within building lines, are duly noted. In the applicant's motivation he indicated he wants to make these changes to make the dwelling less imposing by adding enclosed areas next to the dwelling. It is to be noted that there is a wrap-around balcony on the eastern- and northern side of the dwelling, and the architect's intension is to use this existing structure to alter the scale to ensure the height of the building is less imposing.

It is the opinion that the area below the existing balcony on the northern side has no real function, as it borders directly onto a public parking area and therefore the area has no privacy. It must be noted that it is 1,5m from the parking area which have a Transportation Zone II: Public Road zoning. For this reason, a 3m building line is now applied, but if it was bordered by a residential erf a 2m building line would have been applicable. A portion of this basement area up to 1,5m from the boundary is already enclosed, and it is the opinion that enclosing the remainder portion of approximately 9m in length will not be imposing on the public parking area, and also provide the applicant with some privacy.

The proposal is to also cover and enclose the first storey balcony up to 1,5m from the northern street boundary line, to ensure privacy to the property owner and provide an area where he can construct a new staircase to internally link the basement with the ground storey. The architect is of the opinion that this alteration would soften the impact of the existing high building and would have a positive impact on streetscape. The proposed covered enclosed balcony will be approximately 5m high above the existing ground level on the north-western side (of the old balcony) and 6,5m high on the north-eastern corner of the existing balcony. Considering that the enclosed and covered area will only be 1,5m from the public parking lot, it is the opinion that it would be an imposing structure overlooking the public parking area. The objectors' opinion that it would impede on public interests and could impact the aesthetical character of the area is supported in this regard.

Objection 3 – Character area and aesthetics

Regulations are there to safeguard the character of the area. The aesthetics of Onrus Beach will be changed. Building lines and height restrictions protect the aesthetical character.

Applicant's response

The vision for the structure is to soften it up, by breaking the appearance of the height of the structure by adding natural timber elements, as well as using a colour pallet together with natural landscaping to fit in with the beauty of the natural landscaping that surrounds the structure.

Town Planner's response

The applicant's intention to break the appearance of the height of the structure is noted, but as discussed under Objections 1 and 2, the objectors' concerns regarding additions to the roof and over building lines could impact the character of the area.

The major concern with regard to impact on the character of the area and aesthetical character is covering and enclosing the existing balcony. Although it cannot be debated that it could possibly soften the impact of the dwelling viewed from a distance, thus structure will be imposing when viewed from the public parking area to the north, and therefore impact the character of this area.

Objection 4

Will take legal action against Municipality if application is approved.

Applicant's response

No comment provided.

Town Planner's response

The Overstrand Municipality By-Law on Land Use Planning, 2015 makes provision that a landowner can apply for a departure from a height restriction, building lines, etc. It also provides for a public participation process and in such process comments/objections against an application must be considered, as in this case.

The Municipality must then apply their minds when making a final decision, but if the decision is reasonable after due consideration of all facts, the Municipality may approve such an application.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

See point 7.

9. MUNICIPAL ASSESSMENT OF COMMENTS

See point 7.

10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)

10.1 Background

N/A

10.2 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The application is in line with the planning objectives applicable to this application.

The objectives relating to:

Spatial Justice

N/A

Spatial Sustainability

The application is located within the urban edge and thus will not lead to urban sprawl. No natural habitat is impacted upon and will not have any negative influence on the environment. In terms of spatial sustainability, the character of the area must also be considered, and some of the proposed departures could impact negatively on the character.

Efficiency

It is financially more efficient for the property owners to revamp the existing dwelling that to demolish the whole structure and build a new dwelling.

Good Administration

The application followed the required planning procedures to ensure that land use activity is in line with Municipal By-Laws and the public process has been followed.

10.3 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

Same as Point 10.2 above.

10.4 (In)consistency with the IDP/Various levels of SDF's/Applicable Policies

N/A

10.5 (In)consistency with guidelines prepared by the Provincial Minister

N/A

10.6 Impact on Municipal Engineering Services

No new services will be required.

10.7 Outcomes of investigations/applications i.t.o. other legislation

N/A

10.8 Existing and proposed zoning comparisons and considerations

N/A

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

The dwelling on Erf 3010 is an historical structure with building plans dating back to the 1960's. It is a large imposing building which fronts Onrus Beach, borders a residential dwelling to its south and municipal parking areas to its north and west.

The applicant proposes to make small additions to the roof, replace the roof covering, and also applied to relax building lines to accommodate pergolas onto the western and northern boundaries, enclosing and covering of an existing balcony and basement portions 1,5m from the northern street boundary, and internal changes and new windows up to 1,243m from the southern boundary.

It is noted that the architect indicated he did consult with the town planner prior to submission. It is to be noted that the town planner can only advise on the risk of applying for departure applications, as it is a privilege to apply for departures. Consultation also took place to advise the applicant to provide correct information regarding height restriction lines and coverage to ensure correct information was submitted.

Although the applicant requested that the public participation be waived, this could not be entertained.

A good public participation process was followed, and five (5) letters of objection were received. The objections related to the impact of extensions above the 8m height restriction on views and the character of the area, and also the possible impact of building line departures on the aesthetical character of the area and public interest.

The objections and responses thereon were discussed in detail in this report. The application relating to the relaxing of the height restriction is not supported due to the fact that the impact thereof on surrounding neighbours were not sufficiently addressed and the objectors' concerns therefore is considered valid.

The relaxation of the southern lateral building line to 1,243m is only to accommodate internal changes and new windows and is supported.

The new proposed pergola over building lines, the 3m street and 2m rear (next to the parking area), will also have no impact on neighbours or the character of the area, and is supported.

The relaxation of the northern street building line to 1,5m to accommodate the enclosure of the area underneath the existing balcony is supported, as it would improve privacy from the public parking area and help soften the building with regard to its height. The proposal to cover and enclose the first floor balcony is not supported, as it will be an imposing structure next to the public parking area which would impact the character of this area, and the users of the public parking area.

It is to be noted that all municipal and relevant state departments support the application.

It is also to be noted that the proposals will not increase the coverage of the property.

The application is therefore partially desirable, with only the departure to relax the southern lateral building line, the northern- and western building line to accommodate the pergola, and the relaxation of the northern street building line to 1,5m to only accommodate the enclosure of the area under the existing balcony (old basement level) being supported.

13. RECOMMENDATION

1. that the application in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 (By-Law) for a departure on Erf 3010, Onrustrivier to relax the 8m height restriction to 10,7m to accommodate a change to the existing roof structure, **not be approved** in terms of the provisions of Section 61 of the By-Law.
2. that the application in terms of Section 16(2)(b) of the By-Law for a departure on Erf 3010, Onrustrivier to relax the northern street building line from 3m to 1,5m to change an existing balcony to an extension to the dwelling, **partially be approved** in terms of the provisions of Section of the By-Law, subject to the following conditions:
 - (a) that only the area below the existing balcony may be enclosed, but the proposed covering and full enclosure of the first-floor balcony area **not be supported**.
3. that the application in terms of Section 16(2)(b) of the By-Law for a departure on Erf 3010, Onrustrivier for a departure to relax the following:
 - northern lateral building line from 3m to 0m and the rear building line from 2m to 0m to accommodate a pergola, and
 - southern lateral building line from 2m to 1,243m to accommodate internal changes and new windows,

be approved in terms of the provisions of Section 61 of the By-Law;

4. that the decisions in 1. to 3. above be subject to the following conditions:
 - (a) that the building plans be amended to be in line with the decisions in 1. to 3. above and submitted to the Building Control Department;
 - (b) that only new roof sheeting and other building work as allowed in terms of the Zoning Scheme be allowed to the roof structure above the newly calculated 8m height restriction line (considering the pergola as part of the building footprint);
 - (c) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (d) that all other development parameters as prescribed in the relevant Zoning Scheme be complied with;
 - (e) that all conditions of the Building- and the Fire Department be complied with at building plan submission phase;
 - (f) that all the conditions in the Services Report (attached as Annexure G), be complied with, and
 - (g) that all the conditions by Telkom (attached as Annexure F), be complied with.
5. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above conditions of approval.

14. REASONS FOR RECOMMENDATION

POINT 1.

- ❖ The extension to the roof structure above the 8m height restriction line could impede on views of surrounding neighbours to the north and west.
- ❖ The alterations to the roof structure are for aesthetical reasons and not a necessity.
- ❖ Objections were received from surrounding property owners that their view will be impacted, and their property value thereby affected.
- ❖ The applicant in his response on the objections did not provide any detailed information to prove the objectors wrong in their opinion that view will be impacted and possibly the character of the area.

POINT 2.

- ❖ The objections regarding the impact of the relaxation of building lines on the character of the area and impeding on a public area does have merit with the roofing and enclosure of the existing first floor balcony.
- ❖ The proposed covered and enclosed balcony would be 6,5m to 5m in height over a 12m long distance, and will only be 1,5m from the public area. It will be an imposing structure and could impact on the aesthetical character of the Onrus Beach parking area.

- ❖ The applicant did not provide any detailed information in his response to objections proofing the concerns of the objectors regarding the proposed extension to be wrong.
- ❖ The enclosure of the area underneath the balcony will not be imposing on the public parking area and will provide the property owner with some privacy.

POINT 3.

- ❖ The departure applied for of the southern building line is internal changes and some new windows in an existing wall, with limited impact on neighbours.
- ❖ The adjacent neighbour (Erf 3009) who is the only neighbour really impacted by the relaxation of the southern boundary submitted no objection.
- ❖ The pergola proposed to be constructed over the 3m street and 2m rear building lines up to the boundary, is a low non-imposing structure that would be hidden behind milkwood trees, and hardly visible to neighbours.
- ❖ The pergola structures will be placed next to parking areas, not close to any neighbours.
- ❖ The objections regarding views, aesthetics and impact on the character of the area is not considered relevant to the relaxations of the southern lateral building line and also the relaxation to accommodate the pergola, as its impact is minimal.

15. ANNEXURES

Annexure A:	Locality Plan
Annexure B:	Motivation Report
Annexure C:	Site Development Plan
Annexure D:	Objections received
Annexure E:	Applicant's response to objections
Annexure F:	Comments: Telkom
Annexure G:	Services Report

SIGNATURES

REGISTERED PLANNER:

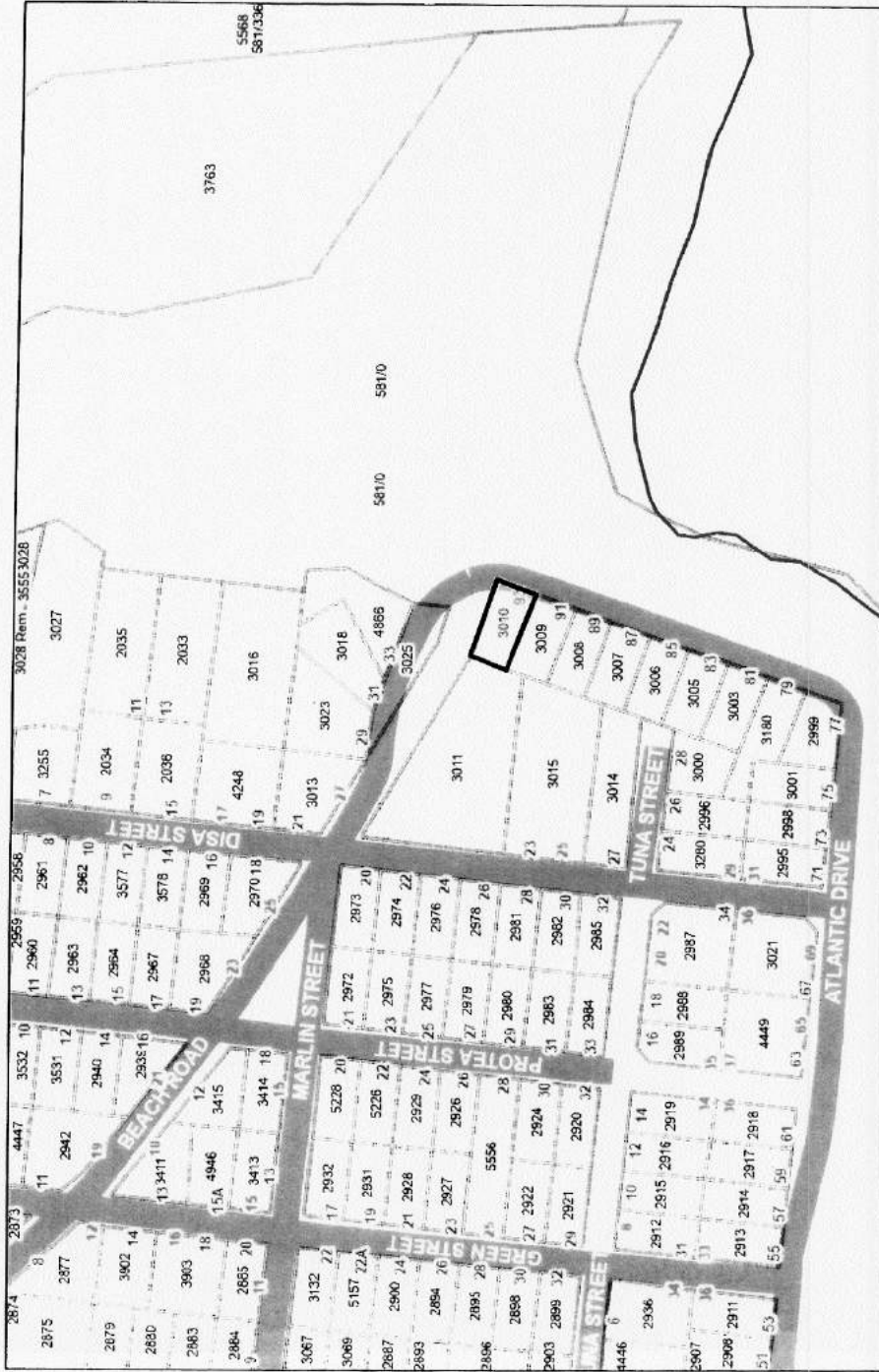
Name : **H VAN DER STOEP**

SACPLAN Reg No: **A/1708/2013**

Signature : _____

Date: _____

ANNEXURE A



OVERSTRAND MUNICIPALITY

Locality Map
Erf 3010 Onrus River

Date: 2020/02/13

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MOTIVATION REPORT – REV 2 – 17 JUNE 2020

ERF 3010, 93 ATLANTIC DRIVE, ONRUSTRIVIER
DIVISION: CALEDON
SINGLE RESIDENTIAL ZONE 1

1. PRE - APPLICATION CONSULTATION

A pre-application consultation took place between Nikki Groenewald via email correspondence as well as a consultation meeting in Onrus, between Daniel Jacobus Louw (ADsquared) and Henk Olivier, Town Planner: Town & Spatial Planning Department (Overstrand Municipality) regarding the application to get additional information from one another and in order to ensure that all the Municipal requirements will be met. **Please refer to Annexure A.1.**

We have also made contact with Earl Zimri (Building Inspector) for the region, in order to find out if we can make the interior changes to the 2nd Storey, as the owners wants it to be ready for the December holidays, to which he stated: "A plan has to be submitted to the Building Control Department and it needs to be taken to the Heritage Committee for approval because it is a heritage property (Older than 60 years)", and that we can unfortunately not do any maintenance work as requested. **Please refer to Annexure A.2. for full correspondence.**

2. EXISTING DEVELOPMENT ON PROPERTY

The property is currently in extend 495m², falls under the Single Residential Zone 1, the owner of this application recently bought the property, Title deed dated 17 May 2019.

Herewith the following that is all existing on the property:

The property consists of three floors, namely, Ground Storey, First Storey and Second Storey.

Please refer and read in conjunction with the existing Floor Layouts, as per attached to the application as Annexures.

2.1. Ground Storey – (Annexure B.1.)

The ground storey consists of 2 Bedrooms, 1 Full Bathroom, Kitchen, Lounge and Dining Area. There is also an existing Staff Quarters area that consists of a Bedroom, Lounge & Bathroom.

2.2. Exterior Ground Storey Areas

Currently access is gained from Atlantic Drive Street via carriage way crossing, that is secured with an electronically operated 1.8m high vehicular gate, to a carport area, of which the existing carport was created using a timber deck structure which was used as a sun deck (as per our findings with consultation with Henk Olivier, this sun deck was never approved by Overstrand Municipality).

The property has an existing pool, with timber decking around, and current pool location is closer than 1m from the front street boundary, adjacent from the pool is an existing covered patio, this covered patio is created by the First Storey Walkway/Balcony above. There are existing steps on the North side of the property that leads all the way up to the First Storey areas. There are existing steps on the South side of the property as well, leading up to the First Storey towards the existing drying yard. There is an existing outside bathroom on the North of the property under the First

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Storey walkway/balcony.

Another access point from the beach road parking area, is located close to the pool on the north side of the property, this is a small pedestrian gate.

2.3. First Storey Areas – (Annexure B.2.)

The first storey consists of 1 Bedroom with a full Bathroom, 2 Bedrooms, 1 Full Bathroom, Lounge/Dining Area, TV Lounge, Kitchen with Scullery, and Guest WC under existing timber stairs leading to the Second Storey.

2.4. Exterior First Storey Areas

On the East side of the property is an existing timber sun deck, which as previously mentioned in this Section 2.2. does not have approval plans. An existing Balcony with columns & steel balustrade's wrap around the First Storey from the East around to the North of the property, forming the Undercover Patio on the Ground Storey and the Balcony/Walkway on the First Storey.

There is an existing Drying yard area that also has an existing access pedestrian gate from the Public Parking area on the West of the property. The existing Courtyard is currently covered by a lean-to roof with the pitch sloping from the South to the North of the property, this roof over the courtyard does not have approved plans, as told by Henk Olivier, as well as the existing braai.

There is an existing pedestrian gate at the top of the property on the North side of the property, and access to this gate is gained from the Public Parking area.

2.5. Second Storey Areas – (Annexure B.3.)

The Second Storey consists of 3 Bedrooms, 2 Full Bathrooms and a WC, Lounge and a Breakfast Kitchenette. The existing Lounge and Bedroom on the East side has an existing Balcony/Patio.

The 2 Bedrooms to the North, each have an existing dorma window. The Bathrooms and Kitchenette all have existing openable roof windows.

2.6. Existing Photo's

Please refer to **Annexure B.4.**, attached to this application, in order to see the condition and state of the existing dwelling.

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) The entire existing dwelling structure on the South lateral boundary is already encroaching the 2m Zoning Scheme Building Line (Single Residential Zone 1) by 757mm, we are proposing new high-level windows on the South of the existing dwelling on the Ground & First Storey, therefor applying for departure.
Permanent Departure of 1,275mm In lieu of 2m Zoning Scheme Building Line.

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- (b) The entire existing balcony/walkway area on the North lateral boundary is already encroaching the 3m Zoning Scheme Building Line (Single Residential Zone 1) by 1.500mm, we are proposing that partial of the existing balcony/walkway become the extension of the existing dwelling, therefor applying for departure.
Permanent Departure of 1,500mm in lieu of 3m Zoning Scheme Building Line.
- (c) Proposed Pergola on the West lateral boundary encroaching the 2m Zoning Scheme Building line & 3m Zoning Scheme Building Line as per the Single Residential Zone 1, therefor applying for departure. **Permanent Departure of 0m in lieu of 2m Zoning Scheme Building Line & Permanent Departure of 0m in lieu of 3m Zoning Scheme Building Line.**
- (d) The existing dwelling roof structure is already encroaching the 8m Height Restriction according to the measured Average NGL level 8.26, as per the Land Surveyor's calculations. The existing roof encroach - **Ridge 1: 2.710m, Ridge 2 : 2.340m & Ridge 3 : 1.672m** with the Land Survey Average NGL Level, and 8m height restriction level 16.26.

Please note that the height of the existing roof apex for ridge 1-3 will not change, as we are only replacing the roof tiles with metal roof sheeting, we are not adding to the existing roof heights.

Note:

The proposed pergola on the West side of the property, being attached to the existing dwelling, the average measured NGL level will be affected as it will be part of the footprint to calculate the HNGL & LNGL in order to calculate a new Average NGL. This calculation will be affected by the departure application for the pergola encroaching the 2m Building Line application, as the decision for this departure is still to be decided with this departure application.

With the pergola NGL levels added to the drawings the Lowest Natural Ground Level remains the lowest point of intersection for the dwelling with the NGL, noted as LNGL - 6.27, and the new Highest Natural Ground Level will now be HNGL - 11.40, the new Average NGL level will now be - 8.836.

With the new Average NGL Level of 8.836 + the 8m for the height restriction the new 8m height restriction level is 16.836.

The existing dwelling roof structure is still encroaching the 8m height restriction according to new levels. The existing roof encroach - **Ridge 1: 2.134m, Ridge 2: 1.764m & Ridge 3: 1.097m. Permanent Departure of 10.710m in lieu of 8m height restriction**

For Departure Layout please see attached Annexure C.1. & C.2.

3.2. PROPOSED DESIGN

3.2.1. Ground Storey

We are proposing the following upgrades and maintenance for the Ground Storey interior:

- Existing Bedroom 1 to be converted to a new Double Garage, and in order to achieve this, the current floor level of the existing Bedroom 1, would have to be broken up, ground to be removed until the level that is required for the Garage, new surface bed to be laid, new steps to be casted as well, leading up to the proposed Laundry, with a new 30min fire rated



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door, new structural beams to be installed, all reinforced concrete & steel structures to be inspected and supervised by the appointed Engineer.

- Existing Staff Quarters Lounge and Bathroom interior walls to be demolished. Staff Quarters Lounge to be converted to Proposed Laundry. The new laundry fixtures like, washing machine, prep bowl & trough plumbing points to be connected to the existing sanitary/plumbing connections of the existing Staff Quarters bathroom.
- Existing Staff Quarters Bedroom (will now be known as - Bedroom 1) will be made bigger in order to have more movable space, and make it more livable, we are proposing a new En-suite for this bedroom, that consists of a wash hand basin, water closet and shower, which will be created by taking some of the existing cellar space in order to achieve this, there will be no door for the bathroom and just have an open walk in bathroom, in order to have natural light and ventilation. New plumbing to be installed as indicated on the Ground Floor Layout.
- Existing Lounge to be converted to Proposed Bar/Kitchenette. Existing Bedroom 3 wall to be demolished and to be converted to Proposed Family Room. The existing Cellar & rock beds remains, rock beds will be inspected for mold and treated accordingly. New Frameless glass panels to be fixed in between existing columns and new steps to the cellar will be created from the Family room to the Cellar.
- Existing under cover Walkway on the North of the property, becomes the Proposed Bar/Kitchenette Extension, in order to open up the space and to create interior staircase leading up to the First Storey, as currently you can only access the First Storey from the Ground Storey by having to use the existing exterior staircase to the North and South of the property, thus adding more value to the property and more security.
- Under the Proposed reinforced concrete staircase, created as per above point, we are proposing to utilize the space for extra storage as well as the new access point for the existing bathroom.
- We are proposing to make the existing outside Bathroom more usable, by making the bathroom bigger and by connecting it with the Family Room, therefor making it more practical and by upgrading the sanitary ware, by using the existing plumbing points, as the existing sanitary ware is worn down and not well maintained. By proposing that the Bathroom be added to the House, will add more value to the property and be more practical as well.
- All existing windows and doors will be removed, and be replaced with new aluminium windows and doors of which some will have new positions, in order to comply with the overlooking features for ERF 3009, on the South of the property for privacy between the owners of ERF 3010 and the neighbours of ERF 3009. Please refer to the window and doors schedules. All new windows and doors for the Ground Floor Complies with the SANS 10400 and SANS 204: Fenestration Calculations and Energy Efficiency.

3.2.2. Exterior Ground Storey Areas

We are proposing the following upgrades and maintenance for the Ground Storey exterior:

- We are proposing that the existing Carport be converted to Proposed Driveway, by means of removing the existing timber sun deck, that as previously mentioned in Section 2.2. of this

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report, has no approved plans and therefor is classified as un-lawful. Our proposal will enhance the exterior façade of the dwelling on the East side of the property, facing Atlantic Drive and the Onrus Beach area, which will be more aesthetically pleasing to the public eye as well as improve the surrounding area. The existing paving to be picked up, as the slope of the paving is sloping towards the dwelling, new grass blocks to be laid with a slope from Proposed Garage towards Atlantic Drive, in order to provide better storm water drainage, and by using grass blocks, we will be improving the water saving efforts as well as the environment.

- We are proposing to remove the existing septic tank and utilizing its space to build new stairs from the driveway up to the Ground Storey, the proposed stairs will be screened and secured by a 2.1m high steel and timber sliding gate. A new septic tank will be installed in the new Driveway, in order to access the inspection points more successfully and to improve the access to the suction point connection for the Municipality.
- The current East side stone boundary wall is 1.8m high, and we would like to raise the wall to 2.1m high, in order to create more privacy at the existing pool and deck area. This proposal will also create not only privacy for the owners of the property but for the public using the beach as well, it will also create more security, as there is public parking area for Onrus beach right next to the dwelling.
- The existing pedestrian gate next to the pool, on the North of the property, to be removed, and opening on the boundary wall to be closed- up, all to match existing stone boundary wall.

Please refer to DWG No. 1-1 Coverage Comparison Land Survey existing coverage & Proposed Coverage Site Layout

Please refer to DWG No. 1-2 Coverage Comparison Land Survey existing coverage & Proposed Coverage Ground Floor

Regarding Coverage: no additional Coverage is added to the Ground Floor.

Regarding Drainage: existing sanitary and plumbing points to be used, existing drainage running under the Double Garage, to be checked and inspected, if necessary, pipe to be bridged where is runs under the building structure.

3.2.3. FIRST STOREY

We are proposing the following upgrades and maintenance for the First Storey interior:

- The existing Lounge to remain as is, existing fireplace to be made bigger to fit the heating criteria of the size of the Lounge, existing chimney to be used from the existing fireplace. Existing Balcony on the North of the Lounge to be used for the Proposed Library as well as the proposed Staircase from the Ground Storey as mentioned in Section 3.2.1. of this report. Proposed Entrance to Dwelling will also be created from the existing Balcony, these proposed area's will receive a flat reinforced concrete roof, and will be inspected and designed by the appointed Engineer.
- Existing Bedroom 2, walls to be demolished, and new open plan Kitchen to be created. Existing TV lounge to be converted to open plan Dining Room, new indoor Braai to be added.

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- Existing Bathroom 1 to be converted to Existing bedroom 1's En-suite, bathroom door to be repositioned, existing sanitary ware to be removed, new sanitary ware to be installed and existing plumbing points to be used.
- Existing Bedroom 3 to be improved by making the room bigger, Existing Bathroom 2 to be converted to Proposed bathroom 3, which will be Bedroom 3's En-suite. Existing sanitary ware to be removed and new sanitary ware to be installed, existing plumbing to be used.
- Existing Kitchen to be converted to Bedroom 4, and existing laundry to be converted to Bathroom 4, which will be Bedroom 4's En-suite. Existing plumbing points to be used at proposed Bathroom 4.
- Partial of Existing Kitchen & Existing TV lounge to be used to create a new Scullery, new plumbing point to be created, that runs down in new wall to the Ground Storey Cellar area, and new drainage to be fixed to the underside of the Existing First Storey floor slab, and then connected to the existing drainage on the Ground Storey.
- All existing windows and doors will be removed, and be replaced with new aluminium windows and doors or will be new windows and doors in new positions, all to comply with the SANS 10400 and SANS 204: Fenestration Calculations and Energy Efficiency.

Please refer to DWG No. 1-3 Coverage Comparison Land Survey existing coverage & Proposed Coverage First Floor

Regarding Coverage: Proposed Library, Stairs, and Entrance will not be new coverage as this is already counted as coverage from the Ground Storey.

3.2.4. EXTERIOR FIRST STOREY AREAS

We are proposing the following upgrades and maintenance for the First Storey exterior:

- Existing Sun Deck to be demolished as mentioned in Section 3.2.2. of this report.
- Existing East facing Balcony, to receive a new flat reinforced concrete roof, to create proposed covered Balcony. Existing Balcony balustrade columns and steel balustrade to be removed as the steel is rusted tremendously because of the coastal climate and is unsafe. New cantilever planter is proposed to give the dwelling a new soft contemporary design, including adding a little bit of nature and greenery that will soften the façade of the dwelling, which will be more pleasing to the eye from a public point of view. The rusted steel balustrades will be replaced with frameless safety glass balustrades that will be visually more pleasing than the steel. We are also proposing timber and steel sliding security shutters, which will create a more relaxing environment for the owners, especially when the strong coastal winds pick up, the proposed shutters will not only have the function of screening the balcony from the weather elements, but will protect the new aluminium and doors from the elements, as well as provide security for when the owners are not at the dwelling during holidays to close up the areas that could be a point of access to the public, and in doing so, the façade of the dwelling will still have a contemporary coastal beach house look.
- The existing Courtyard as mentioned in this report, currently has a lean-to roof over which was not approved. We are proposing that this unlawful roof and braai be demolished and proposing a new open steel and timber pergola. The spacings between the timber slats to

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have a maximum opening of 100mm. The pergola is encroaching the 4m Building line, our proposal for the pergola is to create a secured and private area, as the Public parking area that is adjacent of the Courtyard is very close to the property, and the height of the existing boundary wall from the NGL on the outside of the wall is at the highest point 2,070mm and at the lowest approx. 1,300mm, which will give the public easy access to just jump over the wall, the proposed pergola will prevent this from happening.

Please refer to DWG No. 1-4 Coverage Comparison Land Survey existing coverage & Proposed Coverage Second Floor

Regarding Coverage: Proposed under cover Balcony will not be new coverage as this is already counted as coverage from the Ground Storey.

3.2.5. SECOND STOREY

We are proposing the following upgrades and maintenance for the Second Storey interior:

- Changes to existing interior of second storey is minor, the proposal is closing of the one access door to the existing Bathroom 3.

Regarding Coverage: no added coverage

3.2.6. EXISTING ROOF

We are proposing the following maintenance work for the roof:

- Replacing the existing roof finish, change it from roof tiles to metal roof sheeting, but keeping the original shape and form of the existing roof.
- The current state of the roof is causing leaking problems, and the owners of the property would like to have this fixed, in order to spend the holidays in their beach house.

3.2.7. General maintenance and improvements

- All current rainwater drainage is weathered down or broken, all safety providing materials is either rusted or broken, surface finishes are neglected and worn down. The proposed application will amend and replace, where deemed fit, the rainwater drainage, all to comply with the new regulations.
- Overall façade of the dwelling is not appealing to the eye and not well maintained. The proposal will lift up the façade by using construction elements that will make it more soft and aesthetically pleasing.
- The new owners of ERF 3010, Onrus, want to renovate the existing house in order to improve the dwelling, while sticking to the existing frame of the structure, and removing the unlawful structures, in order to improve the property, and to comply with the Municipal By-Law as well as Land Use Management.

3.3. ACCESSIBILITY REGARDING EXISTING URBAN DEVELOPMENT

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Access to the property is obtained directly from Atlantic Drive 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 the Public Area, Erf 3011, parking area, by means of an existing access point, it is proposed to utilize this specific access point for this purpose of the application, therefore no additional access points will be created.

We are proposing to remove the existing carport that does not have approved plans, and proposing that the existing Bedroom 1 on the Ground Storey be converted to a new double garage for two vehicles, which creates two off street parking areas on the property as well, therefor using the existing access point from Atlantic Drive, no negative impact on the accessibility regarding the urban development. Our proposal will in fact improve the existing Urban Development as the front façade of the dwelling will be upgraded, which will increase the property selling price as well, and boost the surrounding property selling price.

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 3010, Onrus 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 areas around this property is also Single Residential Zones along Atlantic Drive. The current land use for the area on Beach Road, is Transport Zones for roads & parking, as well one Business Zone 3: Local Business named The Milkwood, the remaining land use along Beach Road is all Single Residential Zones.

4.2. ACCOMMODATION DENSITY

The existing accommodation density will remain unchanged for Erf 3010, and all property sizes in surrounding areas are the same in size.

4.3. HISTORICAL ARCHITECTURAL OR CONSERVATION WORTHY AREAS

Erf 3010, Onrus, and all surrounding properties all fall under the Overstrand Heritage & Aesthetics Committee as well as the Whale Coast Conservation, the proposal for Erf 3010 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.

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Overstrand Heritage & Aesthetics Committee

Contact Person:
Riaan Peters
028 312 2145 or 074 155 5500
riaan@labourconsult.co.za

Whale Coast Conservation

Contact Person:
Ingrid Du Plessis
028 316 2527 or 072 185 5726
Ingrid.wcc@gmail.com

Ingrid also asked that we send the application to:
Rob Fryer
Wcc.greenhouse@gmail.com

We have submitted our proposal to the Overstrand Heritage & Aesthetics committee as well as the Whale Coast Conservation for their comment and approval. **Please refer to attached Annexure D.1 & D.2.**

4.4. PRIVACY OF NEIGHBOURS

Previously mentioned in report [2.1.(a)] we are proposing to remove existing windows and doors on the South of the property on the Ground, First & Second Storey's, and replacing them with new aluminium high-level windows, as well as existing Ground Storey, Staff Quarters Bathroom & Lounge to be converted to Proposed Laundry, new timber door with aluminium top hung fanlight over, refer to Door Schedule as per attached building plans. Proposed high level windows on the South will accommodate the adjacent neighbours (Erf 3009), by having no overlooking features.

On the East of the property is Atlantic Drive, and adjacent to that the Onrus Beach, which our proposal will have no negative impact, the proposal will be more pleasing to the eye for the public as well as improving the aesthetics.

On the North of the property is a small parking area for the public to access Onrus Beach, our proposal will have no negative impact, the proposal will be more aesthetically pleasing.

On the West of the property is a public parking area, our proposal will have no negative impact.

4.5. STREET SCENES & VIEWS

The proposal for Erf 3010, Onrus, will improve the street scenes, and not have a negative impact.

The existing dwellings view's does not appeal to the eye as well as the aesthetics of the surrounding areas, the existing dwellings exterior façade's are worn down and was not maintained accordingly, the proposal is designed with a modern but conservative design to improve the current views of the dwelling, but keeping the existing outline of the existing structure intact, as to not over modernize the structure.

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

5. DESIRABILITY OF THE PROPOSED UTILISATION

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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 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 double garage, and behind a vehicular security sliding gate, that improves the overall parking requirements, where as currently there is a carport, that is not according to building regulations as well as have no previously approved plans for. We are proposing to demolish/removed this un-lawful carport timber structure, and converting 1 Bedroom on the Ground Floor into a double garage, 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 3010, ONRUSTRIVIER IN THE OVERSTRAND MUNICIPALITY, DIVISION CALEDON, PROVINCE WESTERN CAPE

IN EXTENT 495m²

TITLE DEED NO. : T19182/2019

OWNERSHIP DETAILS:

Johannes Andries Holtzhausen
ID No: 7006125070086

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

SPECIAL CONDITIONS:

A: SUBJECT FURTHER,

B: SUBJECT FURTHER, Amended Title Issued on 19 February 1904 (Caledon Quilrents Volume 10 No.18)

"The land thus granted being further subject to all such duties and regulations as either are already, or shall in future be established respecting land granted on similar tenure"

C: SUBJECT FURTHER, Annexure "A" annexed to Deed of Transfer No. T6561/1922

- (a) The Company undertakes to reserve for the benefit of Township the piece of ground to the westward of the continuation of van Blommenstein Street, in front of Blocks B,D,F,N,R up to the continuation of Roome Street, subject to the control of the Company.
- (b) The Company undertakes to allow all purchasers of lots to quarry stones and make bricks in such portions of their property to be pointed out by them from time to time provided such stones and bricks are used exclusively for the construction of buildings on the Estate.

D: SUBJECT FURTHER, special condition in Deed of Transfer No. T2714/1924

- (a) That the said transferee and her successors in the title of the said land shall only have the right to erect residences with the necessary outbuildings and accessories on the said land.

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.
- (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

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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:** not applicable to our application

(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 propose 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:

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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, service and land.

Consideration and impact:

- Given that the proposal remains a Single Residential Zone dwelling, it's clear that it 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, and to upgrade the neglected exterior façade of the dwelling, 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, as the Onrus beach is across the Atlantic drive road, 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:

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- 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. Being located close to the beach of Onrus and enjoying excellent accessibility, 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:

- Permanent Departure of 1,275mm in lieu of 2m Zoning Scheme Building Line.
- Permanent Departure of 1,500mm in lieu of 3m Zoning Scheme Building Line.
- Permanent Departure of 0m in lieu of 2m Zoning Scheme Building Line & Permanent Departure of 0m in lieu of 3m Zoning Scheme Building Line.
- Permanent Departure of 10.710m in lieu of 8m height restriction

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.



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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:

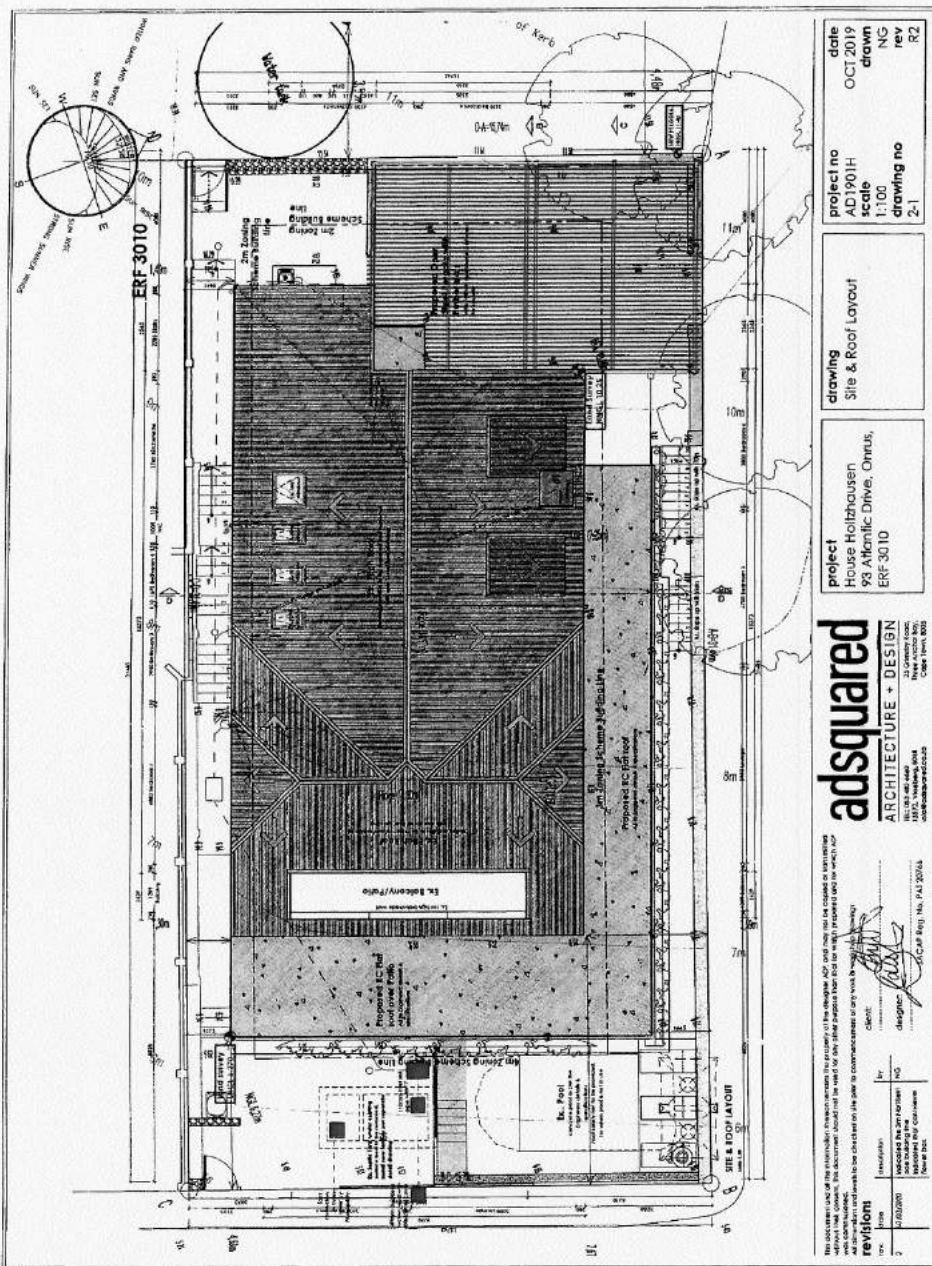
- The application will have no impact on the surrounding property owners, as motivated above and therefore the application is eligible for a waiver of advertising to the surrounding property owners.
- Has no impact on the character of the area as anticipated, as the design of the proposal was done sensitively 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.

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 20746
Professional Capacity: Professional Architectural Technologist



project no	AD1901H
scale	1:100
drawing no	2-1
date	OCT 2019
drawn	NG
rev	
rev	R2

drawing
Site & Roof Layout

project
House Holtzhausen
93 Atlantic Drive, Omrus,
ERF 3010

adsquared
ARCHITECTURE + DESIGN
1017, Vredehoek, Cape Town, South Africa
Tel: +27 (0) 21 462 4444
www.adsquared.co.za

client: *[Signature]*
designer: *[Signature]*
No. of Pages: 10
No. of Sheets: 15

revision	description	date	by	checked
1	Issued for construction	21/10/2019	NG	NG
2	Revised for construction			

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NOTES

AREAS:

Zoning Scheme: Single Residential Zone 1
 Site Area: 480m² 50%
 Building User: 4m
 Street: 400m² 4m
 Height: 10m
 Height from base level to top of roof: 8m

TOTAL EXISTING OVERALL COVERAGE	270m ²
TOTAL NEW OVERALL COVERAGE	55% 0m ²
TOTAL % COVERAGE	55%

COVERAGE AREAS

GROUND STOREY

Ex. Ground Storey Coverage	100m ²
Ex. Ground Storey Patio Coverage	48m ²
Total Existing Coverage Area	238m²

FIRST STOREY

Ex. First Storey Coverage	197m ²
Ex. First Storey Balcony Coverage	19m ²
Total Existing Coverage Area	216m²

SECOND STOREY

Ex. 2nd Storey Coverage	18m ²
Ex. 2nd Storey Balcony Coverage	10m ²
Total Existing Coverage Area	157m²

Overall Coverage Area 248m² 54%

PROPOSED

GROUND STOREY

Ground Storey Coverage	219m ²
Ground Storey Patio Coverage	19m ²
Total Coverage Area	238m²

FIRST STOREY

First Storey Coverage	279m ²
First Storey Balcony Coverage	39m ²
Total Coverage Area	248m²

Overall Coverage Area 248m² 54%

NO COVERAGE ADDED TO EXISTING

NEW WORK

GROUND STOREY

INTERIOR	
Prop. Garage	39m ²
Prop. Bedroom	5m ²
Family Room	15m ²
Prop. Living	20m ²
Ex. Bath changes	6m ²
EXTERIOR	
Prop. Stairs to Ex. Pool Deck	4m ²
Total New Work on Ground Storey Area	92m²

FIRST STOREY

INTERIOR	
Prop. Library	10m ²
Prop. Entrance	12m ²
Prop. BBQ	3m ²
EXTERIOR	
Prop. Deck/active feature, cantilever planter box	14m ²
Drying yard extension	4m ²
Courtyard extension	7m ²
Prop. Pergola over courtyard	6m ²
Total New Work on First Storey Area	110m²
TOTAL NEW WORK	202m²

NEW WALLS

Boundary walls	
Prop. stone walls crease	
390x350x2100mm	0.26m ² East
796x625x300mm (build up on ex.)	0.6m ² East
1500x200x1725mm	0.61m ² South
1500x200x1725mm	0.62m ² North
1027x525x1725mm (build up on ex.)	0.57m ² North
261.4x326x420mm	0.57m ² North
TOTAL NEW WALLS	4.2m²

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revisions

no.	date	description	by
1	10/03/2019	Issued for tender	NS
2	10/03/2019	Issued for tender	NS

client: **House Holtzhausen**
 designer: **adsquared**
 15/15, coverage 50.0%
 25/04/2019
 15/15, coverage 50.0%

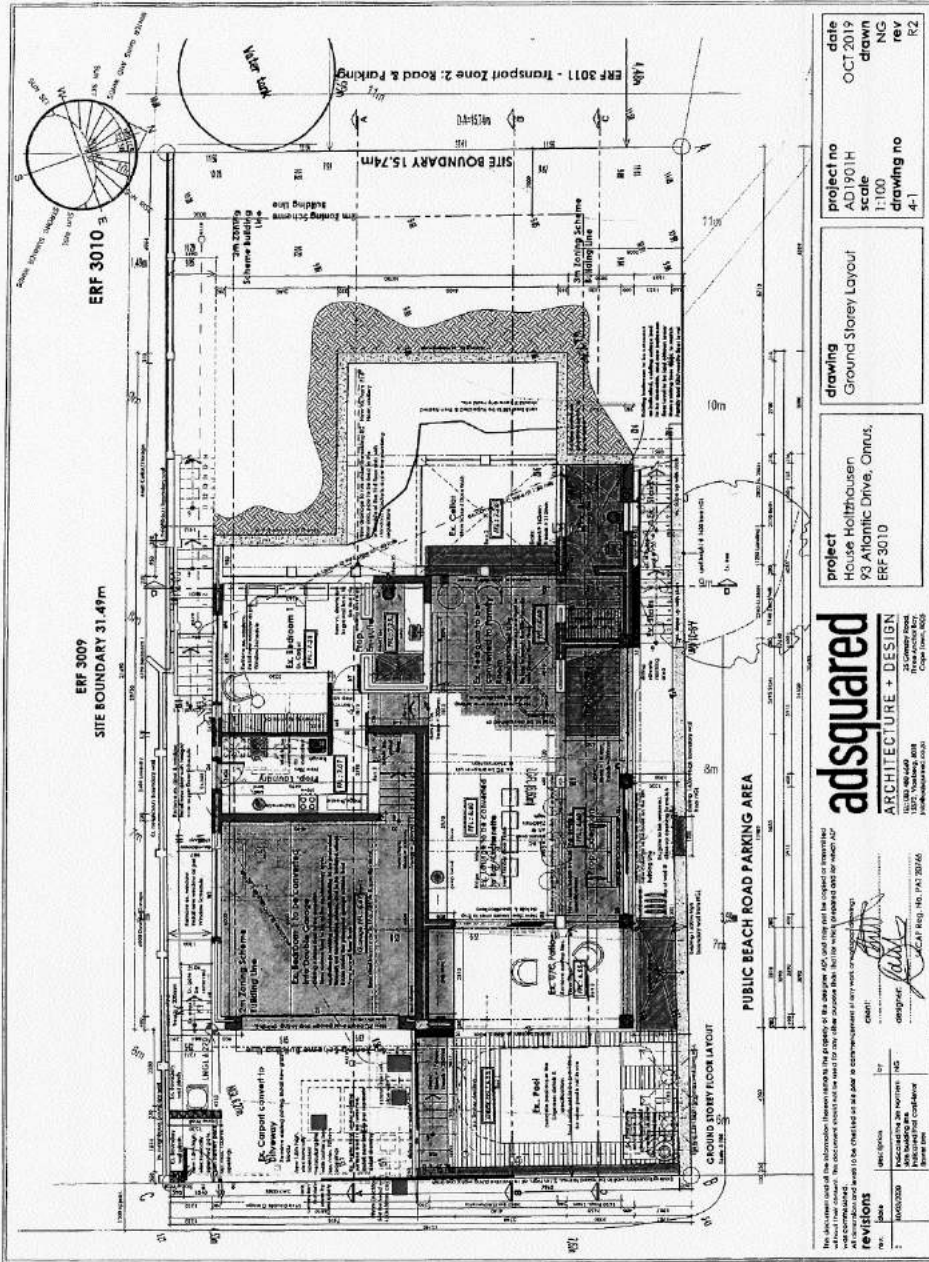
adsquared
 ARCHITECTURE + DESIGN

project
 House Holtzhausen
 92 Atlantic Drive, Onrus,
 BRF 3010

drawing
 AREAS

project no
 AD1901H
 scale
 NIS
 drawing no
 2-1-A

date
 OCT.2019
 drawn
 NS
 rev
 NS
 RZ



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PROJECT
 House Holthausen
 93 Atlantic Drive, Onrus.
 ERF 3010

PROJECT NO
 AD1901H

SCALE
 1:100

DRAWING NO
 4-1

DATE
 OCT 2019

DRAWN
 NG

REV
 R2

DRAWING
 Ground Storey Layout

PROJECT
 House Holthausen
 93 Atlantic Drive, Onrus.
 ERF 3010

adsquared
 ARCHITECTURE + DESIGN
 25 CORRY ROAD
 TEL: 081 489 4408
 1200 HURSTVILLE ROAD
 CROFTON CROSS, NSW

CLIENT
 [Signature]

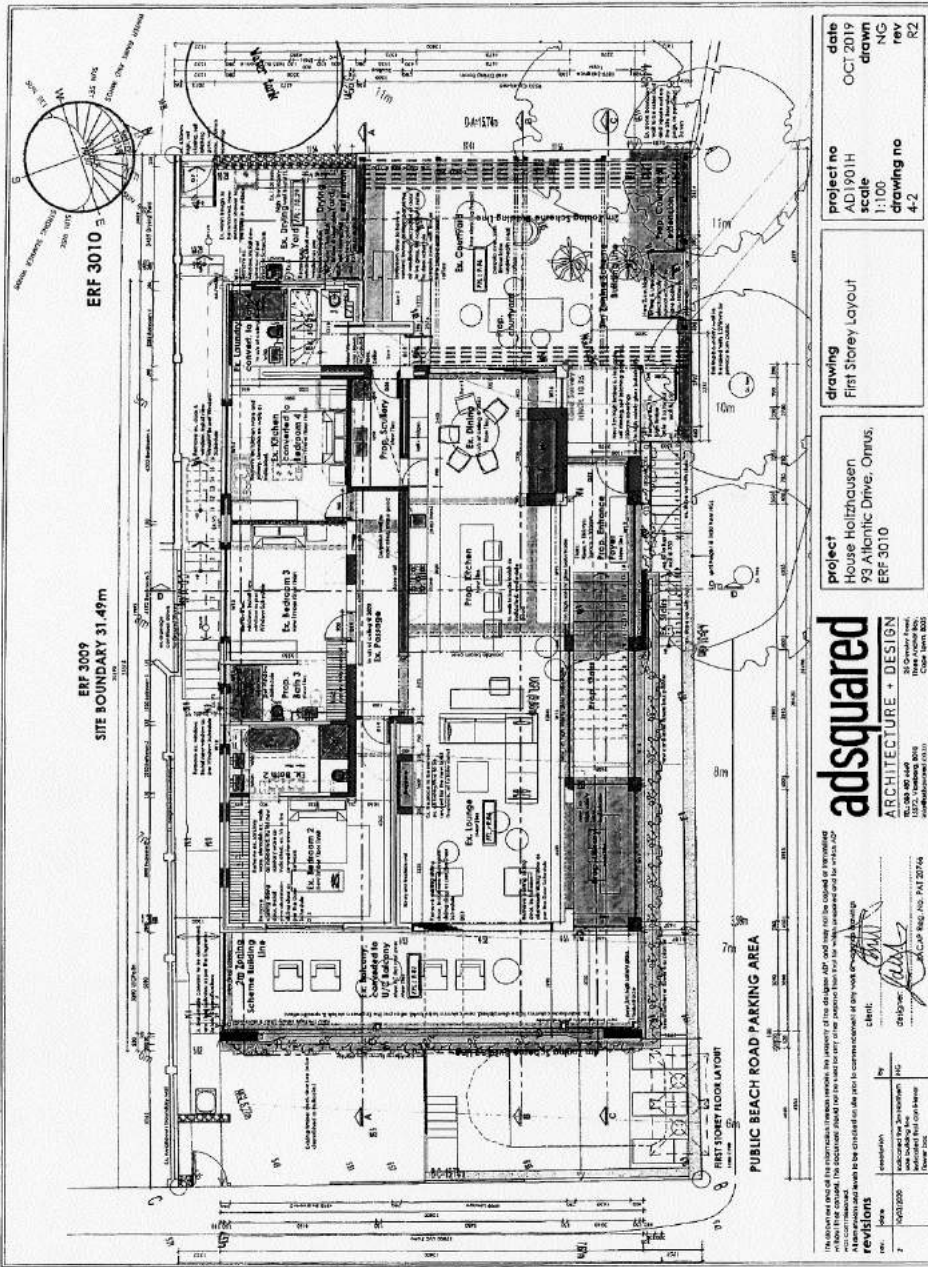
DATE
 10/10/2019

FOR
 [Signature]

PROFESSIONAL SEAL
 [Signature]

REGISTERED ARCHITECT
 [Signature]

REGISTERED NUMBER
 123456789



project no AD1901H
 scale 1:100
 drawing no 4-2

date OCT 2019
 drawn NG
 rev R2

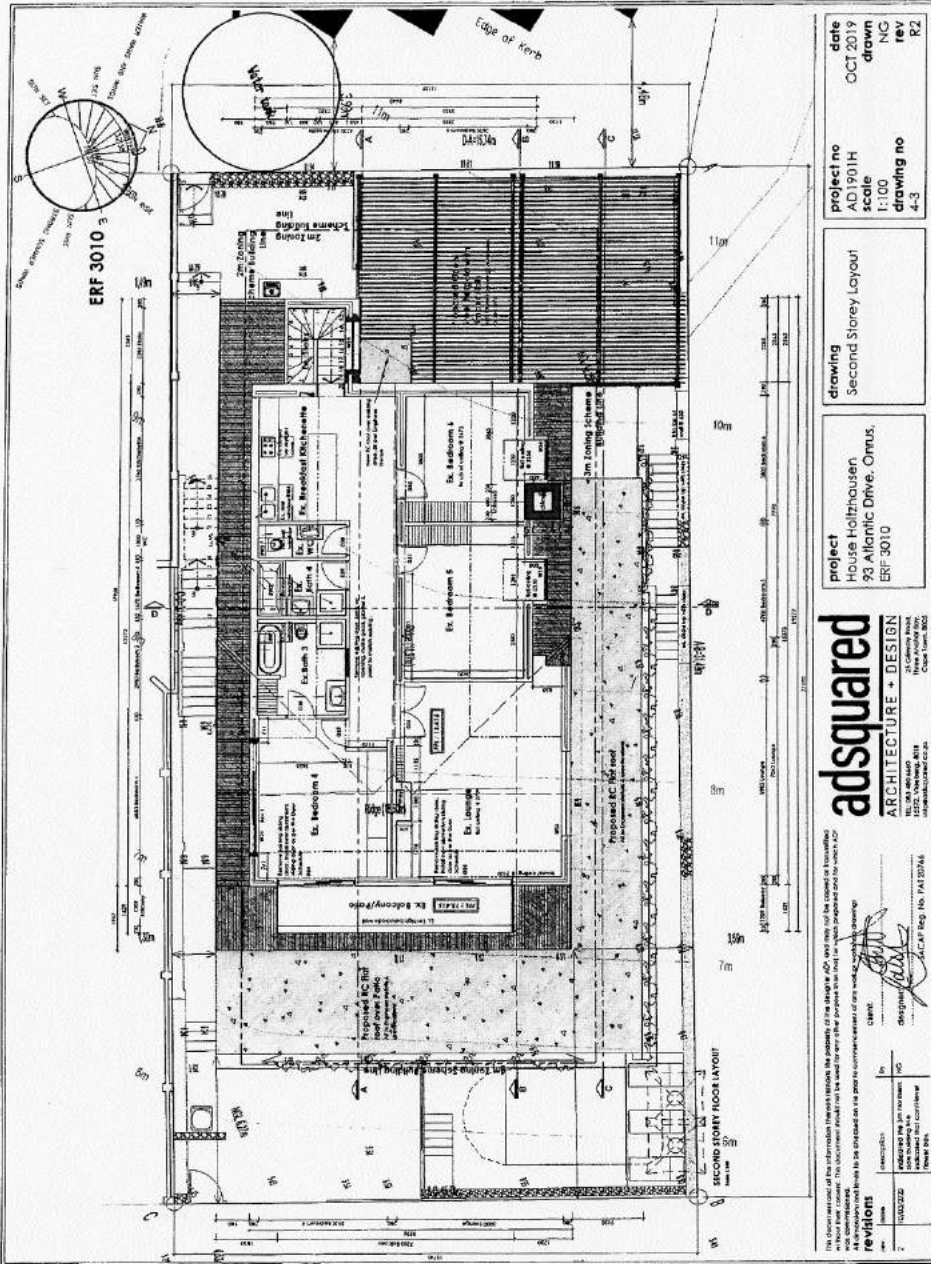
project House Holzhausen
 93 Atlantic Drive, Ormsburg
 ERF 3010

adsquared
 ARCHITECTURE + DESIGN
 30 Ormsburg Road
 15122, Ormsburg, SA 5113
 08 8362 2274
 www.adsquared.co.za

client: Holzhausen
 design: NG
 date: 10/10/2019

no.	description	date
1	Issue for client	10/10/2019
2	Issue for client	10/10/2019
3	Issue for client	10/10/2019
4	Issue for client	10/10/2019
5	Issue for client	10/10/2019
6	Issue for client	10/10/2019
7	Issue for client	10/10/2019

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project no AD1901H
 scale 1:100
 drawing no 4-3

drawing Second Storey Layout

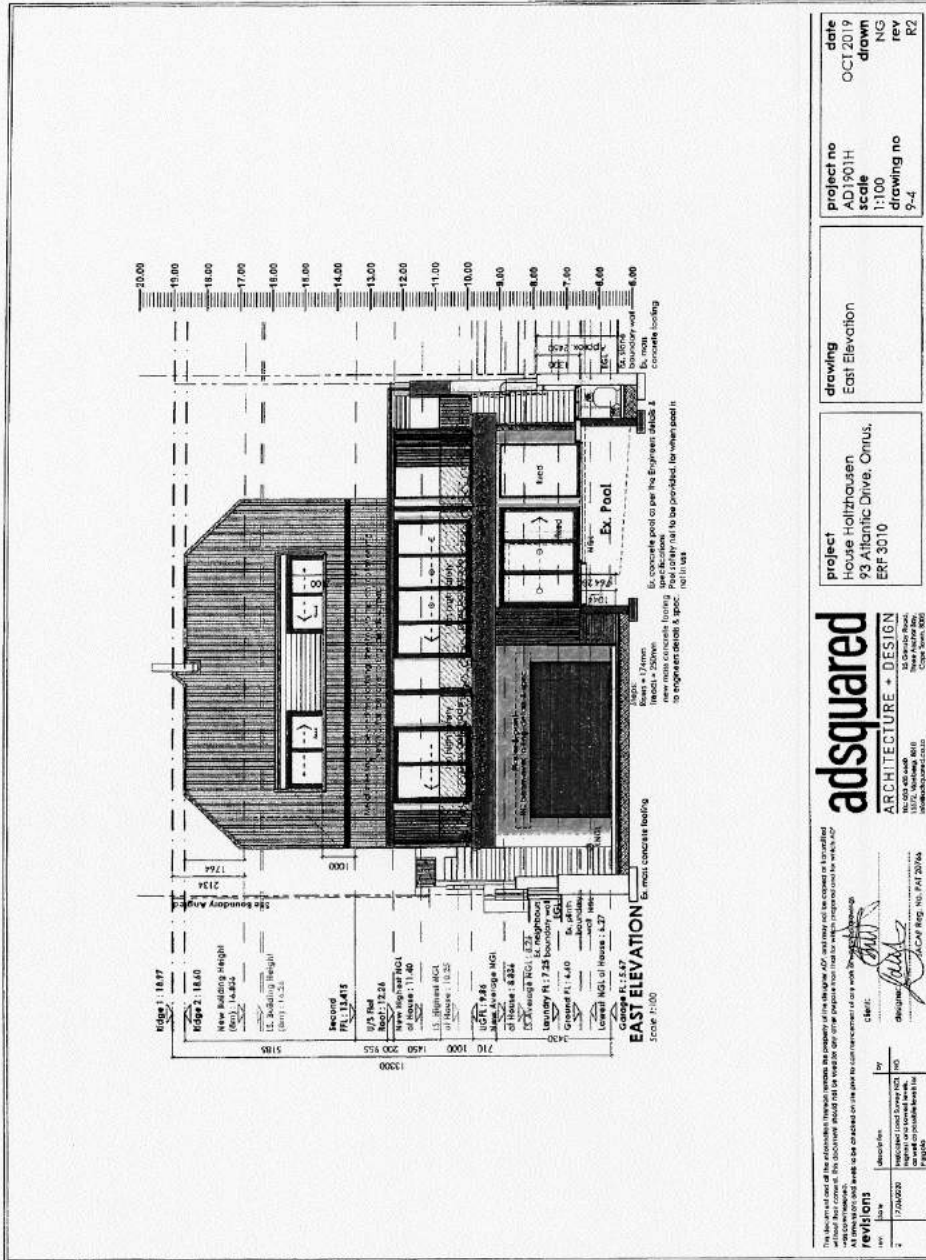
project house Holtzhausen
 93 Atlantic Drive, Orms,
 ERF 3010

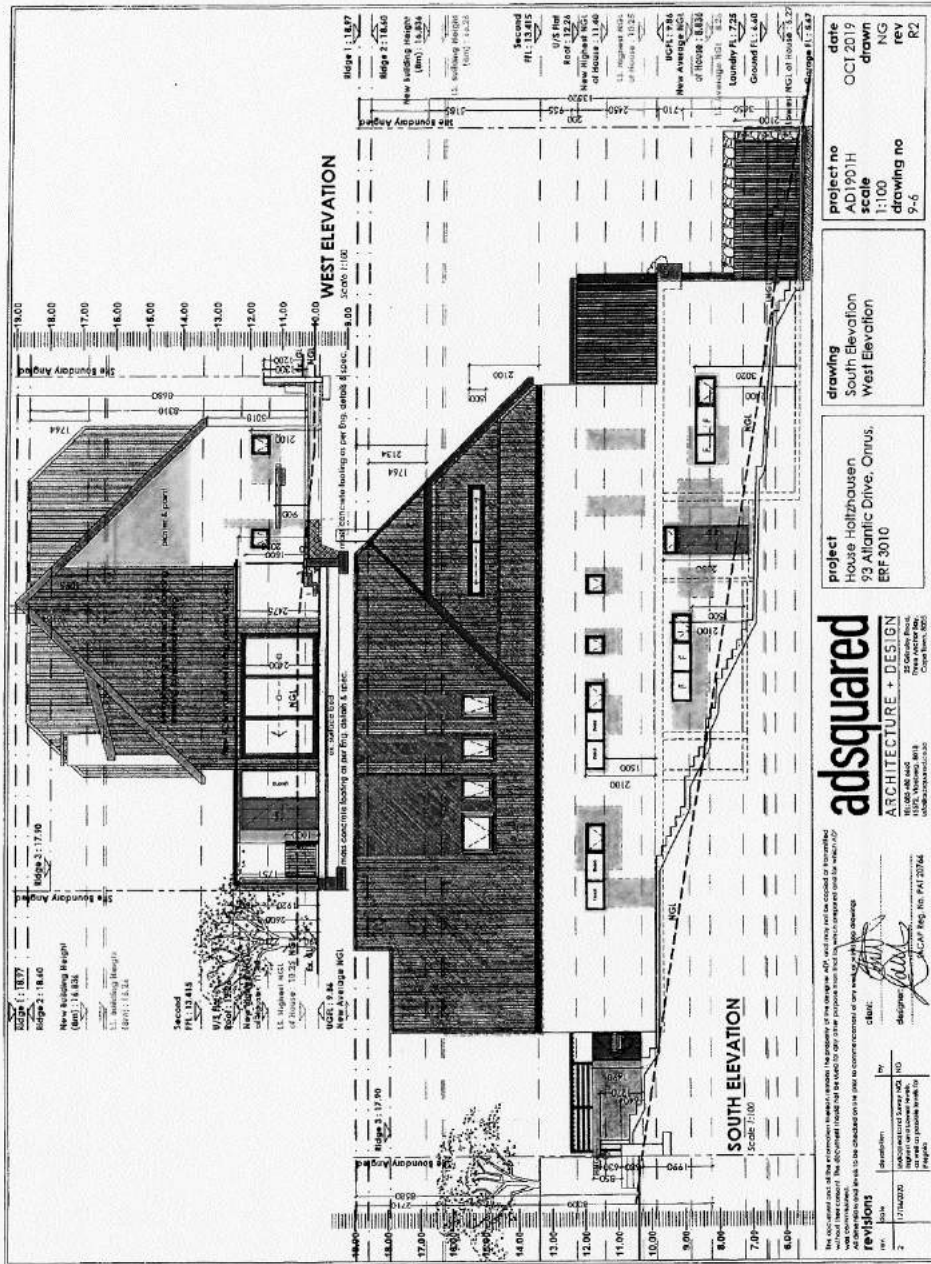
adsquared
 ARCHITECTURE + DESIGN
 23 GARDENS AVENUE
 HILTONS, JOHANNESBURG
 TEL: 011 462 5600
 INFO@ADSQUARED.CO.ZA
 WWW.ADSQUARED.CO.ZA

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 All dimensions shall be in metres unless otherwise stated.
 All dimensions shall be in metres unless otherwise stated.

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 1. 10/10/2019
 2. 10/10/2019
 3. 10/10/2019
 4. 10/10/2019
 5. 10/10/2019

date OCT 2019
 drawn NG
 rev R2





ANNEXURE D 1/12

Ingrid Hanekom - Beswaar : Erf 3010 , 93 Atlantic Drive , Onrusrivier

From: Getha Havenga <gethahavenga@gmail.com>
To: "loretta@overstrand.gov.za" <loretta@overstrand.gov.za>
Date: 2020/09/09 01:28 PM
Subject: Beswaar : Erf 3010 , 93 Atlantic Drive , Onrusrivier



TP-A/heard
 (I. Alida)

Goeie Middag ,

Vir aandag : Hoof Stadsbeplanning en Hoof van Bouplanne en goedkeuring

Ek staan die voorgestelde veranderinge aan erf 3010 ten sterkste teen.

Ek maak ten sterkste beswaar teen die volgende :

- Oorskreiding van die suidelike boulyn
- Oorskreiding van die noordelike boulyn
- Oorskreiding van die agter boulyn
- Oorskreiding van die hoogtebeperking

FILE NO:	Erf 3010 ✓
	Onruskwa
SCAN NO:	HON 3010
COLLABORATOR NO:	1456242

Die koper van die eiendom , moes sy huiswerk vooraf gedoen het - boulyne en hoogte beperkings is daar om ons almal te beskerm en die estetiese karakter te behou. Erf 3015 se verbeteringe is reeds onooglik en nie die norm vir Onrusrivier nie.

Indien die koper nie tevrede is met die huis nie , staan dit hom vry om die plek te sloop en van nuuts af te begin binne boulyne en hoogte beperkings.

Die veranderings sal 'n direkte invloed he op my woning.

Indien my beswaar en die van ander nie gerespekteer word nie , sal ons genoodsaak wees om dit verder te neem onder 'n potensiele klas aksie teen die Hermanus Munisipaliteit.

Enige goedkeuring deur die Munisipaliteit , gegewe my beswaar en die besware van ander eienaars , sal indruis teen waarvoor ons almal staan.

Ek versoek asseblief skriftelike terugvoer op my beswaar en wat die Munisipaliteit beoog om te doen.

Erken asb ontvangs van hierdie epos.

Vriendelik die uwe

M Havenga
 Eienaar - Erf 3013 , 27 Beach Road , Onrusrivier

file:///C:/Users/ihanekom/AppData/Local/Temp/XPgrpwise/5F58E935HermanusMunpost... 2020/09/10



Virus-free. www.avg.com

Ingrid Hanekom - INCOMING POST : Beswaar : Erf 3010 , 93 Atlantic Drive , Onrusrivier

From: Loretta Gillion
To: Ingrid Hanekom
Date: 2020/09/09 02:39 PM
Subject: INCOMING POST : Beswaar : Erf 3010 , 93 Atlantic Drive , Onrusrivier
Attachments: Beswaar : Erf 3010 , 93 Atlantic Drive , Onrusrivier

FYA

Loretta Gillion
Administrator, Town & Spatial Planning
Overstrand Municipality
A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20
T: 028 313 8900 | F: 028 313 2093 | E: loretta@overstrand.gov.za

TP- A. /heal
(H. Olivier)



Loretta Gillion - Erf 3010, Atlanticrylaan 93, Onrusrivier: Aansoek om afwyking :
Adsquared Architecture & Design CC (nms JA Holtzhausen)

FILE NO: 3010

Onrus Rivier

SCAN NO:

HON 3010

COLLABORATOR NO: 1446867

afwyking : Adsquared

From: Pieter du Toit <pieterdutoit15@gmail.com>

<loretta@overstrand.gov.za>

Date: 25/08/2020 09:26 AM

Subject: Erf 3010, Atlanticrylaan 93, Onrusrivier: Aansoek om afwyking : Adsquared
Architecture & Design CC (nms JA Holtzhausen)

Aan: Mnr H Olivier, Stadsbeplanner, Overstrand Munisipaliteit

Geagte Mnr Olivier

Hiermee maak ek ten sterkste beswaar teen bogenoemde aansoek om afwyking, veral die hoogte-oorskryding.

Ek is die eienaar van die huis/eiendom Erf 2978, Disastraat 26, Onrusrivier en as pensioenaris bewoon ek en my familie die eiendom gereeld vir ontspanning- en vakansiedoeleindes. My kontakbesonderhede is soos onderaan hierdie brief.

1. Oorskryding van hoogtebeperking van 8 meter:

My eiendom (erf 2978) is agter die betrokke eiendom (erf 3010) met 'n geplaveide openbare parkeerterrein tussenin. Die huis op erf 3010 is in lyn met my eiendom se uitsig op die strand en kuslyn en enige oorskryding van die 8 meter hoogte-beperking sal my uitsig beduidend bederf en verswak wat 'n besliste negatiewe uitwerking sal hê op die genietingswaarde sowel as die markwaarde van my eiendom.

Verder sal 'n dak hoër as 8 meter die algemene estetika van die Onrus-strand omgewing bederf aangesien dit dan eerder na 'n hoë woonstelblok-monstrositeit sal lyk; niemand daar wil in so-iets vaskyk nie.

Ons het die huis op erf 2978 alreeds in die jaar 1968 gebou, d.w.s. meer as 50 jaar gelede, en die uitsig en Onrus se besondere atmosfeer, insluitend die natuurskoon, omgewing én die geboue wat sag op die oog val, was tóé al van kardinale belang.

Indien daar veranderinge aan die dak van die huis op erf 3010 aangebring word, mag die maksimum hoogte van 8 meter dus hoegenaamd nie oorskry word nie. Een sentimeter hoër as 8 meter is beslis afkeurenswaardig, wat nog te sê 2,7 meter hoër!

2. Oorskryding van boulyne wat grens aan openbare areas:

Bogenoemde areas is aan drie kante van erf 3010 aangesien dit teenaan straatryvlakke en openbare parkeerterreine is. Dit verwys spesifiek na die noordelike sy-boulyn, en die agterboulyn (of oostelike kant). Dit is in 'n baie beknopte area en om boulyne daar te verslap doen uiteraard en logies direk inbreuk op openbare belange. Die area is baie besig tydens naweke en vakansietye omdat dit sogenaamd die hoofhoek van Onrus is waar almal bymekaarkom en deurbeweeg. Om boulyne daar te verslap sal 'n moeilike situasie dus net nog meer problematies maak. Ook uit 'n estetiese oogpunt is dit die laaste area in die ganse Onrus waar geboue nóg nader aan die pad en geparkeerde voertuie toegelaat kan word. Die aansoek moet dus afgekeur word.

3. Oorskryding van die suidelike syboulyn:

Dieselfde argumente soos vermeld in para. 1. hierbo t.o.v. die uitsig tussen die huise van

TP 25 AUG 2020

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erwe 3010 en 3009 vanaf die agterste huise na die strand en kuslyn geld hier. Indien daardie gaping verklein word deur die huis op erf 3010 se suidelike gedeelte nader aan die huis op erf 3009 te verbreed, word die betrokke uitsig grotendeels belemmer. Dit kan nie toegelaat word nie.

4. Laastens:

Die eienaar van erf 3010 het reeds dié prima eiendom in die area en nou word aansoek gedoen om die huis nóg meer kolossaal en groter vóór al die agterliggende huise te verhoog en te verbreed. Gun tog asb. die ander huiseienaars ook die bietjie uitsig en atmosfeer wat hulle tans nog het en moenie deur 'n nóg enormer huis ons ander daarvan ontnem nie.

Bewaar Onrus asb. van nóg 'n monstrositeit régvóór op die pragtige strandfront!

Baie dankie vir u aandag aan bogenoemde besware en motiverings. Ons sien uit daarna om ingelig te word oor die uitslag.

Die uwe
Pieter du Toit

P du Toit
Posbus 190, Wellington, 7654
Selfoonno.: 083 638 9823
E-pos: pieterdutoit15@gmail.com

6/12

**Loretta Gillion - Re: Erf 3010, Atlanticrylaan 93, Onrusrivier: Aansoek om afwyking :
Adsquared Architecture & Design CC (nms JA Holtzhausen)**

From: Pieter du Toit <pieterdutoit15@gmail.com>
To: Loretta Gillion <lpage@overstrand.gov.za>
Date: 04/09/2020 07:41 PM
Subject: Re: Erf 3010, Atlanticrylaan 93, Onrusrivier: Aansoek om afwyking : Adsquared
 Architecture & Design CC (nms JA Holtzhausen)



TP A. Hoort
(H. Olivier)

Aan: Mnr H Olivier, Stadsbeplanner, Overstrand Munisipaliteit

My brief van beswaar hieronder rakende bogenoemde aangeleentheid verwys:
 Bykomend tot wat ek reeds geskryf het, die volgende: Die betrokke huis se dak is tans reeds
 hoër is as die maksimum toelaatbare hoogte van 8,0 meter en daar was destyds saam met die
 veranderinge wat toe aan die huis aangebring is, geen toestemming vir die hoogte-oorskryding
 gevra of gegee is nie; omliggende inwoners/huiseienaars dring dus nou daarop aan dat, met die
 eersdaagse verdere veranderinge aan die huis, Overstrand Munisipaliteit sal verseker dat die
 huis se dak verlaag word na 8 meter ten hoogste ten einde aan regulasies en beperkings te
 voldoen. Tans voldoen dit besluit nie daaraan nie en is dit in werklikheid 'n blatante ignorering
 en minagting van munisipale voorskrifte en regulasies. Verder is daar die vermoede dat die
 huidige aansoek om verslapping 'n poging is om op 'n slinkse manier verby die reedsbestaande
 onwettigheid te glip.

Ons dring absoluut daarop aan dat dit besluit nie toegelaat sal word nie.

Beswaarmakers sien uit na spoedige skriftelike terugvoering aan ons rakende die uitslag hiervan
 ná oorweging van die besware daarteen sowel as die inligting rakende die opdrag vir regstelling
 van die dakhoopte na 8 meter maksimum.

Die uwe
 P du Toit

On 8/25/2020 9:42 AM, Loretta Gillion wrote:

Beste Mnr Du Toit

Ontvangs word hiermee erken van u epos.

Groete

Loretta Gillion
 Administrator, Town & Spatial Planning
 Overstrand Municipality
 A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20
 T: 028 313 8900 | F: 028 313 2093 | E: loretta@overstrand.gov.za

FILE NO:	ET 3010
	Onrusrivier
SCAN NO:	02
COLLABORATOR NO:	1451341

TP - 7 SEP 2020

file:///C:/Users/loretta/AppData/Local/Temp/XPgrpwise/5F529881HermanusMunpost... 2020/09/07

✓

TP. A. (Heart)
(H. Olivier)



From: Arnaud Wieffering <wiefcon@iafrica.com>
To: <loretta@overstrand.gov.za>
Date: 05/09/2020 01:53 PM
Subject: Erf 3010, 95 Atlantic Drive, Onrus River

Att Mr H Olivier

With reference to the above application regarding the application to relax the building regulations, we have the following comments:

- 1) Height restriction - lift roof from the allowable max by 2.7m to a total of 10.7 m. As far as I can ascertain, the roof is already at that height illegally, and the architect is now trying to get an illegal structure passed under the pretence that it is at 8m presently. As with the illegal structures in front and back of the building, this roof should also be removed and built at the legal limit
- 2) As with fellow neighbours on the peninsula, we all had to build to the new building lines of 2m on the sides and 3m at the back, 4m from the street boundary, and I think it only fair that if walls build at the old boundary line get modified or demolished, the new building line regulation must and should apply. although to my dismay I notice that this was not the case in the "Woolwaters" renovation on the south boundary, where the existing wall at the 1m building line was allowed to be made a double storey also at 1m, where we all had to revert back to the 2m line on our renovations.

In summary I am strongly against any height or boundary line relaxations on this application
Kind regards

A Wieffering
for Wieffering Property Holdings CC
28 Disa St
Onrus River

FILE NO:	Of 300
	Olivier
SCAN NO:	01
COLLABORATOR NO:	1451337

TP

- 7 SEP 2020

✓

Loretta Gillion - ATT Mr Olivier (Townplanner Overstrand Municipality) Re Erf 3010 Atlantic drive 93 Onrusriver. Application to change height restriction:Adsquared Architecture +Design cc (for JH Hotzhauzen)



From: Lynda Roeloffze <lyndaroeloffze@gmail.com>
To: <loretta@overstrand.gov.za>
Date: 30/08/2020 02:38 PM
Subject: ATT Mr Olivier (Townplanner Overstrand Municipality) Re Erf 3010 Atlantic drive 93 Onrusriver. Application to change height restriction:Adsquared Architecture +Design cc (for JH Hotzhauzen)

*TP. A. /hoort
(1.1 Olivier)*

Dear Mr Olivier

I object to this application (to increase the existing height of 93 Atlantic Drive)
My property Erf 2974 22 Disa Street is behind Erf 3010, overlooking the parking area.
My view of the sea will be affected , 93 Atlantic drive house will look like an apartment block and the future market value of my house could be negatively affected .
The Overstrand Municipality will be setting a precedent if you allow the existing height restriction to be increased.It is not right.
I have owned my house for 40 years.

Yours faithfully
Mrs Lynda Roeloffze

cell 0828555121
Po Box 7170 Stellenbosch 7599
email : lyndaroeloffze@gmail.com

FILE NO:	<i>AT 3010</i>
	<i>Onus Rivier</i>
SCAN NO:	<i>01</i>
COLLABORATOR NO:	<i>1449547</i>

TP
31 AUG 2020

Ingrid Hanekom - ERF 3010, 93 Atlantic Drive



From: Joy Bradford <joy@itab.co.za>
To: "loretta@overstrand.gov.za" <loretta@overstrand.gov.za>
Date: 2020/08/28 01:48 PM
Subject: ERF 3010, 93 Atlantic Drive

TP - A. Iheath
(H. Olivier)

We strongly object to the proposal that the council consent to an increase in the height restriction to 10,710m and in fact request a reduction of all future height departures to 8metres.
We cannot understand how anyone who owns a property on the seafront should be allowed to exceed a height of 8metres.

Yours sincerely
KOVACS INVESTMENTS 44cc

B R & Y J BRADFORD (owners of stand 2970)

FILE NO:	AF 3010 ✓
	Onus Ltd
SCAN NO:	HON 3010
COLLABORATOR NO:	1447842

10/12

Ingrid Hanekom - INCOMING POST : ERF 3010, 93 Atlantic Drive

From: Loretta Gillion
To: Ingrid Hanekom
Date: 2020/08/28 02:18 PM
Subject: INCOMING POST : ERF 3010, 93 Atlantic Drive
Attachments: ERF 3010, 93 Atlantic Drive

FYA

Loretta Gillion
Administrator, Town & Spatial Planning
Overstrand Municipality
A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20
T: 028 313 8900 | F: 028 313 2093 | E: loretta@overstrand.gov.za

11/12



Loretta Gillion - RE: ERF 3010, 93 Atlantic Drive

From: Joy Bradford <joy@itab.co.za>
To: "loretta@overstrand.gov.za" <loretta@overstrand.gov.za>
Date: 02/09/2020 07:15 PM
Subject: RE: ERF 3010, 93 Atlantic Drive

TP- A Theart
(H Olivier)

THE DIRECTOR: INFRASTRUCTURE AND PLANNING

Dear Sir,

Further to our email dated 28/8/2020, we also object to the 3 boundary line departures on either side and at the back. A height departure together with 3 building line departures, is excessive.

It is of great concern to us that council of late appears to be adopting an approach to overrule the very safeguards which it established to protect the Onrus River village so cherished by existing property owners.

Yours sincerely

Bryan & Joy Bradford (KOVACS INVESTMENTS 44cc)

From: Joy Bradford
Sent: Friday, 28 August 2020 13:48
To: loretta@overstrand.gov.za
Subject: ERF 3010, 93 Atlantic Drive

We strongly object to the proposal that the council consent to an increase in the height restriction to 10,710m and in fact request a reduction of all future height departures to 8metres.

We cannot understand how anyone who owns a property on the seafront should be allowed to exceed a height of 8metres.

Yours sincerely

KOVACS INVESTMENTS 44cc

B R & Y J BRADFORD (owners of stand 2970)

FILE NO: EL 3010 - H0M
SCAN NO: 12
COLLABORATOR NO: 1450265

TP - 3 SEP 2020

Loretta Gillion - Re: Verbouings - Atlantic Drive - Onrus (Erf 3010 Onrustvriër)

From: Loretta Gillion
To: Getha Havenga
Date: 31/08/2020 12:10 PM
Subject: Re: Verbouings - Atlantic Drive - Onrus (Erf 3010 Onrustvriër)
Attachments: Annexures.PDF

Beste Me Havenga

U onderstaande epos verwys.

Sien hierby aangeheg die aanhangsels, soos versoek.

Neem asb ook kennis dat die aansoek ook per geregistreerde pos aan u gerig is by die volgende adres:

M Havenga
41 Kirtlington Park
56 Inanda Street
HILLCREST
3610

Die registreerde strokie se kode is as volg: [PE 950 049 575 ZA](#)

Hoop u vind bogenoemde in orde.

Groete

Loretta Gillion
Administrator, Town & Spatial Planning
Overstrand Municipality
A: 16 Paterson Street, Hermanus, 7200 **P:** P O Box 20
T: 028 313 8900 | **F:** 028 313 2093 | **E:** loretta@overstrand.gov.za

>>> Getha Havenga <gethahavenga@gmail.com> 31/08/2020 09:34 AM >>>
Goeie dag Loretta,

Ek is die eienaar van 27 Beach Road Onrus (Erf 3013).

Ek verneem daar gaan groot verbouings plaasvind aan die hoekhuis - Beach/Atlantic roads.

Is dit moontlik dat jy vir my inligting kan aanstuur rakende die verbouings.

Vriendelike groete en baie dankie

Getha Havenga
083 6510699

ANNEXURE E 1/2

adsquared
ARCHITECTURE + DESIGN

t) 068 182 8901 e) danie@adsquared.co.za or info@adsquared.co.za
a) 25 Grimsby Road, Three Anchor Bay, 8005 p.a.) P O Box 15572, Vlaeberg 8018



WRITTEN LETTER REPLY ON NEIGHBOURS CONCERNS

ERF 3010, 93 ATLANTIC DRIVE, ONRUSTRIVIER
DIVISION: CALEDON
SINGLE RESIDENTIAL ZONE 1

TP. N. / heard
(H. Olivier)

To Whom It May Concern,

We hereby acknowledge that we have received the letters of concern from the neighbours addressed to Mr. H. Olivier from:

- M Havenga
- P du Toit
- A Weiffering
- L Roelofze
- BR & YJ Bradford

FILE NO:	OF 3010 ✓ OnusKla
SCAN NO:	HON 3010
COLLABORATOR NO:	1467313

The concerns stated in all letters are the building height & building line departures. We would hereby like to respond & address these concerns.

1. An application consultation took place before we submitted our application, between ADSQUARED and Henk Olivier, to make sure all Municipal Town Planning requirements were met.
2. ADSQUARED used this valuable feedback received from the municipality to make sure that the alterations were within the regulations as set out by the new Town Planning Zoning Scheme regulations.
3. A proposal was then submitted with our motivation report that stipulates the full scope of works to the Municipality.
4. Objections were then received.
5. We would like to motivate again our application as set out in motivation report Rev 2 and re-assure all neighbours that all alterations will be within the existing structures footprint. **Please refer to Motivation Report Rev 2 – 17 June 2020, Section 3, Proposed Design.**
6. To address the Height concern:
As set out in Section 3 of the motivation report, note that the existing roof structure outline will remain at the current height, we are not adding height to the existing roof structure. The only modification is the replacement of the existing roof tiles with metal roof sheeting. No views of any neighbours will be affected negatively.

7. To address the Building line departures concerns:

With regards to the departure of the existing building lines, please refer to the motivation report (as stipulated in point no. 4. of this letter). The building lines as per Town Planning

Page 1 | 2

TP

12 OCT 2020

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ARCHITECTURE + DESIGN

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requirements has changed over the years and although the house once was within those building lines the new Zoning Scheme requires us to apply for a building line departure application for any alterations made to the structure that once was within the old building lines.

The departure application applied for is not to extend the buildings existing footprint, but to work within the existing footprint, that once was within the Zoning Scheme regulations. We want to re-assure the neighbours that all alterations and additions will be within the existing footprint of the structure.

None of the new proposed alterations and additions will affect any neighbours view's or have a negative impact on the streetscape.

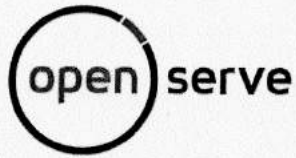
Our vision for the structure is to soften it up, as per our proposal, by breaking the appearance of the height of the structure, by adding natural timber elements, as well as by using a colour pallet together with natural landscaping to fit in with the beauty of the natural landscaping that surrounds the structure.

Your positive feedback and consideration in giving your approval for this application would be greatly appreciated.

Please do not hesitate to contact us should you have any further questions.

Yours faithfully
Daniel Jacobus Louw

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



Division of Telkom SA SOC Ltd

10 Jan Smuts Drive
Pinelands
7404

Janice Fortes

Tel: 021 414 5616
Fax: 086 478 5461
Email: JaniceF@openserve.co.za

Our Ref.: WWIP_WHMN0177_20

Your Ref.: 3010 HON

14 August 2020

Attention: Loriaan Isaacs

Overstrand Municipality
Hermanus

Dear Sir / Madam

PLANT AFFECTED

WAYLEAVE APPLICATION – ERF 3010, 93 ATLANTIC DRIVE, ONRUS RIVER

With reference to your application dated 5 August 2020.

As important cables are affected, please contact our representative Melt Van As at telephone number 021 852 1717/081 363 7873/MeltVA@openserve.co.za at least 48 hours prior of commencement on construction work.

As per sketch attached, Open Serve infrastructure **will be affected**, consequently the conditions below and on the attached legend will apply.

I hereby inform you that Open Serve approves the proposed work indicated on your drawing in principle. This approval is valid for 12 months only, after which reapplication must be made if the work has not been completed.

Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

2020-08-14

61 Oak Avenue, Highveld, Techno Park, Centurion 0157,
Private Bag X881, Pretoria, Gauteng, 0001

Approval is granted, subject to the following conditions.

Telecommunication services position is shown as accurately as possible but should be regarded as approximate only.

Should alterations or relocation of existing infrastructure be required, such work will be done at the request and cost of the applicant.

Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.

It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.

Should Open Serve infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All Open Serve rights remain reserved.

Yours faithfully



Janice Fortes
for
Selwyn Bowers
Operations Manager
Wayleave Management: Western Region



This wayleave, Reference Number **WWIP WHMN0177 20** is valid for 12 months from date here of and is subject to the following conditions:

1. No mechanical plant or vibrator type compactors may be used within three metres of any Open Serve plant (I.E. any Telecommunication equipment above or below ground level).
2. The position of our plant affected by the proposal is indicated as approx and **Melt van As** at telephone number **021 852 1717/081 363 7873** email address : **MeltVA@openserve.co.za** must be contacted at least 14 days prior to commencement of the work, upon which the actual location of our Plant will be indicated on site.
3. A written request must be submitted to Open Serve for consideration should the applicant require our plant to be relocated. The cost of such relocation will be recoverable from the applicant.
4. It is the responsibility of the applicant to verify the existence of the indicated plant and to notify Open Serve immediately should the applicant locate any Open Serve plant which is not indicated on the plans.
5. Should the applicant expose any Open Serve plant, the safeguard thereof will be the applicant's full responsibility.
6. Failing to comply with the above conditions or any special conditions addendum hereto will be regarded as gross negligence and the applicant will be held responsible for the damage or loss as a result thereof.

Date: 14 August 2020

By: J. Fortes

For Wayleave in
Western Cape

Legend
1. Underground Pipe
2. Underground Cable
3. Manhole
4. Street Distributio Cabinet (SDC)
5. Jointing Pit / AJB
6. Jointing Pillar (PJ)
7. Pipe Junction Box (B/S)
8. Robot Control
9. Pole

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE: ERF 3010, ONRUS RIVER**

Stormwater (SW) : In order
Electricity : Escom
Water : In order
Sewer : In order
Roads and traffic : In order

Conditions

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that should additional services connections be required, the owner will be responsible for the payment of bulk services levies;
3. that the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to minimum requirements of *SANS 10400 – P:2010: Drainage*;
4. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
5. that stormwater be allowed to discharge through Erf 3010, Onrus River, unobstructed;
6. that any additional and / or extended vehicles entrances will be for the owner's account;
7. that no on-street parking be allowed.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

14-08-2020
DATE

2020 -08- 18