



OVERSTRAND MUNISIPALITEIT
ERF 271, KUSWEG 45, GANSBAAI: AANSOEK
OM OPHEFFING VAN BEPERKENDE
TITELAKTEVOORWAARDES, AFWYKING EN
BEPALING VAN 'N ADMINISTRATIEWE BOETE:
ME PLANNERS NAMENS M NEL

Kennis word geskied hiermee kragtens Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening op Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat die volgende aansoek ontvang is ten opsigte van bogenoemde erf, naamlik:

Opheffing van Beperkende Titelaaktevoorwaardes

Aansoek ingevolge Artikel 16(2)(f) van die Verordening vir die opheffing van beperkende titelaaktevoorwaarde: C.1(c) soos vervat in Titelaakte T9622/2016 ten einde die oorskryding van die maksimum toelaatbare dekking te akkommodeer.

Afwyking

Aansoek om afwyking ingevolge Artikel 16(2)(b) van die Verordening vir die volgende:

- oorskryding van die 2m noordelike lateraleboulyn wat wissel tussen 1,1659m en 0m op grondvloer ten einde 'n motorhuis en stoorkamer te akkommodeer;
- oorskryding van die 2m noordelike lateraleboulyn wat wissel tussen 1,568m en 1,167m op eerste vloer ten einde 'n balkon, blombak en 'n gedeelte van die woning te akkommodeer;
- oorskryding van die 2m westelike lateraleboulyn wat wissel tussen 1,994m en 1,294 op die eerste vloer ten einde die bestaande woning en balkon te akkommodeer;
- oorskryding van die 4m straatboulyn ten einde die bestaande balkon, dek, blombak tot by die eiendomsgrans te akkommodeer;
- afwyking om die oorskryding van die maksimum toelaatbare dekking van 50% tot 60,95% toe te laat.

Bepaling van 'n Administratiewe Boete:

Bepaling van 'n administratiewe boete ingevolge Artikel 16(2)(q) van die Verordening.

Besonderhede aangaande die voorstel lê ter insae gedurende wekedae tussen 08:00 en 16:30 by die Departement Stadsbeplanning te Patersonstraat 16, Hermanus en by die Gansbaai Biblioteek, Hoofweg, Gansbaai. Enige kommentare moet skriftelik ingedien word ingevolge die bepalings van Artikels 51 en 52 van die Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za bereik voor of op **5 Junie 2022**, met u naam, adres en kontak besonderhede, belang in die aansoek en redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Senior Stadsbeplanner, Mnr. SW. Van der Merwe** by 028-3138900. Die Munisipaliteit mag weier om kommentare te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formuleer. Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, **HERMANUS**, 7200

Munisipale Kennisgewing Nr. 46/2022

OVERSTRAND MUNICIPALITY
ERF 271, 45 KUS ROAD, GANSBAAI :
APPLICATION FOR REMOVAL OF RESTRICTIVE
TITLE DEED CONDITIONS, DEPARTURE AND
DETERMINATION OF AN ADMINISTRATIVE
PENALTY: ME PLANNERS ON BEHALF OF M NEL

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Municipal Land Use Planning Amendment, By-law, 2020 (By-Law) that the following application has been received regarding the above-mentioned property, namely:

Removal of Restrictive Title Deed Conditions

Application in terms of Section 16(2)(f) of the By-Law for the removal of restrictive title deed condition: C.1(c) as contained in Title Deed T79622/2016 in order to accommodate the encroachment of the maximum permissible coverage.

Departures

Application for departure in terms of Section 16(2)(b) of the By-Law for the following:

- encroachment of the 2m northern lateral building line varying between 1,1659m and 0m at ground floor in order to accommodate a garage and store room;
- encroachment of the 2m northern lateral building line varying between 1,568m and 1,167m at first floor in order to accommodate a balcony, planter and a portion of the dwelling;
- encroachment of the 2m western lateral building line varying between 1,994m and 1,294 at first floor in order to accommodate the existing dwelling, and balcony;
- encroachment of the 4m street building line in order to accommodate the existing balcony, deck and planter up to the property boundary;
- departure to allow the encroachment of the maximum permitted coverage from 50% to 60,95%.

Determination of an Administrative Penalty:

Determination of an Administrative Penalty in terms of Section 16(2)(q) of the By-Law.

Details regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department Town Planning at 16 Paterson Street, Hermanus and at the Gansbaai Library, Main Road, Gansbaai. Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-law and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za on or before **5 June 2022**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to the **Senior Town Planner, Mr. SW van der Merwe** at 028-313 8900. The Municipality may refuse to accept comment received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

Municipal Manager, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

Municipal Notice No.46/2022

UMASIPALA WASE-OVERSTRAND
I-SIZA 271, 45 KUS ROAD, GANSBAAI : ISICELO
SOKUSUSWA KWEMIQATHANGO YOKUTHINTE
IMIQATHANGO YESIBINI, UKUHAMBA
NOKUMISELWA KWESOHLWAYO SOLAWULO: ME
PLANNERS EGAMENI KA-M NEL

Kukhutshwe isaziso esimayela emiba yeSolotya lama47 nelama48 loMthethwana kaMasipala waseOverstrand Ngezihlomelo zoMthethwana OngeziCwangciso zokuSetyenziswa koMhlaba ku2020 isaziso eso sithi, kufunyenwe isaziso esilulo hlobo nesisebenza kwisiza esichazwe ngasentla nesaziwa ngolu hlobo:

Ukushenxiswa kweemeko Eziyimiqobo Kwitayitile Yobunini

Isicelo ngokwemigaqo yeCandelo le-16(2)(f) loMthetho kaMasipala sokususwa komqathango osisithintelo kwitayitile yobunini: C.1(c) njengoko kuqulethwe kwiSivumelwano soBunini-mhlaba T79622/2016 ukuze kuhlangatyezwane nongenelelo obona buninzi buvumelekileyo. ukhuselo.

Ukuphambuka

Isicelo esingokwahlula ngokwemiba yeSolotya le16(2)(b) loMthethwana ngolu hlobo lulandelayo:

- ungenelelo lomda wesakhiwo osecaleni osisi-2m ophakathi kwe-1,1659m kunye ne-0m kumgangatho ophantsi ukuze kuhlaliswe igaraji kunye negumbi lokugcina;
- ungenelelo kumda wesakhiwo osecaleni okumntla oyi-2m ohluka phakathi kwe-1,568m kunye ne-1,167m kumgangatho wokuqala ukuze kuhlaliswe ibalcony, iplanti kunye nenxalenye yendawo yokuhlala;
- ungenelelo lomda wesakhiwo osecaleni okwintshona oyi-2m ohluka phakathi kwe-1,994m kunye ne-1,294 kumgangatho wokuqala ukuze kuhlangatyezwane nendawo yokuhlala ekhoyo, kunye nebalkhoni;
- ungenelelo kumda wesakhiwo sesitratu oyi-4m ukuze kulungiselelwe ibalkhoni ekhoyo, umgangatho kunye nesixhobo sokutyalal ukuya kumda wepropati;
- tyeshelo lomqathango ukuvumela ungenelelo lowona mmandla uphezulu uvumelekileyo ukusuka kuma-50% ukuya kuma-60,95%

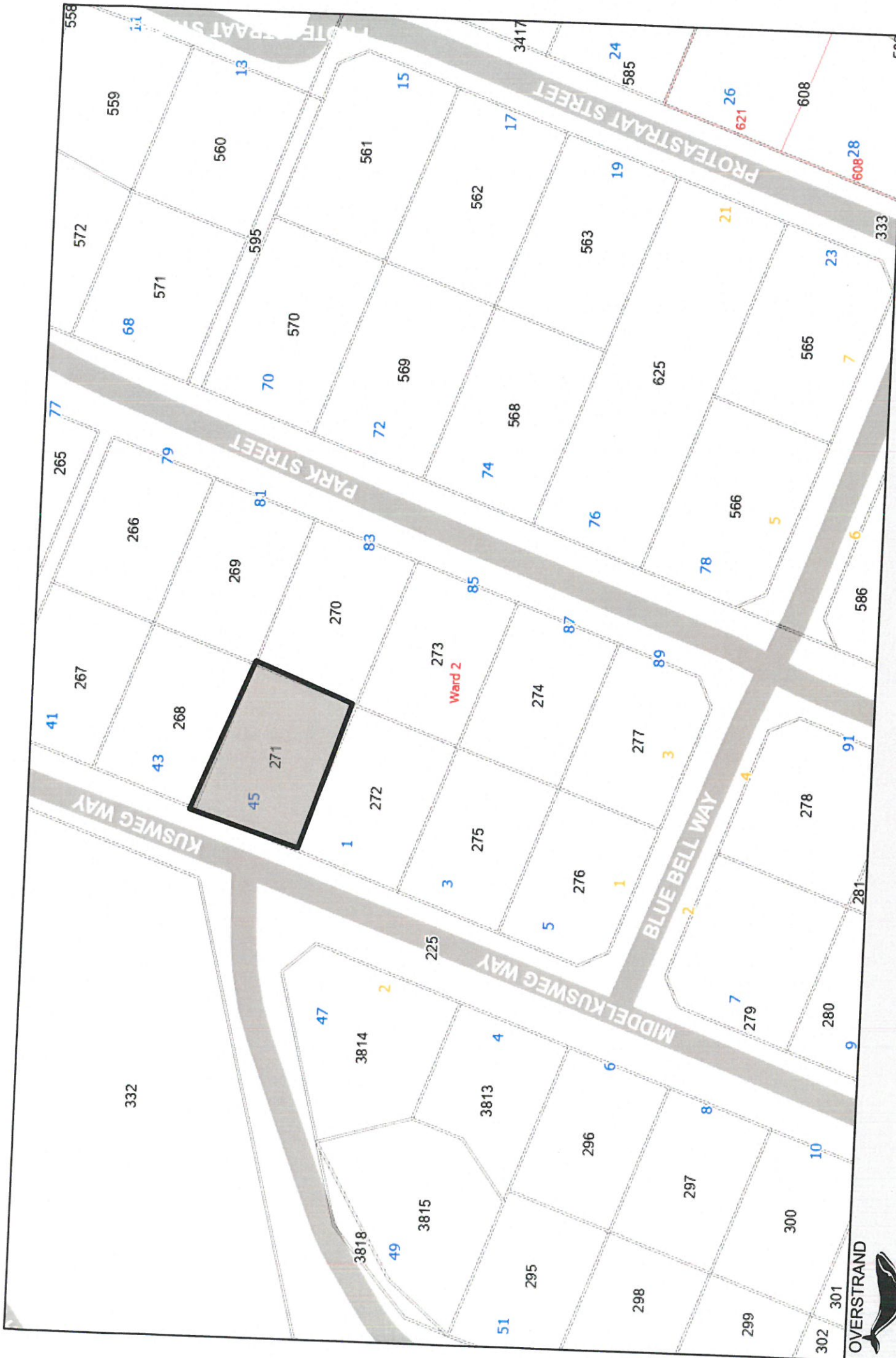
Inqikelelo yeMali yomdlwiwo/Ipenalithi wobhaliso

Inqikelelo yemali yomdlwiwo okanye ipenalithi yobhaliso ngokweSolotya le16(2)(q) loMthethwana kaMasipala.

Iinkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwintsuku zaphakathi eveleni phakathi kwentsimbi ye08:00 neye16:30 kwiSebe: Izicwangciso zeDolophu, kwanombolo 16 ePaterson Street, Hermanus, nasseGansbaai Library, Main Road, Gansbaai. Naziphi na izimvo ezibhalisiweyo zingangeniswa ngokwezibonelelo zeSolotya lama51 nelama52 zoMthethwana osowuchaziwe ngentla zifike kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / alida@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama **5 uluni ku 2022**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla kwakho. Imibuzo ngefowuni ingathunyelwa kuMchwangciso weDolophu, **Mnu. SW van der Merwe** kwa-028-313 8900. Merwe izimvo ezifike emva komhla wokuvula. Nabani na ongakwazi ukufunda nokubhala angandwendwela kwiSebe LeziCwangciso zeDolophu apho igosa likaMasipala liza kumnceda ukufaka izimvo zakhe ngokusemthethweni.

Umlawuli kaMasipala, Overstrand Municipality, P.O. Box 20, **HERMANUS**, 7200

Inothisi kaMasipala enguNomb.46/2022



ERF 271, 45 KUS WEG, GANSBAAI



OVERSTRAND
MUNICIPALITY



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APPLICATION FOR THE REMOVAL OF RESTRICTIVE CONDITIONS AND SUBSEQUENT APPLICATION FOR DEPARTURES AS WELL AS AN APPLICATION FOR THE DETERMINATION OF AN ADMINISTRATIVE PENALTY FOR ERF 271 GANSBAAI: 24 KUSWAY: GANSBAAI: OVERSTRAND MUNICIPALITY: DIVISION CALEDON: PROVINCE OF WESTERN CAPE

MOTIVATION REPORT

1. INTRODUCTION

- 1.1 Applicant: ME Planners Town and Regional Planner
P.O. Box 757
Heilbron
9650
- 1.2 Power of Attorney: Power of Attorney has been rendered to ME Planners Town and Regional Planner to lodge this Application for Removal of Restrictive Conditions in terms of Section 16(2)(f) and Permanent Departures in terms of Section 16(2)(b) read with Section 20(1)(a) of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning, 2020; as well as an application for the Determination of an Administrative Penalty.
- 1.3 Property: Erf 271 Gansbaai (hereafter referred to as “the site of application” or “the property”)
- 1.4 Street address: Kus Way 45, Gansbaai.
- 1.5 Locality: Erf 271 Gansbaai is situated on the southern side of Kus Way abutting Erf 272 on the western side, Erf 268 on the eastern side, Erf 270 on the southern side, with Erf 269 on the South-Eastern and Erf 273 on the South-Western corners respectively.

2. OVERVIEW OF APPLICATIONS

Chapter IV, Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020:

2.1 **Application for the Removal of Restrictive Title Deed Conditions** in terms of Section 16(2)(f) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

2.1.1 TITLE DEED

In terms of its Title Deed, No. T 000079622/2016 the property is described as "Erf 271 Gansbaai, geleë in die Overstrand Munisipaliteit, Afdeling Caledon, Provinsie van die Wes-Kaap", and is 694 (seshonderd vier en negentig) vierkante meter in size.

The property is registered in the name of MARIANA NEL,
Identiteitsnommer: 7306070194083
Getroud buite gemeenskap van goed".

2.1.2 The enclosed Title Deed contains the following Title Deed Restrictions that have to be addressed:

The Removal being applied for is for Condition CI (c) of Title Deed No. T000079622/2016 that reads as follows:

"CI(c) That not more than one-half the area of this erf be built upon."

The reason for this removal is to legalise the fact that more than one-half of the area has already been built upon.

This issue will also lead to an application for a 'Departure of the coverage'

- ***A copy of the Title Deed is attached to the application.***

2.2 Chapter IV, Section 16(2) (b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020:

Application for permanent departures in terms of Chapter IV, Section 16(2) (b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

2.2.1 **Building Line Departures being applied for are:**

a) **Exceeding of the following 2.00m side building line restrictions:**

A: Ground storey:

- i. Eastern side: The North-Eastern corner of the garage from 2, 00m to 1,659m;

- ii. The South-Eastern corner of the garage and the Eastern side of the storage room from 2,00m to 0,00m;
- iii. In summary the exceedance varies between ,341m and 2,00m.

B: First storey:

- i. North-Western side: From 2,00m to 1,294m;
- ii. Eastern side - on the most northern side of the building - From 2,00m to 1,662m;
- iii. South-Eastern side: From 2,00m to 1,167m;
- iv. In summary the exceedance varies vary between 0,338 and 0,833m.

b) **Exceeding of the 4.00m street building line restrictions:**

- i. Planter: 4,00m to 0,00m
- ii. Overflow: 4,00m to 0,00m

- ***Refer to the site plans attached to the application.***

2.2.2 **Application for a departure of the allowable coverage:**

As prescribed by the Overstrand Zoning Scheme, the coverage on a "Residential Zone 1" erf is 50%. In addition to the provisions of the zoning scheme, the coverage is also limited by the condition in the Deed of Title. (See paragraph 2.1.2)

The existing footprint on the erf is: 398m²;

The new additions are 25m² which result to a total footprint of 423m².

These changes result to a total coverage of 60.95%

The existing building will not be expanded any further and the existing excess of 10,95% will stay as is. No new additions will take place.

2.3 **Application for an Administrative Penalty**

Application for Administrative Penalty in terms of Section 16(2) (q) of the Overstrand Municipality read together with Section 90 of the Bylaw Municipal Land Use Planning (November 2020).

It is stated in Section 90 (1) of the said Bylaw that the applicant may rectify any contravention on a property by applying to the Municipality to pay an Administrative Penalty. In this case, no formal application is made for the payment of such an administrative penalty.

The reasons are dealt with by discussing them in accordance with Section 90 (3) of the same Bylaw.

a) Section 90 (3) (a) refers to the nature, duration, gravity and extent of the contravention. In order to address this, it is important to motivate that the owner does not violate any regulation.

b) The nature of the development on the erf does not impose on the privacy of any of the surrounding owners and has no negative effect on the surrounding built environment. There has never been any complaint about the existence of the building. (Section 87 of the Amendment Bylaw on Municipal land Use Planning, 2020)

c) Section 90 (3) (b): The application and the submission of the 'as built' plans, proves that the owner is not deliberately involved in any contravention. The owner has plans drawn up in order to legalise the proposed flats on the property.

d) Section 90 (3) (d): There is no sign of any unlawful conduct. The use of the erf is primarily for residential purposes and such outbuildings ordinarily used therewith, as is the case with this application, as well as the legalisation of the two flats at the back of the building.

e) Section 90 (3) (e): The registered owner has never deliberately contravened this By-Law or any previous planning law.

3. GENERAL APPLICATION INFORMATION

3.1 PROPERTY DESCRIPTION

Erf 271 Gansbaai is situated at the locality as described in paragraph 1.4 above.

At the time when the owner wanted to make improvements to the building, he became aware of the fact that there were no fully approved plans available for the property. So, it became necessary that "as built" plans had to be drawn up.

The location of the dwelling can be considered a historic situation. The registered owner (s) of the erf took transfer of the erf in 2016.

Nevertheless, an Application for Administrative Penalty in terms of Section 16(2) (q) of the Overstrand Municipality read together with Section 90 of the Bylaw Municipal Land Use Planning (November 2020) is applicable.

It is stated in Section 90 (1) of the said Bylaw that the applicant may rectify any contravention on a property by applying to the Municipality to pay an Administrative Penalty. In this case, no formal application is made for the payment of such an administrative penalty.

The reasons are dealt with by discussing them in accordance with Section 90 (3) of the same Bylaw.

- a) Section 90 (3) (a) refers to the nature, duration, gravity and extent of the contravention. In order to address this, it is important to motivate that the owner does not violate any regulation.
- b) The new owners literally bought the house as is, and when the building plans were drawn up, it was realized what a mess he had inherited. It is unfair that he is held accountable. He tries to fix the mess.
- c) The previous building plans were already approved in 1997. The plans as they are currently there are accurate.
- d) The nature of the development on the erf does not impose on the privacy of any of the surrounding owners and has no negative effect on the surrounding built environment. There has never been any complaint about the existence of the building (Section 87 of the Amendment Bylaw on Municipal land Use Planning, 2020)
- e) Section 90 (3) (b): The application and the submission of the 'as built' plans, proves that the owner is not deliberately involved in any contravention. The owner has plans drawn up in order to legalise the buildings on the property.
- f) Section 90 (3) (d): There is no sign of any unlawful conduct. The use of the erf is primarily for residential purposes.
- g) Section 90 (3) (e): The registered owner has never deliberately contravened this By-Law or any previous planning law.

3.2 SIZE

The property is 694m² in extent.

3.3 ZONING

Erf 271 Gansbaai is zoned "Residential Zone 1" and is utilized as such. Surrounding properties are also zoned for single residential purposes.

3.4 LAND USE

3.4.1 The property is developed with a partly double-storey Single Dwelling House, with the garages and storage rooms on the ground floor and the house on the first storey.

3.4.2 The property was purchased, with the house and outbuilding at their current locations on the property. The original plans for the buildings on the property were apparently lost at the municipal buildings and when the property was purchased by the present owner, no existing plans could be discovered or handed over to them. All the buildings on the attached plans are therefore shown as existing.

3.4.3 It is the sole intention of the landowner to legalize the infringement of the building lines as described in paragraph 2.2.1 above plus all the existing buildings as shown on the attached plans.

(The "as built" building plans of all structures will be submitted to the Municipality for approval.)

- ***Refer to the Building Plans attached to the application.***

3.5 CHARACTER OF THE ENVIRONMENT

The area, in which the site is located, is characterized by predominantly residential uses. The application, if approved, will change nothing in the existing character of the area.

3.6 NEED AND DESIRABILITY OF THE PROPOSED UTILIZATION

3.6.1 The need in this instance centres mainly on the fact that the owner wishes to legalise the structures that were constructed beyond the building lines as prescribed.

3.6.2 Ample space is available between the present buildings on the erf and any future buildings on the sides of the common boundaries with any of the adjoining residential erven to ensure that no views in various directions are spoilt. Hence the view is formed that the encroachments have in the past and will in future have no mentionable impact on adjoining or surrounding property owners.

Further, no complaints by adjacent or surrounding landowners had been received in this regard in the past. The surrounding landowners are aware of the existing encroachments.

The application was discussed with them. All three adjoining owners indicated that they had been aware of the building in its current position for several years. They are aware of the fact that the surrounding walls (which are to be demolished), exceed their properties. The plots and owners affected are the following:

- i) Erf 268, Gansbaai (JVR Cloete);
- ii) Erf 272, Gansbaai (MAJ Venter); and
- iii) Erf 270, Gansbaai (G&M Barnard)

All three owners of the plots concerned have given their consent for the development and interior alterations to continue. These permissions are attached to the application.

Taking any possible "darkening" of surrounding properties into consideration, the long existing position of the primary dwelling unit and its outbuildings is not regarded as being undesirable and will not have any detrimental impact on the rights of surrounding property owners nor the existing built environment in future. It is the considered opinion that the building line encroachments are of no consequence to the owners of any of the properties next door.

The proposed alterations to the building are also not in contravention of the prescribed height restriction of the maximum height of 8,0m in terms of the Overstrand Municipality Land Use Scheme, 2020. The highest elevation of the building on the north-west side is 7,962m.

From the foregoing it is clear that the character of the area will not be disturbed should this application be approved, and although Gansbaai is one of the oldest established townships in the Overstrand area, it will not be necessary to also consider the possibility of the heritage value being affected and disturbed by the application as the existing buildings will not be affected by the application.

3.6.3 RORA IMPLICATION

As far as Section 35(4)(a) – (d) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2020 is concerned, the following can be stated:

- (a) The only value for the applicant, as far as the application is concerned, is that it will give him the chance to have more living space inside the existing buildings. No other benefits, financial, personal or social, will accrue to the applicant.
- (b) See (a) above.

- (c) See (a) above.
- (d) There will be no social benefit of the restrictive condition remaining in place in its existing form.
- (e) The only social benefit of the removal will be to provide more in-door living space.
- (f) The removal, suspension or amendment of the restrictive condition will remove no rights enjoyed by the beneficiary.
- (g) No financial or other values will be added by the removal.
- (h) The desirability for the removal of the title deed building lines is therefore clear and evident.

3.7 TRAFFIC IMPACT, PARKING AND ACCESS

- 3.7.1 The traffic flow patterns around the site will not be affected at all.
 - 3.7.2 The present access to the property is from Kus Way and provides safe access to and exit from the development.
 - 3.7.3 In the light of what has been mentioned as far as the need is concerned for this application, the desirability needs no further motivation, but the following is relevant and of interest:
 - a) The existing as well as the future character of the area will not be adversely affected should the application be approved.
 - b) The traffic flow pattern in the area will not be affected.
 - c) Services will not be affected adversely.
 - d) The prescribed standards and conditions for the existing zoning of the erf will not be adversely affected through the approval of the application.
 - e) No darkening of neighbouring properties will take place.
- ***Refer to the site plan attached to the application. (Drawing no. 1)***

3.8 IMPACT ON EXTERNAL ENGINEERING SERVICES

- 3.8.1 The site is located in an existing township.
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- 3.8.2 All services on the property already exist and are sufficient to accommodate the existing buildings and land use.

3.9 FORWARD PLANNING & OTHER LAND USE DOCUMENTS

3.9.1 OVERSTRAND MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK (May 2020)

The Overstrand Municipality Spatial Development Framework (2020) earmarks the area where Erf 271 Gansbaai is situated, for residential purposes. The current Residential Zone 1 zoning will be retained and the current access from Middelkus Way will also remain as is. The proposal will, therefore, be in line with spatial planning guidelines for the area.

3.9.2 OVERSTRAND MUNICIPAL GROWTH MANAGEMENT STRATEGY (2010)

With reference to the Overstrand Growth Management Strategy the subject erf falls within Planning Unit 1 that consists mainly of Gansbaai single residential erven. No densification of the planning unit is proposed.

3.10 THE RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

3.10.1 HERITAGE VALUE AND IMPACT

Erf 271 Gansbaai is not situated within the Heritage Overlay Zone as determined by the Overstrand Municipality Growth Management Strategy (2010). The existing dwelling situated on erf 271 Gansbaai is not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

The subject property is not associated with any important persons or groups or important events and activities. The subject property has no association with the history of slavery and is not used for living heritage.

In the light of the above mentioned it is evident that the proposed departure will not have a negative impact on the heritage value of the subject property or the Greater area of Gansbaai.

3.10.2 ENVIRONMENTAL IMPACT

The proposed departure for erf 271 Gansbaai does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

3.11 PLANNING PRINCIPLES

3.11.1 SPATIAL JUSTICE

The right of owners to develop land in accordance with current use rights must be recognized as is the case with this application.

3.11.2 SPATIAL SUSTAINABILITY

The existing development and associated parking are accommodated in an established residential area. The application has no impact on the conservation worthy areas of Gansbaai. Spatially the land uses on the property is in keeping with the residential character of the area.

The development on the property in question is designed towards sustainability and limiting urban sprawl.

3.11.3 EFFICIENCY

The development on the property optimizes the use of existing resources and infrastructure. The development is conveniently located close to the beach, walkways and the business areas in Gansbaai.

3.11.4 SPATIAL RESILIENCE

Not applicable to this application.

3.11.5 GOOD ADMINISTRATION

The applicant is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient and will ensure that timeframes are adhered to.

4. RECOMMENDATION

- 4.1 Land uses in the area and on the site of application are being regulated and controlled by the Overstrand Municipality Land Use Scheme, 2020.
- 4.2 The application is made for the purpose of helping to ensure that orderly planning as far as the Town Planning and building regulations are concerned will be in place for future reference.
- 4.3 The owner of the property states that he is not aware of complaints by surrounding landowners or even the Overstrand Municipality, about the exceeding of the building lines described above.

- 4.4 From the contents of this report it is apparent that the existing building line encroachment of the building(s) as well as the exceeding of the allowable coverage on Erf 271, Gansbaai will have no negative impacts in general, and it is thus requested that the Municipality favour the application as set out in this motivation report.

END OF MOTIVATION REPORT:
FEBRUARY 2022



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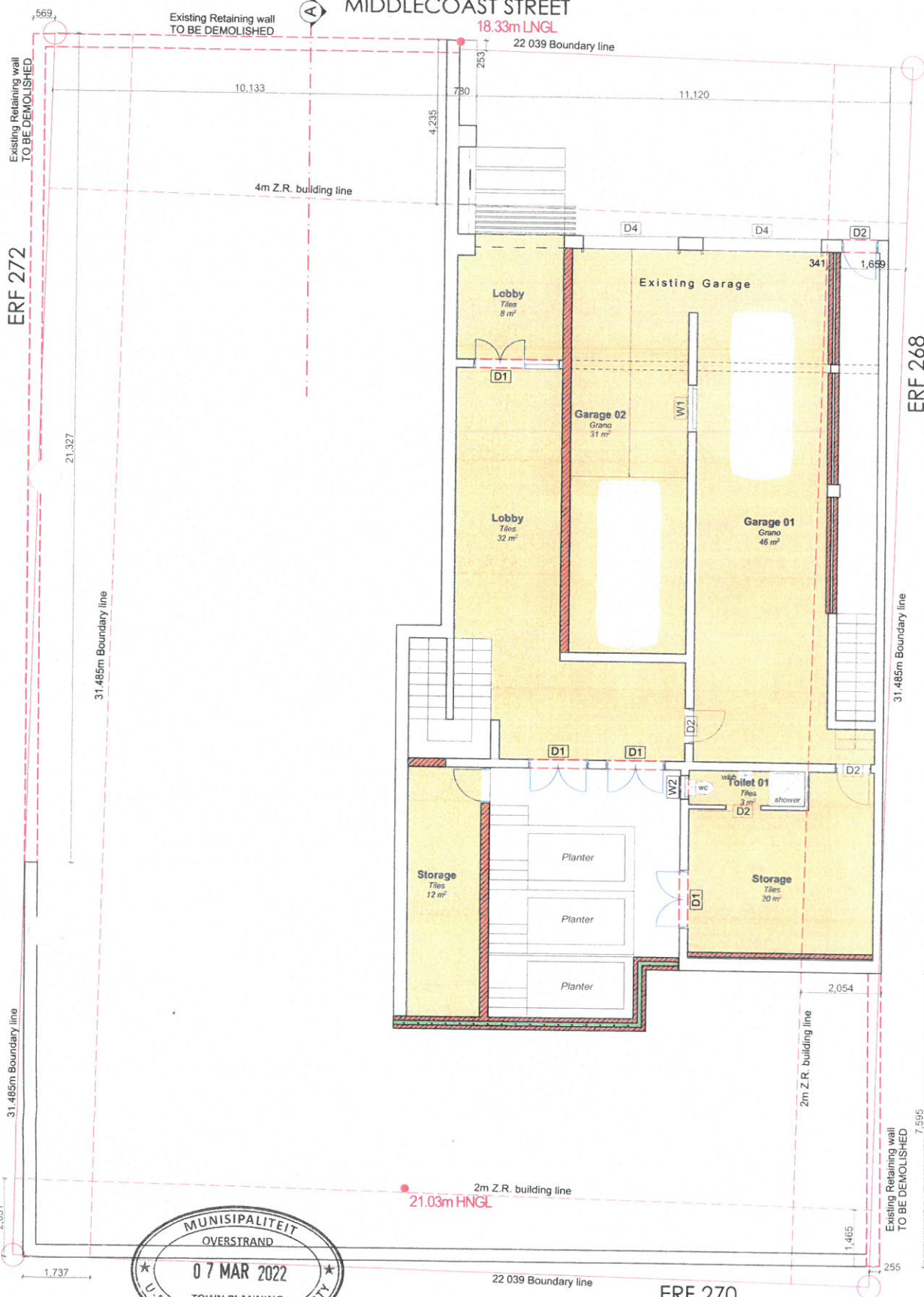
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PROJECT INFO
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NEL-GB-19/33

Layout Name:
Layout
Drawing Status: Proposed Plans
Project Description: Additions & Alterations

Drawn By: Johan Du Toit 2/8/2022
Checked By: Martin Prinsloo 2/8/2022
Signed:
Drawing Scale: As Shown
Sheet Size: A3
File name: NEL Erf 271 O.pln

GROUND STOREY PLAN

Scale 1:100





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Existing Retaining wall TO BE DEMOLISHED

ERF 272

-31.485m Boundary line

ERF 268

Existing Retaining wall TO BE DEMOLISHED

FIRST STOREY PLAN

Scale 1:100



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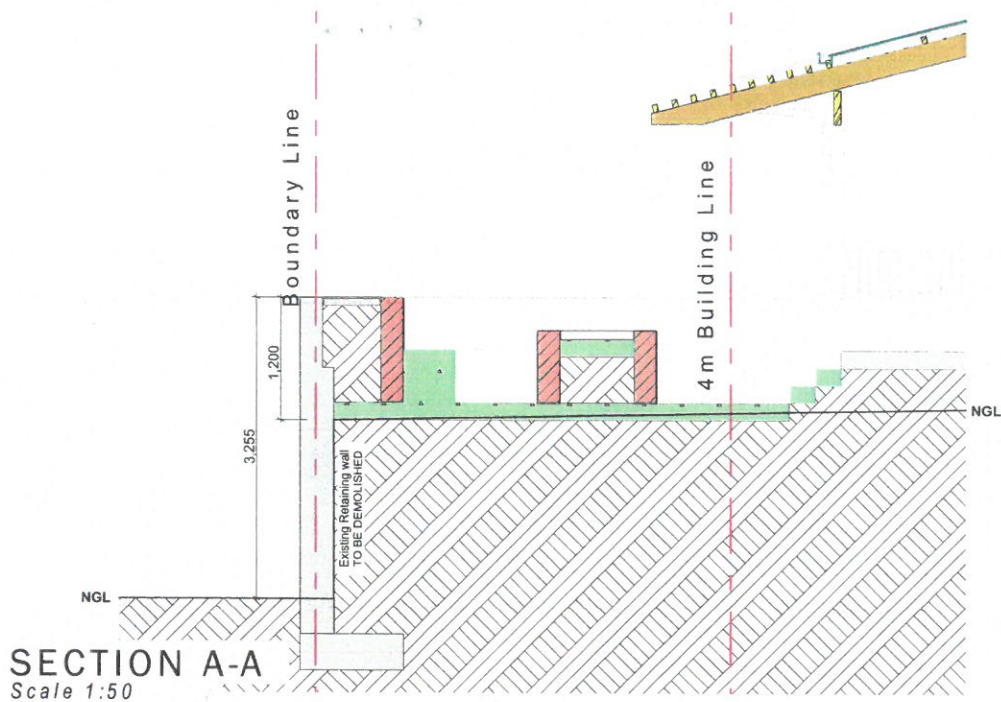
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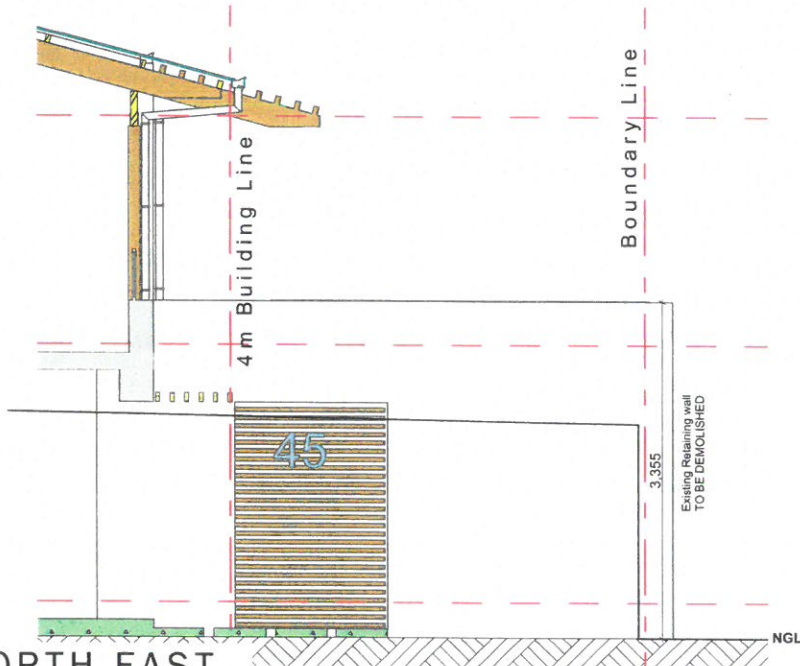
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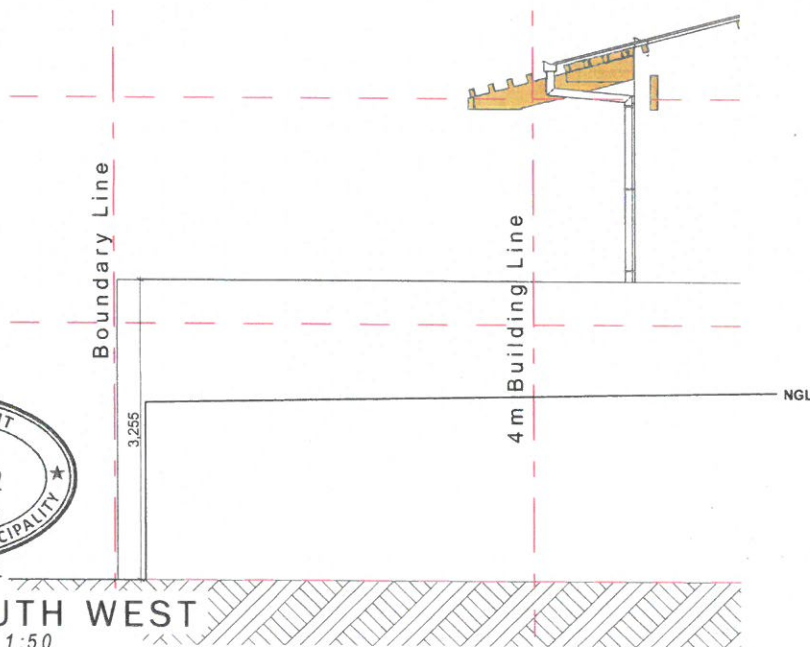
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SECTION A-A
Scale 1:50



NORTH EAST
Scale 1:50



SOUTH WEST
Scale 1:50



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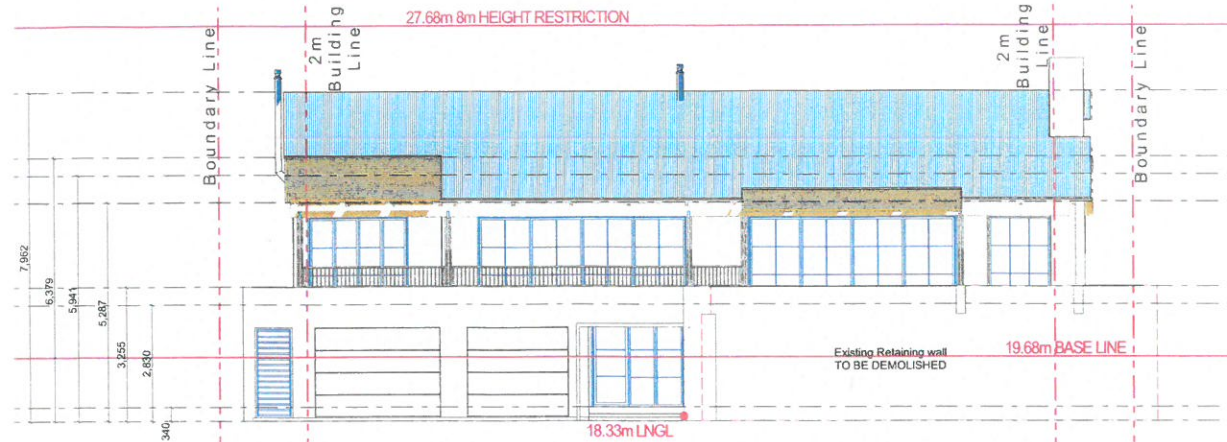
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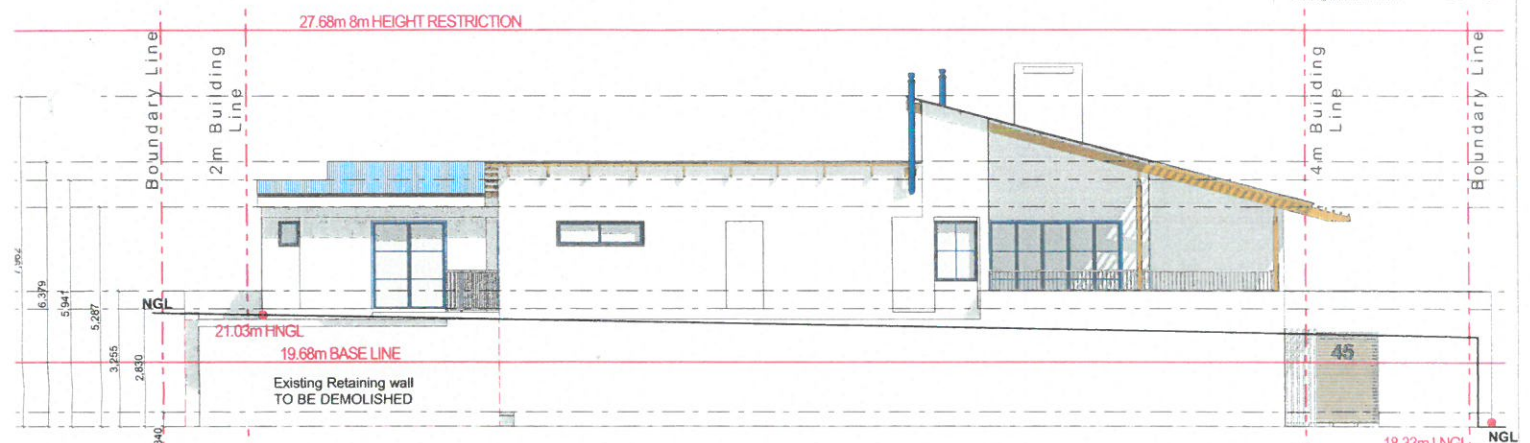
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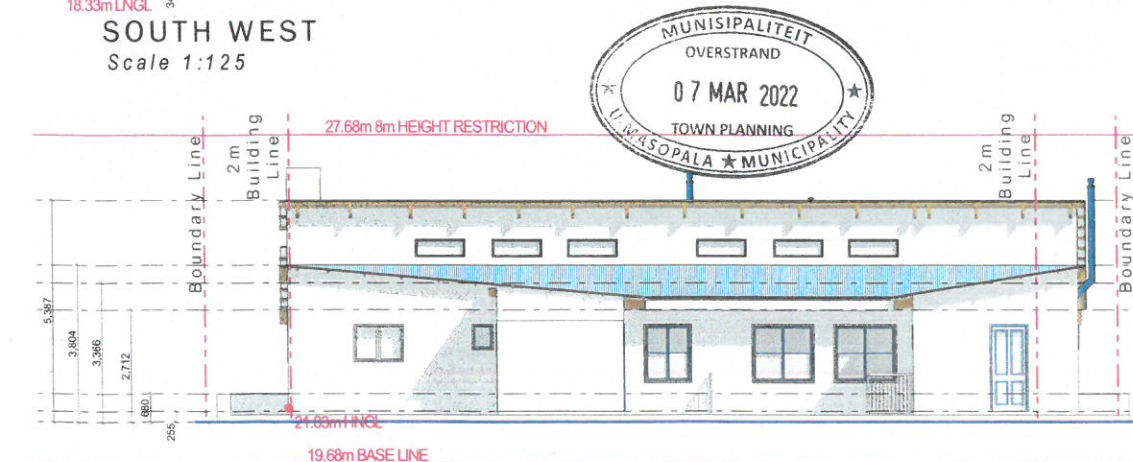
NORTH WEST
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NORTH EAST
Scale 1:125



SOUTH WEST
Scale 1:125



SOUTH EAST
Scale 1:125



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