

ERF 6224, 237A, TENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND AMENDMENT OF THE APPROVED SITE DEVELOPMENT PLAN: MESSRS INTERACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF DJ & C BOTHA

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

- **Departure** in terms of Section 16(2)(b) of the By-Law in order to:
 - relax the western lateral building line from 1m to 0m to accommodate the first floor stoep;
 - relax the western lateral building line from 1m to 0m to accommodate the stairs from the ground floor to the first floor, and
 - relax the eastern lateral building line from 3m to 1m to accommodate ground floor en-suite bedroom with bathroom.
- **Amendment of the approved site development plan** in terms of section 16(2)(l) of the By-Law to accommodate the proposed structures.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) aconradie@overstrand.gov.za) on or **before 03 March 2023**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **Mr P Roux** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 6224, TIENDESTRAAT 237A, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM AFWYKING EN WYSIGING VAN DIE GOEDGEKEURDE TERREINONTWIKKELINGSPLAN: MNRE INTERACTIVE STAD- EN STREEKSBEPLANNERS NAMENS DJ & C BOTHA

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening op Munisipale Grondgebruikbeplanning, 2020 (Verordening), dat 'n aansoek ontvang vir die volgende:

- **Afwyking** ingevolge Artikel 16(2)(b) van die Verordening ten einde die:
 - westelike lateraleboulyn vanaf 1m na 0m te verslap om die eerste vloer stoep te akkomodeer;
 - westelike lateraleboulyn vanaf 1m na 0m te verslap, om die trappe vanaf die grondvloer na eerstevloer te akkomodeer; en,
 - oostelike lateraleboulyn vanaf 3m tot 1m te verslap om die en-suite slaapkamer met badkamer op grondvloer te akkomodeer
- **Wysiging van die goedgekeurde terreinontwikkelingsplan** ingevolge Artikel 16(2)(l) van die Verordening om die voorgestelde strukture te akkomodeer.

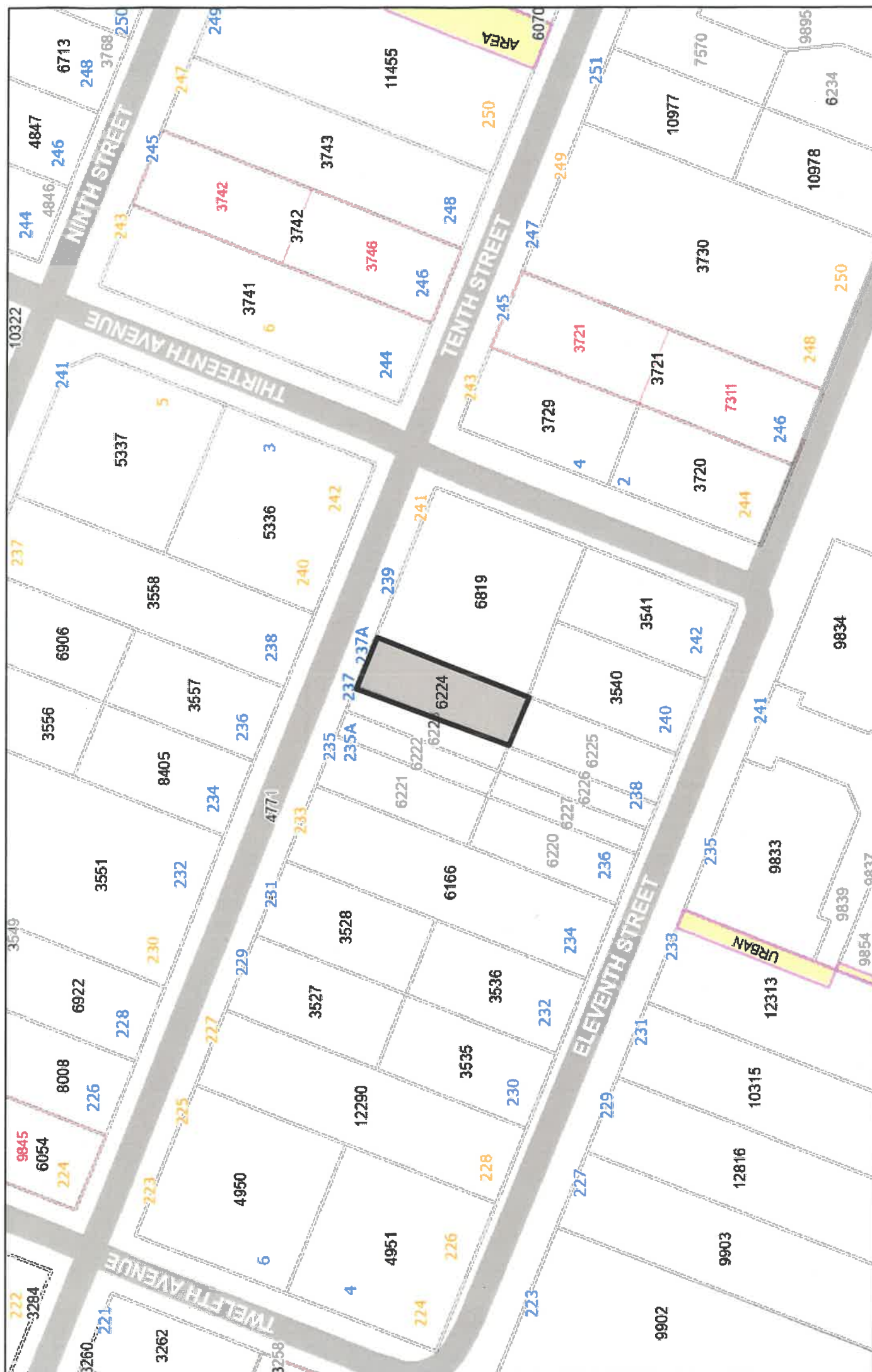
Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) aconradie@overstrand.gov.za) voor of op **03 Maart 2023**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Mnr P Roux** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA 6224, 237A, TENTH STREET VOËLKLIP, HERMANUS, UMMANDLA WOMASIPALA WASE-OVERSTRAND: ISICELO SOKUNYENISWA NOKUTSHINTSHWA KWESICWANGCISO ESIGUNYAZISIWEYO SOKUPHUHLISA ISIZA: ABAKWA-INTERACTIVE TOWN & REGIONAL PLANNERS EGAMENI LIKA-DJ & C BOTHA

Kukhutshwa isaziso ngokumayela neCandelo 48 loMthetho Otshintshiweyo woMasipala waseOverstrand ongokuSetyenziswa nokuCetywa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala), ukuba kufunyenwe isicelo sezi zinto zilandelayo:

- **Ukuphambuka** ngokumayela neCandelo 16(2)(b) loMthetho kaMasipala ukuze kwenziwe oku kulandelayo::
 - ukunyeniswa komgca wesakhiwo kwicala elingasentshona ukusuka ku-1m ukuya ku-0m ukuze kubekho kumgangatho wokuqala kwakhiwe iveranda kumgangatho wokuqala;
 - ukunyeniswa komgca wesakhiwo kwicala elingasentshona ukusuka ku-1m ukuya ku-0m ukuze kwakhiwe izitepsi ezisuka kumgangatho osezantsi ukuya kumgangatho wokuqala, kunye
 - nokunyeniswa komgca wesakhiwo kwicala elingasempuma ukusuka ku-3m ukuya ku-1m ukuze kwenziwe igumbi lokulala eligumbi lokuhlambela.
- **Ukutshintshwa kwesicwangciso sokuphuhliswa kwesiza** ngokumayela necandelo 16(2)(l) loMthetho kaMasipala ukuze kuvunyelwe ezi zakhiwo.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: loCwangciso lweDolophu, 16 Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho kaMasipala zithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama- **3 EyoKwindla (uMatshi) 2023** unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela, u**Mnu P Roux** kule nombolo 028-313 8900. UMasipala angala ukuzamkela izimvo ezifike emva komhla wokuvalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhale izimvo zakhe.



ERF 6224, 237A TENTH STREET, VOELKLIP, HERMANUS

4. Motivation

Motivation for the application:

Refer to Annexure I for the Building Plan

a. Introduction and Background

The application area is located at 237A, Tenth Street, Voëlklip and consists of a 336m² General Residential 1: Town Housing erf, accommodating an existing approved townhouse with three bedrooms, two bathrooms and a single garage.

The owners wish to optimize the existing erf to provide a satisfactory dwelling which caters to the various needs of the owners.

In this respect the owners wish to provide additional space for indoor and outdoor recreation, additional access to the stoep on the first floor, an extension of the western common boundary wall, an additional bedroom and en-suite bathroom, a sheltered parking area to replace the existing garage and an additional sheltered parking area for a second vehicle.

b. Proposal

The proposal is for the following:

- Construct two carports of which one will exceed the 3m eastern side building line up to the erf boundary but which is in accordance with Chapter 16.1.1(c) and therefore does not require an application for a building line departure
- Construct a new bedroom and en-suite bathroom on the ground floor which will exceed the eastern 3m building line up to 1m from the erf boundary for which a building line departure is applicable
- Extend the first floor stoep which exceeds the 1m western side building line up to the erf boundary for which a building line departure is applicable
- Extend the western common erf boundary wall which is in accordance with Chapter 16.1.1(a)(i) and therefore does not require an application for a building line departure
- Construct stairs providing additional access up to the first floor stoep, which will exceed the western 1m building line up to the boundary for which a building line departure is applicable

Subsequently the application proposal is as follows:

- Departure to relax the **western side building line** from 1m to 0m to allow for proposed structures i.e. first floor stoep and stairs from ground floor up to first floor
- Departure to relax the **eastern side building line** from 3m to 1m to allow for proposed structures i.e. ground floor bedroom and bathroom
- Amendment of the Site Development Plan to allow for construction of all the proposed structures

The nature and impact of each application will be discussed individually below:

Departure to relax the western side building line from 1m to 0m

The building line relaxation will allow for the extension of the first floor stoep and for the construction of stairs providing access up to the first floor stoep.

The proposed first floor stoep extension and stairs up to the first floor stoep will allow for additional outdoor recreational space and for additional access to the stoep from the outside at the front of the dwelling.

The proposed western boundary wall extension will increase privacy for the application area as well as for the adjacent neighbour to the west of the application area.

Summary: Western Building Line Departure to accommodate the following:

- Departure of western building line from 1m to 0m to accommodate first floor stoep
- Departure of western building line from 1m to 0m to accommodate stairs from ground floor to first floor

Departure to relax the eastern side building line from 3m to 1m

The building line relaxation will allow for the addition of a new bedroom and en-suite bathroom to the east of the existing dwelling on the ground floor.

A distance of 1m between the proposed addition and the boundary wall will remain, allowing for emergency access to the application area.

The reason to relax the building line up to 1m in lieu of 2m, as preferred by the municipality, is to provide a sensible and practical living space to accommodate a bedroom and bathroom, which would be too narrow in the case of a relaxation up to 2m from the eastern erf boundary.

The western side wall of the residential dwelling on the adjacent eastern property, does not accommodate any windows, which ensures that the proposed building line encroachment does not cause a privacy intrusion on either one of the two properties or cause the obstruction of sunlight or a negative visual impact for the neighbouring property. Furthermore, the proposed additional bedroom and bathroom is unobtrusive in nature.

In addition, the eastern neighbour has provided consent in this regard, attached as Annexure J.

Summary: Eastern Building Line Departure to accommodate the following:

- Departure of eastern building line from 3m to 1m to accommodate ground floor bedroom and bathroom

Amendment of the Site Development Plan



Figure 9: Aerial view of application site

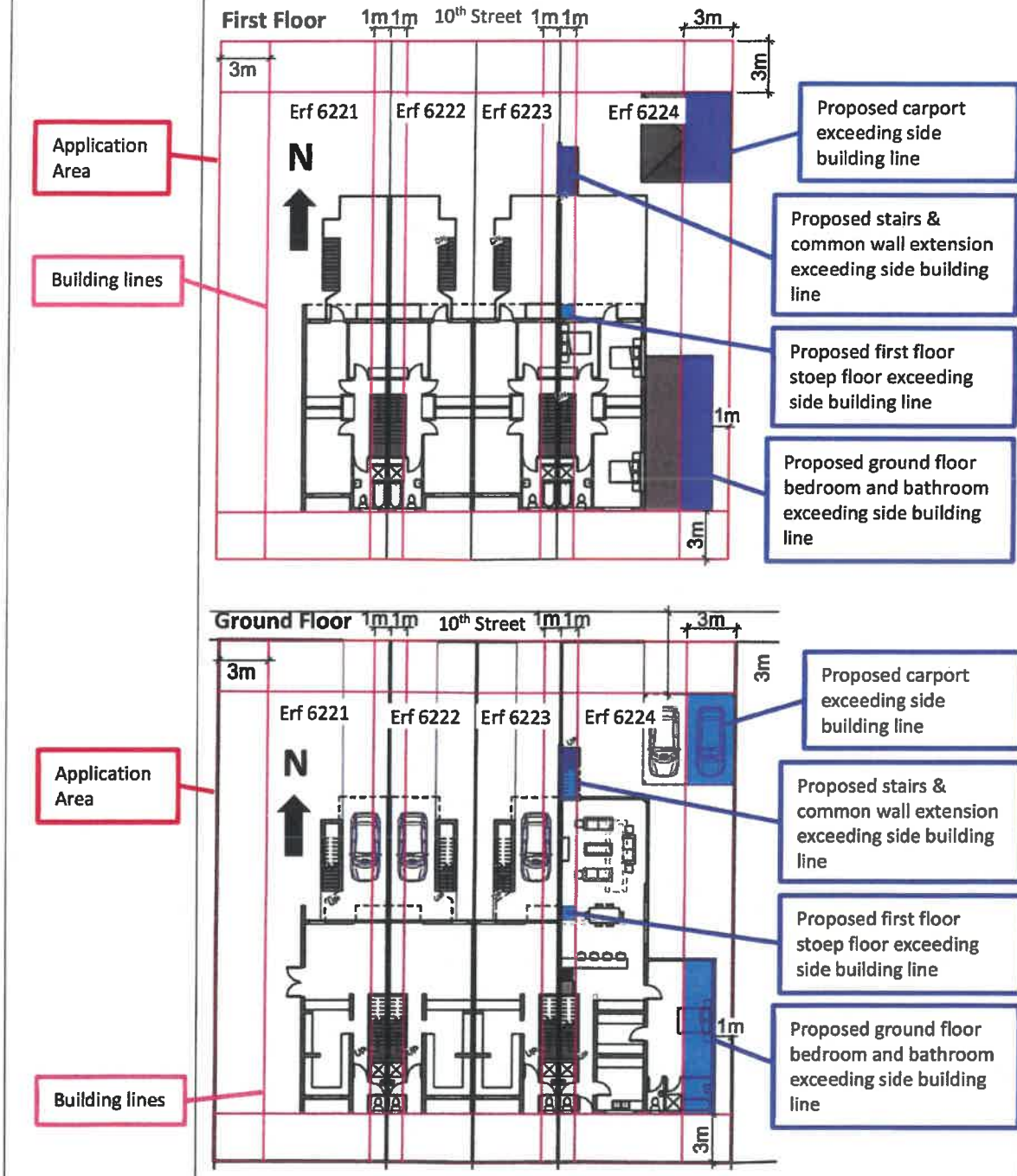
The existing aerial view of the application area is viewed in the photo in Figure 9 to the left, extracted from the Overstrand Municipal Public Viewer.

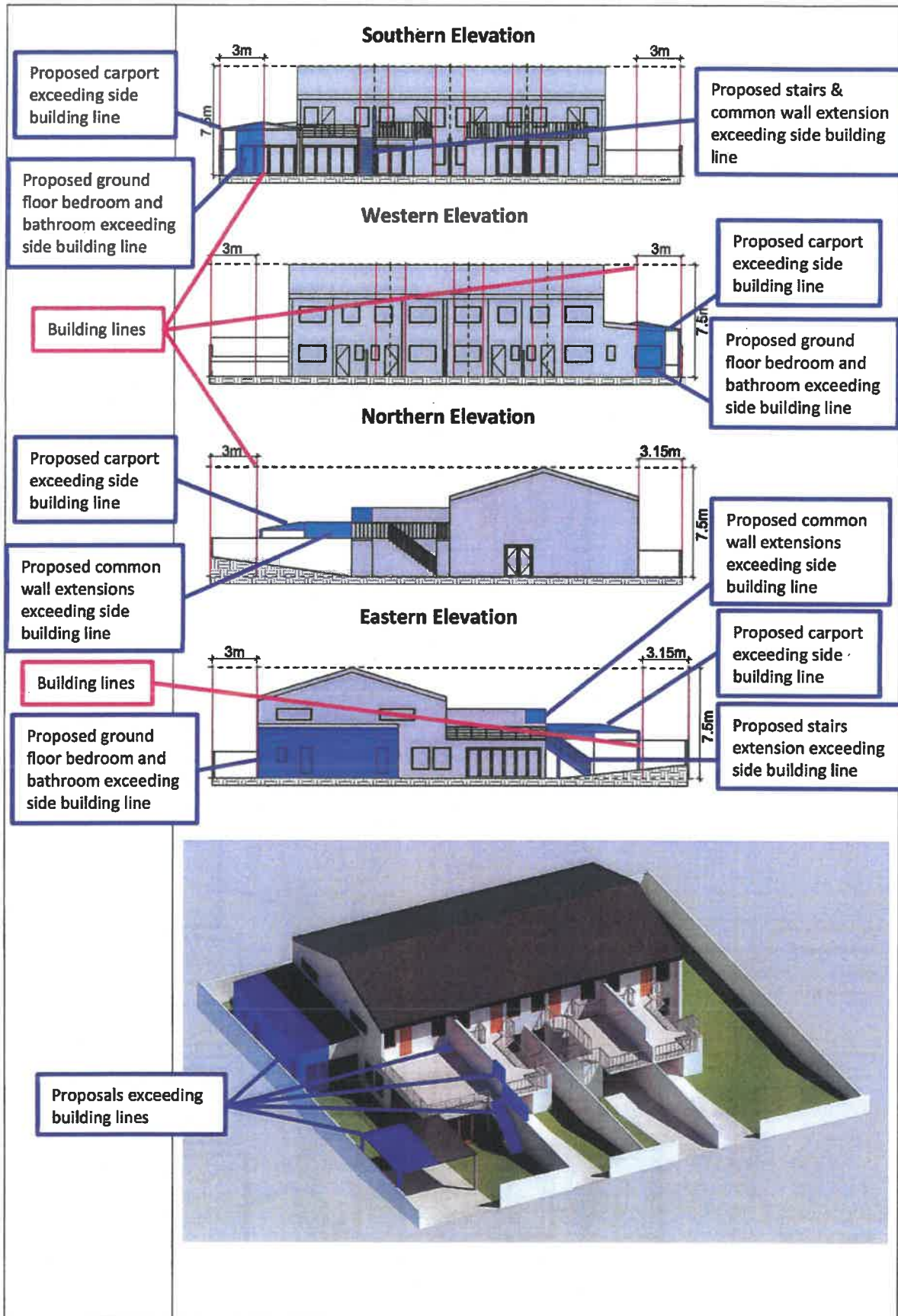
The amendment of the site development plan will accommodate all of the proposed structures which will include the following:

- Construction of two carports in the north-eastern corner which will provide shelter to two vehicles on the application area, of which one will replace the existing garage to be converted into a lounge and dining room and the second carport will provide additional shelter for a second vehicle
- Conversion of the existing garage into a lounge and dining room on the ground floor
- Construction of an additional bedroom and a bathroom to the east of the dwelling, on the ground floor
- Extension of the first floor stoep floor
- Construction of stairs providing access up to the first floor stoep
- Extension of the western common boundary wall which will increase privacy between the two neighbouring properties

The following proposed structures however, do not require building line relaxation namely:

- The construction of the two carports of which one will exceed the 3m eastern side building line up to the erf boundary but which is in accordance with Chapter 16.1.1(c) and therefore does not require an application for a building line departure
- The extension of the common western erf boundary wall which is in accordance with Chapter 16.1.1(a)(i) and therefore does not require an application for a building line departure.
- The conversion of the existing garage into an open plan lounge and dining room on the ground floor which will not exceed the eastern 3m building line and therefore does not require an application for a building line departure





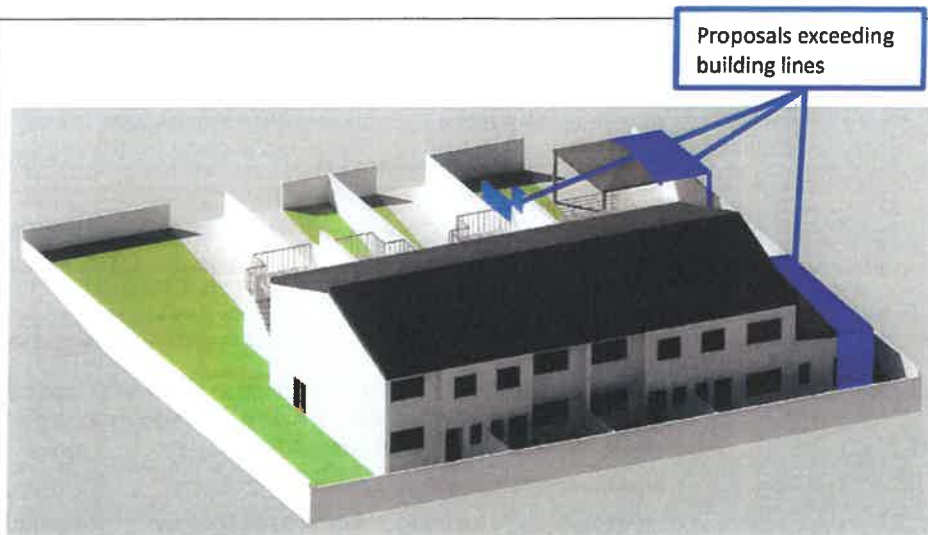


Figure 10: Development Proposal

Summary: SDP Amendment to accommodate the following:

- Construction of two carports
- Conversion of garage into ground floor lounge and dining room
- Ground floor bedroom and bathroom construction
- First floor stoep extension
- Construction of stairs from ground floor to first floor
- Western common boundary extension

c. Desirability

The proposal is considered desirable for the following reasons:

- In accordance with the relevant spatial planning legislation for the area
- Potentially improves the functionality of the application area and the quality of life for the residents by efficiently and optimally increasing the indoor and outdoor recreational space, providing additional access to the outdoor recreational area, replacing and providing additional sheltered parking space, providing an additional bedroom and en-suite bathroom and increasing the privacy of the property
- Potentially increases the value of the property
- No foreseen negative visual impact, unsafe conditions, obstruction of sunlight, views or emergency access or the intrusion on privacy for the adjacent properties

d. Planning Principles

In terms of Chapter VI of the Spatial Planning and Land Use Management Act, 2013 the following Planning Principles have been applied to the application site:

- 1) **Spatial Justice** which refers to the need for redressing the past apartheid spatial development imbalances and aims for equity in the provision of access opportunities, facilities, services and land.

Possible results of the development

The proposal will not in any way contribute to perpetuation of past apartheid spatial development imbalances as it will legally accommodate the proposed building line encroachments and an amendment of the SDP for an existing approved residential dwelling within a residential suburb.

The application proposal is consistent with spatial justice.

	<p>2) Spatial Sustainability which refers to the fact that a spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and ultimately limits urban sprawl.</p> <p>Possible results of the development The proposal will legally accommodate the proposed building line encroachments and an amendment of the SDP of the approved dwelling on a general residential erf within the urban edge. Therefore, no impact on agricultural land, environmentally sensitive areas and biodiversity rich areas will occur.</p> <p>The application proposal can thus be deemed to be spatially sustainable.</p> <p>3) Efficiency which refers to the manner in which settlements themselves are designed to function in such a way that there will be a minimum need to travel long distances to access services, facilities and opportunities.</p> <p>Possible results of the development The proposal is to legally accommodate the proposed building line encroachments and an SDP amendment for an approved dwelling within a residential suburb. The proposal is considered to optimize the property to increase the indoor and outdoor recreational space, provide additional access to the outdoor recreational area, replace and provide additional sheltered parking space and provide an additional bedroom and en-suite bathroom. At the same time the proposal will potentially increase the value and privacy of the property, all in an efficient manner and without any material impact on the surrounding area foreseen.</p> <p>The application proposal is consistent with the efficiency principle.</p> <p>4) Spatial Resilience which, in the context of land use planning, refers to spatial plans, policies and land use management systems which should enable communities to be able to resist, absorb and accommodate any economic and environmental shocks which might occur in a timely and efficient manner.</p> <p>Possible results of the development The existing development will not lead to any economical and/or environmental shocks as the application allows for the legal accommodation of the proposed building line encroachments and amendment of the SDP for an approved dwelling within a residential suburb and without any material impact on the surrounding area foreseen.</p> <p>The application proposal is consistent with the principle of spatial resilience.</p> <p>5) Good Administration which, 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 ensure that a joint planning approach is pursued.</p> <p>Possible results of the development Consultive practices are being followed in this application as it is done in consultation with the Planning Department of the Municipality who will also advertise the application in such a manner as to enable the Government and the general public to participate in the eventual decision-making process.</p> <p>The application proposal is consistent with the principle of good administration.</p>
--	--

5. Conclusion

The application proposal is considered to strike an efficient balance between the optimal use of the application area to provide a satisfactory residential environment and to cater for a full range of residential needs without any material impact foreseen to result on the surrounding environment.

The application as motivated in this report is thus regarded **desirable** within its local context and well-integrated within the existing community land-use activities.

It is therefore recommended that the application **be approved**, as follows:

- Departure to relax the **western side building line** from 1m to 0m in terms of Chapter IV, Section 16(2)(b), to accommodate the proposed first floor stoep and stairs from ground floor to first floor, exceeding this building line.
- Departure to relax the **eastern side building line** from 3m to 1m in terms of Chapter IV, Section 16(2)(b) to accommodate the proposed ground floor bedroom and bathroom, exceeding this building line.
- Amendment of the Site Development Plan to accommodate the following structures:
 - Two carports
 - Conversion of garage into ground floor lounge and dining room
 - Ground floor bedroom and bathroom
 - First floor stoep extension
 - Stairs from ground floor to first floor
 - Western common boundary extension

Ground Floor
A3 Scale 1 : 150

6166

6220

6227

6226

6225

6224

6223

6222

6221

3532

10TH STREET



PROJECT

Erven 6221 - 6224
Voëlkop

TITLE

Site Development
Plan



Application Area



Building lines

Note: Plans are based on information received and the units have not been inspected for correctness.

BOHEMIETY
INTERACTIVE TOWN & REGIONAL PLANNING MAKES NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, WITH REGARD TO THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DOCUMENT OR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH OR ARISING OUT OF THIS DATA. THE DATA IS PROVIDED AS IS AND THE USER ASSUMES ALL RESPONSIBILITY FOR THE USE OF THE DATA FOR THE PURPOSES OF A PROJECT WITH THE PRIOR WRITTEN APPROVAL OF THE CLIENT.

CLIENT

DRAWN BY
Author

CHECKED BY
Checker

DATE
2023/12/01

SCALE (R, A, J)
AS INDICATED

PROJECT NUMBER
0001

DRAWING NUMBER
A101

InterActive Town & Regional Planning



Office: 11th Floor, 242/243/244
D. de la Haye Street, Grahamstown
Telephone: 033 312 1133
Fax: 033 312 1133
Cell: 082 400 4000
Email: info@itrgp.co.za

First Floor

A3 Scale 1 : 150

PROJECT
Erven 6221 - 6224
Voëklip

TITLE
Site Development
Plan

□ Application Area
— Building lines

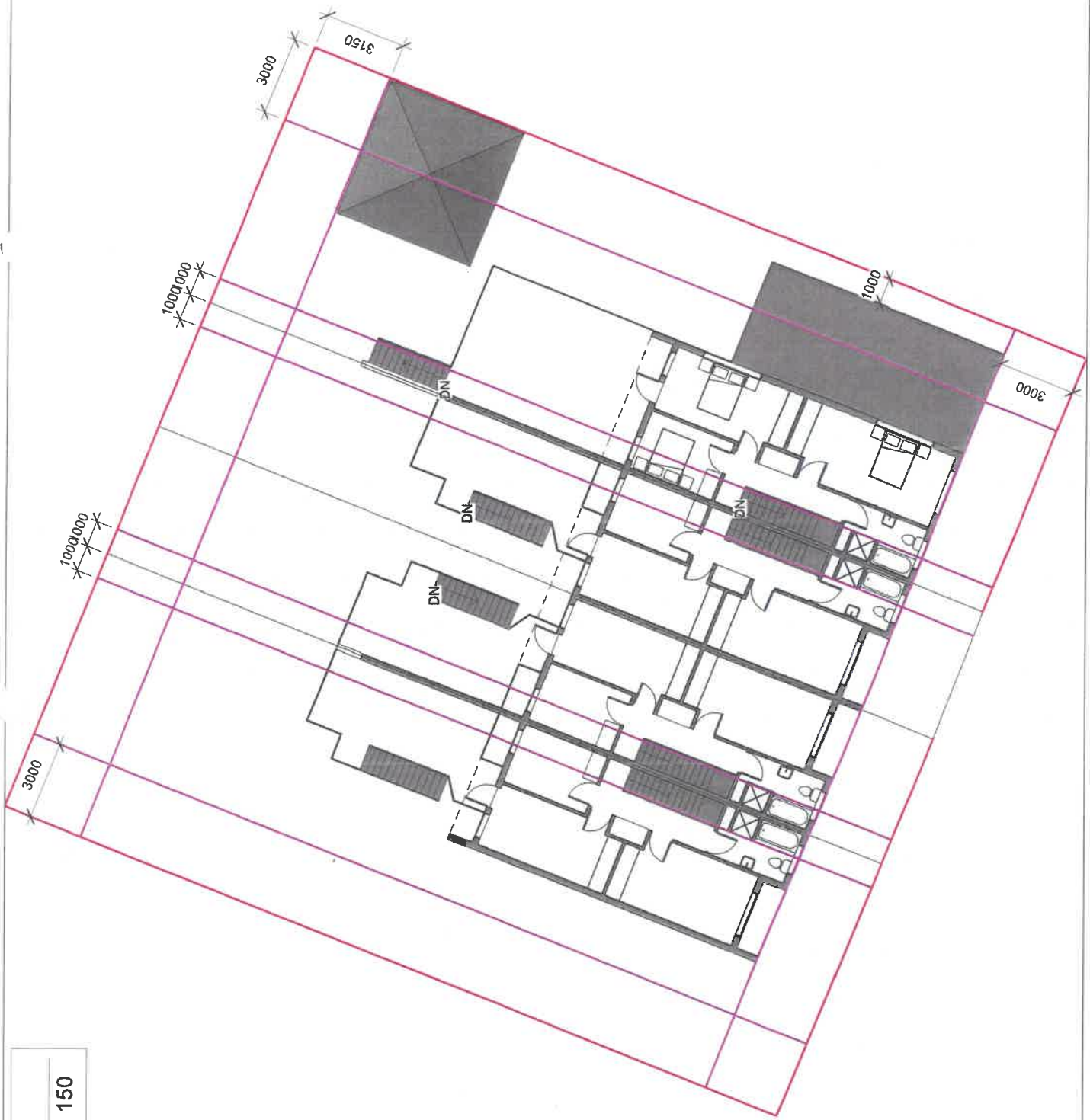
Note: Plans are based on information received and the units have not been inspected for correctness.

INCUMBENT
INTERACTIVE TOWN & REGIONAL PLANNING MAKES NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, WITH REGARD TO THE ACCURACY, COMPLETENESS, OR RELIABILITY OF ANY INFORMATION OR DATA PROVIDED BY THE CLIENT IN CONNECTION WITH OR ARISING OUT OF THIS DATA. THE DATA IS PROVIDED AS IS AND THE CLIENT WILL BE RESPONSIBLE FOR THE ACCURACY AND COMPLETENESS OF THE DATA. THE CLIENT'S USE OF THIS DATA IS SOLELY FOR THE PURPOSES OF A PROJECT WITH THE WRITTEN APPROVAL OF THE CLIENT.

CLIENT

DRAWN BY	CHECKED BY	DATE
Author	Checker	2021/12/01
SCALE (A3)	PROJECT NUMBER	DRAWING NUMBER
AS FURNISHED	0001	A 102

Interactive Town & Regional Planning
Ariën Malan, B.Sc. (Hons) Dip.
Grad. Dip. Town and Regional Planning
Telephone 033 312 1028
Cell: 082 630 4499
Email: info@itrp.co.za



PROJECT

Erven 6221 - 6224
Voëlklip

TITLE

Site Development
Plan

- Application Area
- Building lines

Note: Plans are based on information received and the units have not been inspected for correctness.

WE HEREBY STATE THAT WE AND OUR EMPLOYEES AND AGENTS ACCEPT NO LIABILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED TO US BY THE CLIENT AND WE ACCEPT NO LIABILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED TO US BY THE CLIENT. THE DATA REMAINS THE SOLE PROPERTY OF THE CLIENT AND WE MAY ONLY USE THE INFORMATION PROVIDED TO US FOR THE PROJECT AND WE MAY NOT REPRODUCE OR DISSEMINATE THE INFORMATION WITHOUT THE WRITTEN APPROVAL OF THE CLIENT.

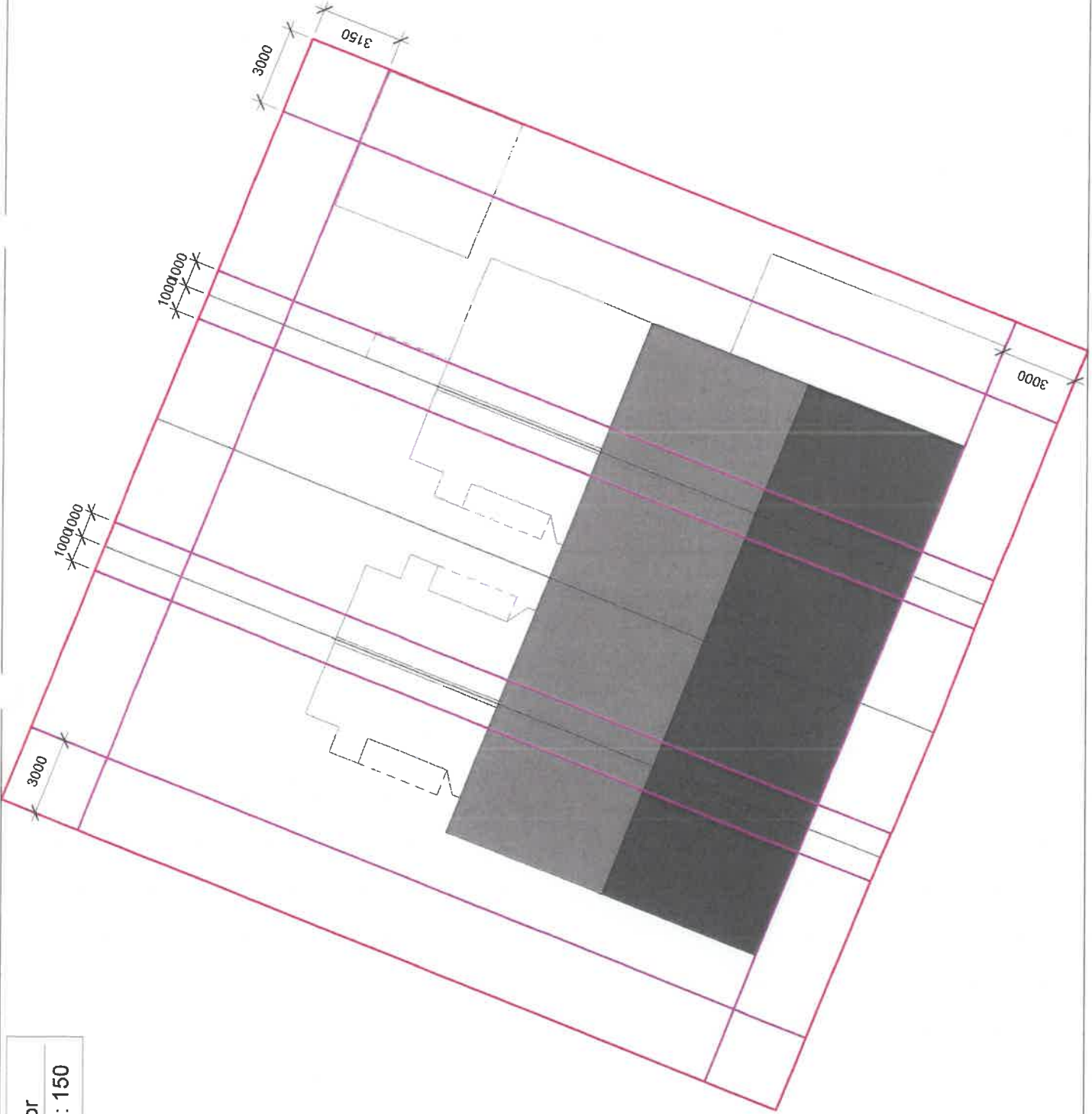
CLIENT

DRAWN BY	CHECKED BY	DATE
Author	Checker	2021/12/01
SCALE (R/A)	PROJECT NUMBER	
As indicated	0001	
DRAWING NUMBER		
A103		

InterActive Town & Regional Planning



Avon Wynhelen Bldg, P.O. Box 47271194
Tafelpoort, Cape Town 7801
Tel: 021 953 3110
Cell phone: 082 438 8485
E-mail: w.r.van.der.grint.com






Second Floor
A3 Scale 1 : 150

PROJECT

Erven 6221 - 6224
Voëklip

TITLE

Site Development
Plan

-  Application Area
-  Building lines
-  Average natural ground levels

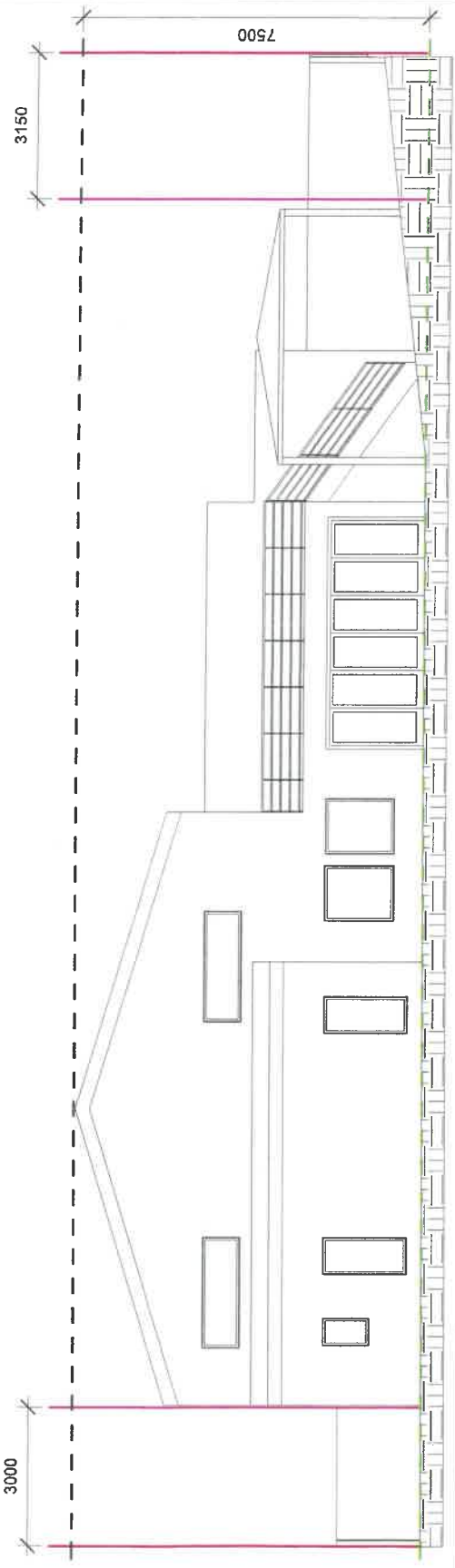
Notes: Plans are based on information received and the units have not been inspected for correctness.

INDUSTRY
INTERACTIVE TOWN & REGIONAL PLANNING MAKES NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, WITH REGARD TO THE ACCURACY, COMPLETENESS, OR FITNESS FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH OR ARISING OUT OF THIS DATA. THE DATA IS PROVIDED AS IS AND IS NOT TO BE USED FOR THE PURPOSES OF A PROJECT WITHOUT THE WRITTEN APPROVAL OF THE CLIENT.

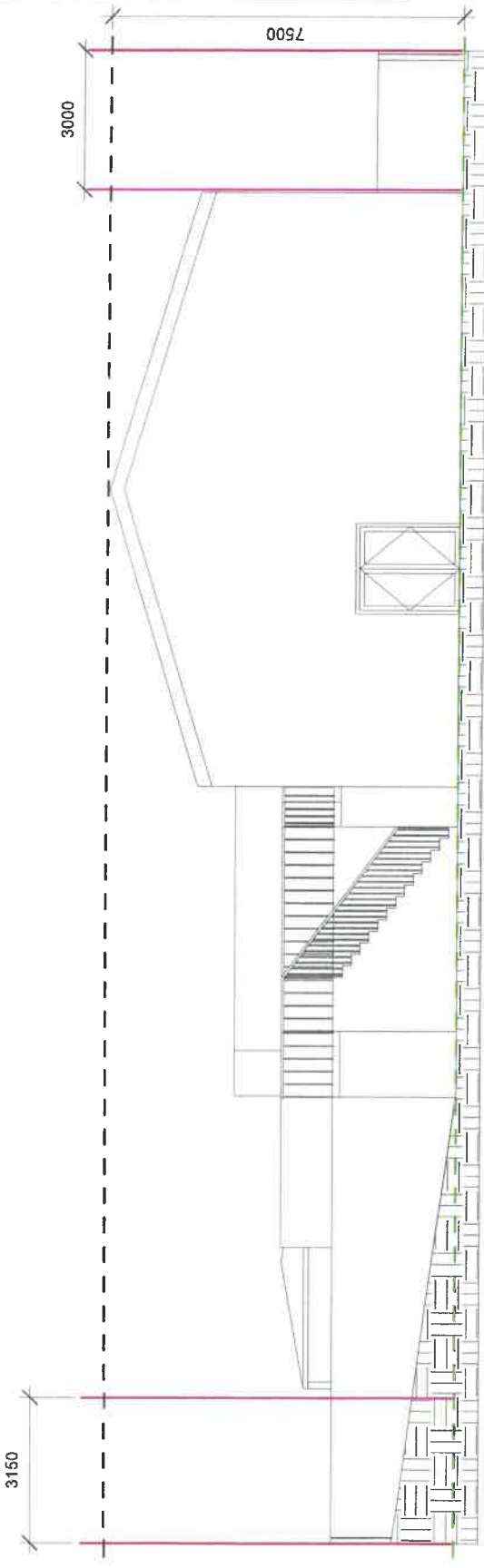
CLIENT

DRAWN BY Author	CHECKED BY Cwelele	DATE 2021/12/01
SCALE (A3-A1) As indicated	PROJECT NUMBER 0001	DRAWING NUMBER A1104

Interactive Town & Regional Planning



East Elevation
A3 Scale 1 : 100



West Elevation
A3 Scale 1 : 100

PROJECT

Erven 6221 - 6224
Voëklip

TITLE

Site Development
Plan

Application Area

Building lines

Average natural ground levels



Note: Plans are based on information received and the units have not been inspected for correctness.

INDUSTRY

INTERACTIVE TOWN & REGIONAL PLANNING MAKES NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, WITH REGARD TO THE ACCURACY, COMPLETENESS, OR RELIABILITY OF ANY INFORMATION PROVIDED TO IT OR THE INFORMATION RECEIVED FROM ANY SOURCE. THE CLIENT ACCEPTS FULL RESPONSIBILITY FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH OR ARISING OUT OF THIS DATA. THE DATA IS PROVIDED AS IS AND IS NOT TO BE USED FOR THE PURPOSES OF A PROJECT WITH THE PROCEEDS OF THE PROJECT WITHOUT THE WRITTEN APPROVAL OF THE CLIENT.

CLIENT

DRAWN BY
Author

CHECKED BY
Checker

DATE
2021/1/20/1

SCALE (OR A1)
AS INDICATED

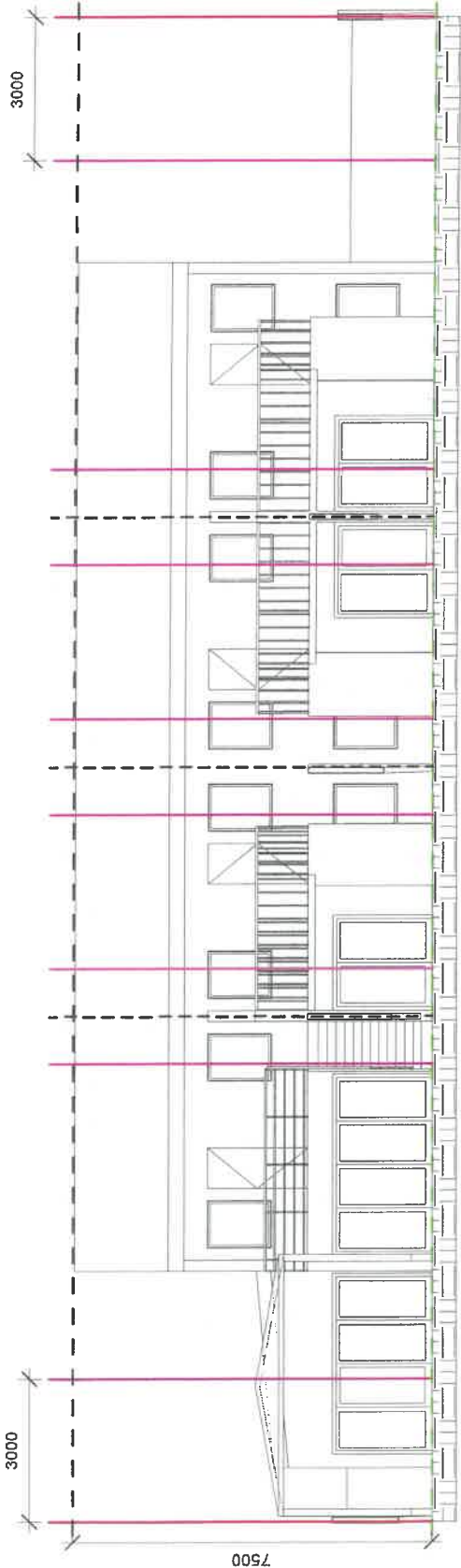
PROJECT NUMBER
0001

DRAWING NUMBER
A105

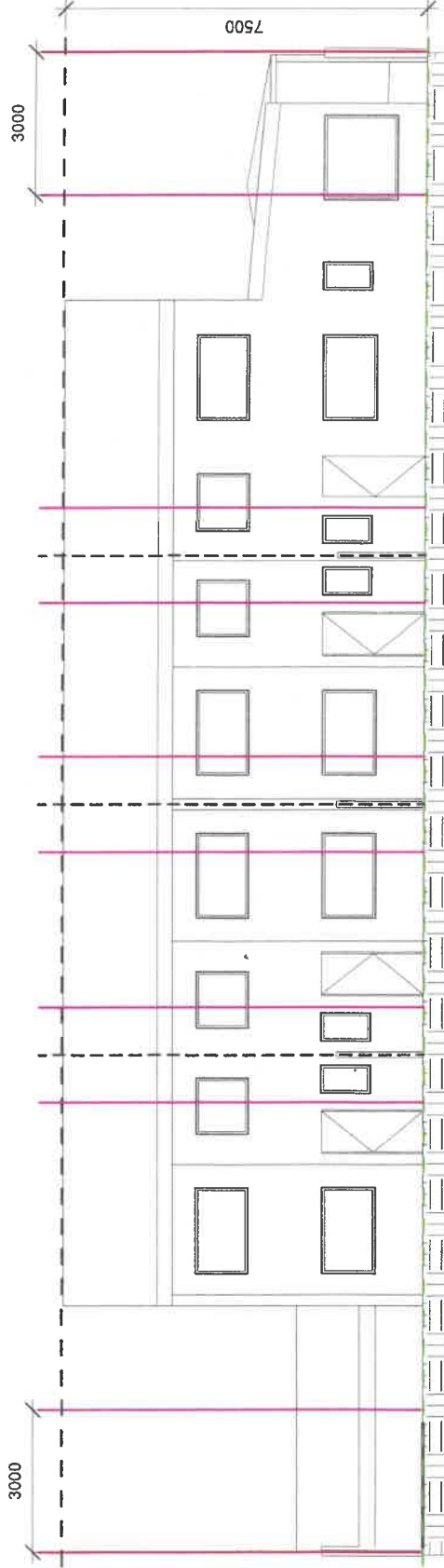
InterActive Town & Regional Planning



Address: 11111 11th Ave, Adelaide 5170
Phone: 08 833 3333
Fax: 08 833 3333
Email: info@interactive-tp.com



North Elevation
A3 Scale 1 : 100



South Elevation
A3 Scale 1 : 100