



**MEETING OF THE
MUNICIPAL PLANNING TRIBUNAL
(MPT)**

A G E N D A

DATE:	3 MARCH 2026 (FEB 2026 CYCLE)
VENUE:	TOWN PLANNING COMMITTEE ROOM
TIME:	10:00

OVERSTRAND MUNICIPALITY

Office of the Chairperson: MPT
Civic Centre
HERMANUS
7200

24 February 2026

TO : THE MEMBERS OF THE MUNICIPAL PLANNING TRIBUNAL

CONVENING NOTICE : SESSION OF THE MUNICIPAL PLANNING TRIBUNAL (MPT)

NOTICE IS HEREBY GIVEN that the **Municipal Planning Tribunal (MPT)** will go into session in the **Town Planning Committee Room** on **Tuesday, 3 March 2026** at **10:00** to consider the attached agenda.

S MULLER
CHAIRPERSON : MUNICIPAL PLANNING TRIBUNAL

Distribution:

1. Mr S Müller (Chairperson)
2. Ms T de Waal (Vice-Chairperson)
3. Mr H Blignaut (Member)
4. Ms R Louw (Member)
5. Mr R Kuchar (Authorised Official)
6. Mr S van der Merwe (Principal Town Planner)
7. Ms H van der Stoep (Principal Town Planner)
8. Mr H Olivier (Town Planner)
9. Secretariat

MUNICIPAL PLANNING TRIBUNAL (MPT)

3 March 2026
(February 2026 Cycle)

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- 1. OPENING**

- 2. APPLICATIONS FOR LEAVE OF ABSENCE**

- 3. CONFIRMATION OF MINUTES**
 - 3.1 Minutes of a Municipal Planning Tribunal Meeting held on 29 January 2026**

- 4. ITEMS FOR CONSIDERATION**
 - 4.1 ERF 987, 19 KERSBOS STREET, VERMONT, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF JP STEYN & K VAN SCHALKWYK**

Report attached

 - 4.2 ERF 2702, PARK LANE, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE AND PERMISSION REQUIRED IN TERMS OF THE LAND USE SCHEME: URBAN DYNAMICS SOUTH CAPE TOWN AND REGIONAL PLANNERS ON BEHALF OF OVERSTRAND MUNICIPALITY**

Report attached

 - 4.3 REMAINDER OF ERF 4771, VOËLKLIP, HERMANUS: APPLICATION FOR CONSENT USE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF OVERSTRAND MUNICIPALITY AND CAPE TOWN FISH MARKET**

Report attached

4.1

**ERF 987, 19 KERSBOS STREET, VERMONT, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF JP STEYN
& K VAN SCHALKWYK****987 HVM (4940/2025)****H Olivier****24 December 2025****(028) 313 8900****Hermanus Administration****1. EXECUTIVE SUMMARY**

An application was received on 24 March 2025 from WRAP Project office on behalf JP Steyn and K van Schalkwyk on Erf 987, Vermont in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for a **consent use** to allow a place of instruction on the property.

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, while the proposed Site Development Plan is attached as Annexure C.

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

Erf 987 is developed with a double storey dwelling with double garage. The property is zoned Residential Zone 1 and is situated in a single residential area.

The proposal is to operate a place of instruction from of a portion of the existing dwelling.

4. SUMMARY OF APPLICANT'S MOTIVATIONTHE MOTIVATION FOR THE APPLICATION IS AS FOLLOWS:

- No formal teaching or academic instruction will take place on the premises, but instead, small-scale, weekly, in-person educational support sessions will be held to promote social skills development through structured activities, primarily in the fields of Virtual and Augmented Reality.
- Sessions will last 1,5 hours with 30-minute intervals, and intervals will help with traffic management.
- There is a great need for specialized educational facilities in the Hermanus area.
- The activities will be low-intensity and of limited scale with only one (1) room in the front section being used, the remainder of the building will be for residential purposes.
- Sessions will be once per day taking place between the hours of 10:00 and 19:30 on weekdays, session being 1,5 hours long.
- Small groups will attend with no signage, noise or traffic congestion anticipated.
- The proposal contributes to youth development.
- Aligns with the principle of spatial justice and efficiency.
- No new municipal services are required.
- There are no restrictions in the Title Deed prohibiting the application.

- Access and egress to/from the property will be from Kersbos Street.
- No views, sunlight or the character of the area will be affected.
- The application will have a positive economic impact with possible part-time employment and help with skills development.
- The application will have no Heritage or Environmental impact.
- In line with Municipal SDF as it promotes sustainable, context-sensitive land use by enabling low-impact economic activity within a residential area.

SPLUMA PRINCIPLES

The application is measured against the principles in terms of Section 42 of SPLUMA, as follows:

Spatial Justice

Will not contribute to spatial injustices.

Spatial Sustainability and Efficiency

The use of the property for residential and educational purposes will ensure the property is being used for its maximum capabilities.

Spatial Resilience

Not in conflict with spatial planning policies.

Good Administration

A good streamlined public participation process was followed by the municipality.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
E-mail Notices and Notice Board on-site	Yes	23 July 2025	29 August 2025
Internal departments	Yes	23 July 2025	29 August 2025
Ward councillor	Yes	23 July 2025	29 August 2025
Total comments	TWENTY-TWO (22)		
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 COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments
Fire Department	31/07/2025	No objection.
Municipal Environmental Division	29/08/2025	No objection.
Municipal Waste Management	01/08/2025	No objection.
Engineering Services	30/07/2025	See Annexure F
Telkom	18/10/2025	See Annexure G
Building Control	23/07/2025	See Annexure H

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION.

Notices were e-mailed to surrounding residents in the area and the Vermont Ratepayers Association. A notice board was also placed on-site by the applicant's consultant.

Twenty-two (22) letters of objection were received were received during the public participation process. The applicant was provided with an opportunity to respond to the objections. See Annexures D and E respectively.

List of objectors	
1. <i>Dr Des & L Horn</i>	12. <i>Andries & Erika Strauss</i>
2. <i>Dr AE Henkel & LB Horn</i>	13. <i>Michael & Cailey Low</i>
3. <i>B Kotze</i>	14. <i>W. de Wet</i>
4. <i>Keevy Venter</i>	15. <i>R Kotze</i>
5. <i>G & T Loades</i>	16. <i>MC & PF Jordaan</i>
6. <i>S Rober</i>	17. <i>RL Meyer</i>
7. <i>Maret Sprake - Jones</i>	18. <i>SJ & AS Viljoen</i>
8. <i>H & M de Wet</i>	19. <i>A Marais</i>
9. <i>BR & M Kamstra</i>	20. <i>ML van den Bosch</i>
10. <i>F & B Muller</i>	21. <i>SE Engelbrecht</i>
11. <i>N Holbak</i>	22. <i>T Hurwitz & D Joubert</i>

The objections, applicant's response and Municipal Town Planner's response can be summarized as follows:

OBJECTION 1**NEIGHBOURHOOD CHARACTER, PRECEDENT AND PROTECTION OF RESIDENTIAL AMENITY**

- *The application sets a precedent for more such consent use applications in residential areas.*
- *The application will change the character of the area.*
- *This type of facility catering for the greater Hermanus must not be in a quiet neighbourhood.*
- *This area is an exclusive residential area and not a through road, and the use will be contrary with the intent of the area.*
- *Students engaging after sessions will impact the residential amenity.*
- *To use 30% of the habitable area of a dwelling for a classroom is not acceptable.*
- *30% of the erf will be used for parking, replacing green garden areas, having a significant visual impact.*
- *Vermont is not an area with businesses.*
- *If the application is approved the use will be forced onto residents.*
- *The peaceful environment will be impacted.*
- *The activities are not compatible with the zoning of surrounding properties.*
- *The application will erode the residential character.*

APPLICANT'S RESPONSE

- This is not an application for rezoning but consent use which is site specific and must be assessed on its own merits in terms of the Overstrand Municipality Land Use Scheme.
- Primary residential use will be retained, and the external residential appearance of the dwelling will not change. Conditions of approval will limit operations to what is on the site plan, and any expansions will require re-application.
- Activities are indoor, low-intensity and limited in frequency, conditions can limit group size, operating hours and number of sessions.
- There will be no signage, structural changes or outdoor activities to change the residential character.
- The Municipality may limit the consent to the current owner as a condition.
- SPLUMA and the MSDF/PSDF encourages local low-impact community services, and OMLUS provides for a place of Instruction as a consent use in the Residential Zones.

TOWN PLANNER'S RESPONSE

The comments are noted.

The consultant's comments are noted that it is a consent use in terms of the Land Use Scheme, which makes provision for such uses. It is also fact that each application must be considered on its own merits.

The consultant's opinion that most concerns can be mitigated with limiting conditions are noted, but this office can only consider the detail of the application submitted, because if the use is limited too much the project will not be viable. The comments are however noted.

A place of instruction in a residential area can impact the character of an area, because it creates an increase in traffic and associated noise. The objectors' concerns are

therefore valid. The scale of these activities will be discussed later in this report to consider possible impact.

OBJECTION 2

TRAFFIC, PARKING AND SAFETY

- *The increase in traffic will impact the street.*
- *Will parking be sufficient for 10 students?*
- *Operating hours and sessions mean 6 vehicles will come and go every 90 minutes and will have traffic impact.*
- *Young students are high risk drivers.*
- *The traffic volume will double in the cul-de-sac.*
- *Additional vehicles will come into the street to fetch and drop students.*
- *Approximately 150 to 200 vehicles will visit and leave the site.*
- *If all students drive their own car there will not be sufficient parking and cars will park in the street.*
- *Inquire traffic assessment.*
- *It will impact emergency vehicles and there is no emergency management plan.*
- *Will negatively impact the Gwarrie/Kersbos Road intersection.*

APPLICANT'S RESPONSE

- The 30-minute interval between sessions will stagger arrival and departure times and reduce vehicle turnover.
- Many learners may attend consecutive sessions, which lowers the number of vehicle trips.
- On-site parking is in line with municipal requirements, and all parking will be accommodated on the property, and no kerb parking will be allowed.
- The parking is intended for short-term drop-off and collection rather than prolonged parking.
- Conditions to control appointments, supervised arrivals and departures and that no loitering may take place can be put into the approval.
- The existing access/egress will be used, and no new infrastructure is required.
- The municipality can limit the number of students per session and number of sessions.

TOWN PLANNER'S RESPONSE

The comments are noted.

The concerns of the objectors are valid. There will be a significant increase in traffic to this quiet cul-de-sac. It is also not clear how many students will be dropped off and fetched, and how many will have to park on-site per session. This makes it difficult to evaluate impact, as the more students getting dropped off the more the trips, but if all 8 students (last proposal by applicant) use their own vehicles, and only 6 parking bays are provided, where will the students park. The property owners must also have 2 parking bays (in double garage) for private vehicles for his/her own use, meaning only 6 parking bays is available for parking and must also cater for drop of points.

The Land Use Scheme does stipulate that 0,5 parking bays per student be provided on-site, and 1 per classroom. This means 5 parking bays are required plus 2 for the residents. The total of 6 parking bays and the double garage is in line with the requirements of LUMS, but as indicated above, if all 8 students come to the area with

their own vehicles, parking will be problematic. It is also to be noted that the parking requirement in the Land Use Scheme was created for larger institutions such as schools and universities, with more students and a variety of students with different forms of transport.

The applicant's comment that the municipality can stipulate conditions limiting students and sessions, and thereby limiting traffic is noted. The fact that the objections were sent to the applicant was the opportunity for the applicant to consider the comments and make clear recommendations as to how mitigation is proposed. The general statement that the municipality can insert mitigation measures cannot be supported as each impact must be measured, and it is also not clear if the project will still be viable if it is limited.

It is for the applicant to prove that traffic impact will not impact the quiet cul-de-sac, but considering the number of trips proposed, working on the proposed number of students and trips, and the parking required, there is concern that traffic problems may be experienced, and that the additional impact will definitely impact the character of this residential area.

OBJECTION 3

OPERATING HOURS, NOISE AND PRIVACY

- *Hours of operation to 19h30 not acceptable.*
- *Students leaving the site 19h30 will be noisy and difficult for the Municipality to control in a quiet residential area.*
- *19h30 is two and a half hours after normal working hours, and the time property owners enjoy their residential amenity.*
- *Additional traffic will bring additional noise.*
- *Increase in noise and loitering students will lead to a loss of privacy.*
- *Operating details are vague preventing proper evaluation.*

APPLICANT'S RESPONSE

- *Operating hours will be changed to weekdays between 10h00 and 17h30 with no early morning or late-night activity, and this can be inserted as a condition.*
- *Activities are indoor and technology based and supervised with no amplified music or outdoor noise.*
- *Noise levels will be comparable to normal household activity and in line with municipal noise by-laws.*
- *There will be no outdoor teaching or recreational activities, and learner interaction will be supervised and contained within the building. This can be made a condition of approval.*

TOWN PLANNER'S RESPONSE

The comments are noted.

The applicant did address the issue of the operating hours which could limit impact, and this can be controlled by inserting a condition of approval to such effect.

The applicant's motivation that all activities will be in the building and that there will be supervision is noted. The concern that students will be loitering is not fully addressed, as students after class could stand in the public street waiting for a lift and have

conversations with other students. Inserting a condition that all class activities must be indoor and supervised will only help for activities on the property, not outside the boundaries of the property.

OBJECTION 4

ENVIRONMENTAL AND GREEN BELT CONCERNS

- *Increased noise will impact animal lives in the green belt surrounding Kersbos Road.*
- *Increase in traffic will lead to animals and pets being killed.*
- *No assessment of compliance with NEMA was submitted.*

APPLICANT'S RESPONSE

- No construction, earthworks or vegetation clearing is proposed that could impact the green belt and the fauna and flora, and the property is not adjacent of the green belt.
- The limited trips will not materially affect wildlife.
- It will be managed that vehicles will not be idling next to the green belt when students are dropped off/picked up.
- No outdoor activities or play will be permitted in the green belt.
- Should any environmental concerns arise, the owner will address it.

TOWN PLANNER'S RESPONSE

The comments are noted.

The property is a fair distance from the green belt and the concerns regarding noise impact on animals is speculative.

The property is already developed, and this application will not trigger any NEMA applications.

There are no green corridors fronting directly onto Kersbos Road and any wild animals must still go over or under boundary walls and fences before they can reach the street, which is very unlikely. Pets should also be kept on a leash in terms of municipal by-laws and should not be running in the street. This point is therefore considered speculative.

OBJECTION 5

ALTERNATIVE LOCATIONS

- *There are better locations that is more accessible for community upliftment.*
- *There are other more appropriate areas to operate a place of education.*
- *Such facility should be in Hermanus CBD.*
- *No analysis of alternative sites was provided.*

APPLICANT'S RESPONSE

- IHUBS is a supplementary educational support initiative, and learners enrol online, not a retail or walk-in enterprise.

- The operation is intentionally small-scale and homebased to provide accessibility and support to local learners who would otherwise need to travel outside the immediate area.
- The PSD and SDP emphasise spatial inclusion and improved access to social and educational services, and low-intensity support services within residential areas is consistent with these strategic aims.
- The Overstrand Land Use Scheme contemplates Places of Instruction as a Consent Use within residential area where they are compatible and low impact.

TOWN PLANNER'S RESPONSE

The comments are noted.

The applicant is correct in that in terms of the Residential Zone 1 zoning application can be made for a Consent Use for a Place of Instruction. Although such a facility does not necessarily have to be situated in the Hermanus CBD area, as proposed by some objectors, its location must be as such that it is easily accessible and should not impact the surrounding area negatively. This is then what will have to be measured in this application.

The applicant's comment that the reason this location was chosen is to serve students in the immediate area is noted. However, from a location point of view the property might be central only too residents in Vermont, and it is difficult to comprehend that sufficient students will register all from the Vermont area. The facility will probably have to serve a larger area being the western part of Hermanus and possibly Hawston. Then this location is not very accessible and well located for such a facility.

OBJECTION 6

FUTURE INTENSIFICATION, TRANSFERABILITY AND MUNICIPAL OVERSIGHT

- *How would future expansion be controlled?*
- *Will there be compliance with outlined parameters and will future owners comply as this is a permanent right?*
- *Future owners can intensify activities.*

APPLICANT'S RESPONSE

- Municipality can impose limits on group size, number of daily sessions, operating hours and online staffing levels to prevent intensification.
- The Municipality may link the approval to the current owner.
- Any material departure from the approved use will require a new land use application and public participation process.
- Standard municipal enforcement mechanisms apply should conditions be breached the revocation of consent can follow.

TOWN PLANNER'S RESPONSE

The comments are noted.

The Municipality can stipulate some conditions with regards to the operation of a facility, limit the operations and limit the use to a specific operator and not make the Consent use transferable.

Should the Municipality stipulate such conditions it places a responsibility to police such conditions on the Municipality, and it can place a lot of additional workloads on the Municipality, for which the Municipality does not always have the manpower. Conditions with regards to the operation of a facility must therefore be limited.

The Municipality can stipulate some conditions, but then the Municipality must be sure whatever is allowed will not still have a negative impact on the surrounding area. It will therefore be speculative if the Municipality further reduce the scale of the application complied for, as it would be difficult to establish with certainty if the activities will then be compatible with the surrounding area. If the scale of the facility is reduced in scale, it would also be debatable if the facility will still be viable to operate for the applicant.

OBJECTION 7

COMMUNITY CONSULTATION

- *The SPLUMA Principle of Good Administration not complied with as it was an insufficient generic consultation, and the generic notice was insufficient for this application.*
- *There was no meaningful direct consultation with residents.*

APPLICANT'S RESPONSE

- The statutory public participation was undertaken in accordance with the Overstrand Municipality's requirements and comments were recorded and are addressed in this response.
- The owners remain open to consultative engagement with neighbours to refine operational arrangements.
- An operational schedule and contact details for a local point may be supplied to adjacent neighbours to improve transparency and address concerns.

TOWN PLANNER'S RESPONSE

The comments are noted.

The correct public participation process as required in terms of the Planning By-Law was followed and was indicated as such by the applicant. The Principle of Good Administration was therefore complied with.

The applicant does have the right to consult with neighbours regarding their concerns, to address such concerns and then for objectors to withdraw such objections. The municipality can however not force an applicant to consult with neighbours before applying, nor can the municipality force the applicant to consult directly with objectors about their concerns.

This office is also not aware if the applicant consulted with objectors in any way before or during this application process.

OBJECTION 8

PROPERTY VALUES

- *The facility will negatively impact the area and property values.*
- *Potential buyers will be aware of the school impacting resale value.*
- *Could impact the demand and price of properties in the area.*

- *Estate agents indite the property values drop due to rezoning.*

APPLICANT'S RESPONSE

- There is no substantial evidence that small-scale, well managed home-based educational support services reduce residential property value. Property values are influenced primarily by broader economic trends, location, and the overall quality of the surrounding neighbourhood, rather than by discreet, low-intensity uses of this nature.
- The residential appearance will be maintained with no signage or external commercial features. Small groups of learners will ensure the visual character, noise levels and tranquillity of the area will remain unchanged.

TOWN PLANNER'S RESPONSE

The comments are noted.

The applicant is correct in that property value is usually more determined by surrounding property prices. However, it is debatable if this application can be considered a small-scale home-based enterprise, and there are no other similar facilities in the Vermont and Onrustvrievier area to use as a measure to proof such facilities does not impact property values.

The fact is the property will look different as there will be a parking area situated in front of the dwelling. It might be speculative to say that 8 students per session would impact the surrounding area, but there will be various sessions with people coming and going from the property during the day. It is therefore safe to say the facility will have some impact on the surrounding area, and potential buyers will also be able to see the activities, which could impact their decision to purchase in the area.

OBJECTION 9

SAFETY AND SECURITY

- *The increase in traffic creates a safety risk in a cul-de-sac with no thoroughfare.*
- *Influx of more people will create a safety risk.*
- *The Constitution of South Africa stipulate all people have the right to live in an area that would not be harmful to their health and safety.*
- *The safety of children and animals in the cul-de-sac will be impacted.*
- *More increase in traffic brings more crime and waste.*
- *Future owners can intensify activities.*

APPLICANT'S RESPONSE

- There will be no risk to safety and security of neighbouring residents, as learners are known to operators, all sessions are supervised and access will be secure via Kersbos Street. No after-dark activities or overnight stays are proposed.
- There will be no informal gathering or loitering or opportunistic crime.
- There will be no commercial signage, amplified sound or evening operations reducing potential for nuisance or anti-social behaviour.
- The proposal may even enhance neighbourhood safety by providing a supervised and structured environment for youth engagement, with no evidence the centre will compromise the security of adjacent properties.

TOWN PLANNER'S RESPONSE

The comments are noted.

The increase in traffic could impact safety of pedestrians, animals should however not be outside the properties without being on a leash.

The concerns regarding increase in crime due to an increase in number of people entering the street is however speculative.

OBJECTION 10**PLACE OF INSTRUCTION**

- *It is indicated the centre will not be used for formal teaching.*
- *What is the need for such a facility in Onrustrivier/Vermont?*
- *There are inconsistent statements, saying no education will take place only social development.*
- *Will probably serve Greater Hermanus, hence the parking provision.*
- *The activities will not be mainly online, as operating hours will be from 10h00 to 19h30 with various 1 and a half hour sessions.*
- *Will this not be more of a social hub to teach skills or a form of social club; this should then be on the fringe of a business area?*
- *Not clear what the age and numbers of students will be.*

APPLICANT'S RESPONSE

- The definition of place of instruction is intentionally broad and clearly accommodates a variety of educational activities, not limited to traditional classroom teaching.
- The abovementioned interpretation aligns with the purpose of the Land Use Scheme, which recognises that education and knowledge sharing can occur in diverse settings beyond conventional schools or colleges.

TOWN PLANNER'S RESPONSE

The comments are noted.

The applicant is correct in that a place of education definition does make provision for a wide variety of educational uses.

The consideration for this application is it desirable to approve a place of instruction on the property. The objectors' concern of the place of instruction is however the scale of the application, considering various sessions are proposed in a day, and long operating hours is proposed. Questions were also asked about the age of students, which was not clearly answered.

It is also a fair assumption to make by the objectors that if many sessions are proposed, can this facility only cater for students in Vermont/Onrustrivier? The facility will have to cater for a much larger area, and then it begs the question is this the most appropriate location for such a facility and considering it is a quiet residential neighbourhood.

The objectors' concerns are therefore not unwarranted.

OBJECTION 11***MONITORING, COMPLIANCE AND RECOMMENDED CONDITIONS***

- *How will the Municipality be able to control an increase in numbers of students?*
- *No assessment or mitigating measures have been disclosed.*

APPLICANT'S RESPONSE

- The place of instruction will only be in an indoor room.
- The primary residence will be retained and occupied by the owners.
- Maximum learners (8) per sessions - Municipality to determine cap.
- Maximum sessions (4) per weekday with 1,5-hour sessions.
- Operating hours: Monday to Friday - 10h00 to 17h30.
- All parking will be on-site.
- No advertising/signage will be displayed.
- No outdoor teaching or outdoor activities will be permitted.
- There will always be supervision.
- The Municipality may require that the consent be limited to the current owner.
- The Municipality shall have the right to enforce compliance of conditions.

TOWN PLANNER'S RESPONSE

The comments are noted.

The applicant stipulates many mitigating measures above. Although some of the mitigating measures are standard requirements in terms of the Land Use Scheme, others are specific to the proposed facility.

The objectors' main concern is how would it be ensured that the applicant complies with all the mitigating measures. The applicant's viewpoint is that the Municipality must ensure compliance. This is however not that simple, and the Municipality cannot insert large numbers of mitigating conditions in approvals to make it more desirable, but due to a lack in manpower there will be no way to police compliance.

It is also a concern that, even with the mitigating measures applied, will the impact of the facility be mitigated sufficiently not to impact surrounding neighbours or the character of the area. The applicant leaves this decision to be Municipality, and from the Municipality's side, it is a privilege to apply for a consent use and there should be without a doubt no negative impact on neighbours and the character of the area for the Municipality to support such an application.

Considering the above, the mitigating measures are noted, but there are still concern that the facility could impact the character of the area and surrounding neighbours.

OBJECTION 12***GENERAL OBJECTIONS***

- *The report is inadequate and wording in the application is ambiguous.*
- *There is non-compliance with the By-Law as it does not satisfy criteria requiring justification through exceptional circumstances.*
- *Not in line with SPLUMA as it is incompatible with the residential character, also not sustainable due to pressure on residential infrastructure.*

APPLICANT'S RESPONSE

- The application is consistent with the Overstrand Municipality Land Use Scheme.
- It is consistent with the policy objectives of SPLUMA, the PSDF and the MSDDF.
- The proposal preserves the primary residential function and appearance of the property while providing limited, supervised educational support.

TOWN PLANNER'S RESPONSE

The comments are noted.

The content of the application does comply with the minimum requirements in terms of the By-Law and Land Use Scheme to process the application.

The impact on character and infrastructure was discussed previously in this report.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

See Paragraph 7 above.

9. MUNICIPAL ASSESSMENT OF COMMENTS (Town Planner's comment on objections/and response thereon)

See Paragraph 7 above.

Internal and external departments

The application is supported by all internal municipal departments and external provincial and semi-state institutions.

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

It will not create spatial injustices.

Spatial Sustainability

The proposed place of instruction should not have a native impact on the natural environment or agricultural land. It could however have a negative impact on the

built environment, as the quiet single residential area could be negatively impact by increase in traffic and people.

Efficiency

From the property owner's viewpoint, it will be more efficient to operate a place of instruction from a portion of the dwelling, as this would be less costly than to buy or rent a premises specifically zoned for educational purposes.

Spatial Resilience

The property owner will be able to deal with economic shocks if the place of instruction is not operating productively, as the financial investment into the project is less as the existing dwelling will be used for place of instruction.

Good Administration

The fact that the surrounding property owners is partaking in the public participation process and have voiced their concerns, clearly shows that a good procedure was followed with a good public participation process as required in terms of the Municipal Planning By-Law.

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

The proposal is consistent with the Overstrand Municipal Wide SDF, 2020.

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

N/A

10.6 Impact on Municipal engineering services

The area is already serviced, and no additional services will be required for this development.

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

N/A

10.8 Existing and proposed zoning comparisons and considerations

The surrounding area is a single residential area. There is concern that the operation of a place of instruction on this property could impact the character of the surrounding areas. There are also no other examples of the same type of facility in Vermont or Onrustvriev to measure the possible impact on the surrounding area.

11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

Erf 987 is situated in Kersbos Street, Vermont. It is developed with a double storey dwelling with double garage. The property is zoned Residential zone 1 and is situated in a single residential area.

The proposal is to operate a place of instruction from a portion of the existing dwelling (bedroom, laundry, storeroom and bathroom) measuring approximately 50,2m². Six (6) parking bays will be provided on-site for students and a double garage will be used for parking for the residents.

A good public participation process was followed, and 22 letters of objection were received. The applicant was also provided with an opportunity to respond on the objections. The objections and response thereon were discussed in detail under point 7 in this report.

The main objections relate to the impact the application can have on the character of this area due to increased traffic, people and noise. The objectors are also of the opinion that this is not the best location for such a facility and that it would create safety concerns. The applicant is of the opinion that the municipality could stipulate mitigating measures as conditions to limit any potential impact on the surrounding area.

The concerns regarding increase in traffic is not unwarranted, as 8 vehicles could be entering this area and leaving it four times a day, if the mitigating proposed student numbers (8) and operating hours (10h00 to 17h30) by the applicant is applied. This means 32 new trips into the quiet cul-de-sac. When the students arrive and leave some increased noise levels are expected, and it would be very difficult for the property owner or municipality to stop students from loitering in the street reserve. Parking can also only be provided for six (6) student cars, if all 8 students come with their own vehicles where will the other students park? The increase in traffic could have an impact on the safety of pedestrians.

Erf 987 is situated in the southern area of Vermont midway between the western and eastern edges of Vermont. It is relatively centrally situated in terms of Vermont, but Vermont's road layout is complex and there is not a major distributor road that provides easy access to the erf. The objectors are of the opinion that this is not the right location for a place of instruction and questions if there are sufficient student numbers in Vermont to use the facility. This concern is supported, because it is highly unlikely that there are 32 students per day from Vermont that will make use of the facility. This means the students will come from other areas such as Onrustvrievier, Hawston and even Sandbaai and Hermanus. The site is not well situated and accessible to cater for a wider area, and a location closer to a main road and possibly on a more appropriate zoned property would be more appropriate.

The applicant did propose various mitigating measures from less students (8), shorter operating hours from (10h00 to 17h30) to various conditions the municipality can insert about noise control and limiting movement on the property. The concern is that, even with the mitigating measures applied, will the impact of the facility be mitigated

sufficiently not to impact surrounding neighbours or the character of the area. It is the opinion the even with the mitigating measures proposed there will still be a significant impact on surrounding property owners and the character of the surrounding area. It is also difficult for the Municipality to apply stricter mitigating measures as it would be difficult to determine at what scale the facility will not impact the surrounding area. There are no examples of such type of facility in Vermont and Onrustvriever, that can be used as a measure to make such a determination. Further it is not clear at what stage the facility will not be viable, should the scale be further reduced with conditions by the municipality.

The applicant leaves this decision to be Municipality, and from the Municipality's side, it is a privilege to apply for a consent use and there should be without a doubt no negative impact on neighbours and the character of the area for the Municipality to support such an application.

Considering the above, the mitigating measures are noted, but there are still concern that the facility could impact the character of the area and surrounding neighbours.

It is therefore the opinion that the application cannot be recommended for approval and that the application is not desirable.

13. RECOMMENDATION

1. That the objections **be noted**.
2. that the application in terms of Section 16(2)(o) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 on Erf 987, Vermont for a consent use to allow a place of instruction, **not be approved**.
3. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 with regard to the above decision.

14. REASONS FOR RECOMMENDATION

- ❖ The influx of up to 8 additional vehicles four times a day with an expected 32 students per day into the quiet cul-de-sac, will have a negative impact on surrounding property owners and the character of the area.
- ❖ The six (6) parking bays for 8 students will not be sufficient on-site parking if all 8 students travel with their own vehicles.
- ❖ It will be very difficult for the applicant and municipality to stop students from loitering in the road reserve before and after classes, and this would impact surrounding property owners.
- ❖ The increase in vehicles and people will create an increase in noise, can impact privacy of surrounding property owners and additional traffic can create safety concerns for pedestrians.
- ❖ It is a privilege to apply for a consent use and there should be without a doubt no negative impact on neighbours and the character of the area for the Municipality to support such an application. Even with the mitigating measures proposed by the applicant, it is the opinion that the application will still have a negative impact on the character of the area.
- ❖ To be viable it is highly unlikely that the facility will only cater for students from Vermont. The site is not well situated and accessible to cater for a wider area, and

a location closer to a main road and possibly on a more appropriate zoned property would be more appropriate.

- ❖ The objections received regarding negative impact on the character of the area and the surrounding neighbours, are valid concerns.
- ❖ This application is not desirable.

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: Services Report
 Annexure G: Comment: Telkom
 Annexure H: Comment: Building Control Division

SIGNATURES

AUTHOR:

Name: **HENK OLIVIER**

SACPLAN Reg No: **B/8128/2004**

Signature: _____

Date: _____

REGISTERED PLANNER

Name: **H VAN DER STOEP**

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

Signature: _____

Date: _____

1. Locality Plan
Erf 987 Vermont

Plan prepared by: Veronica Jansen

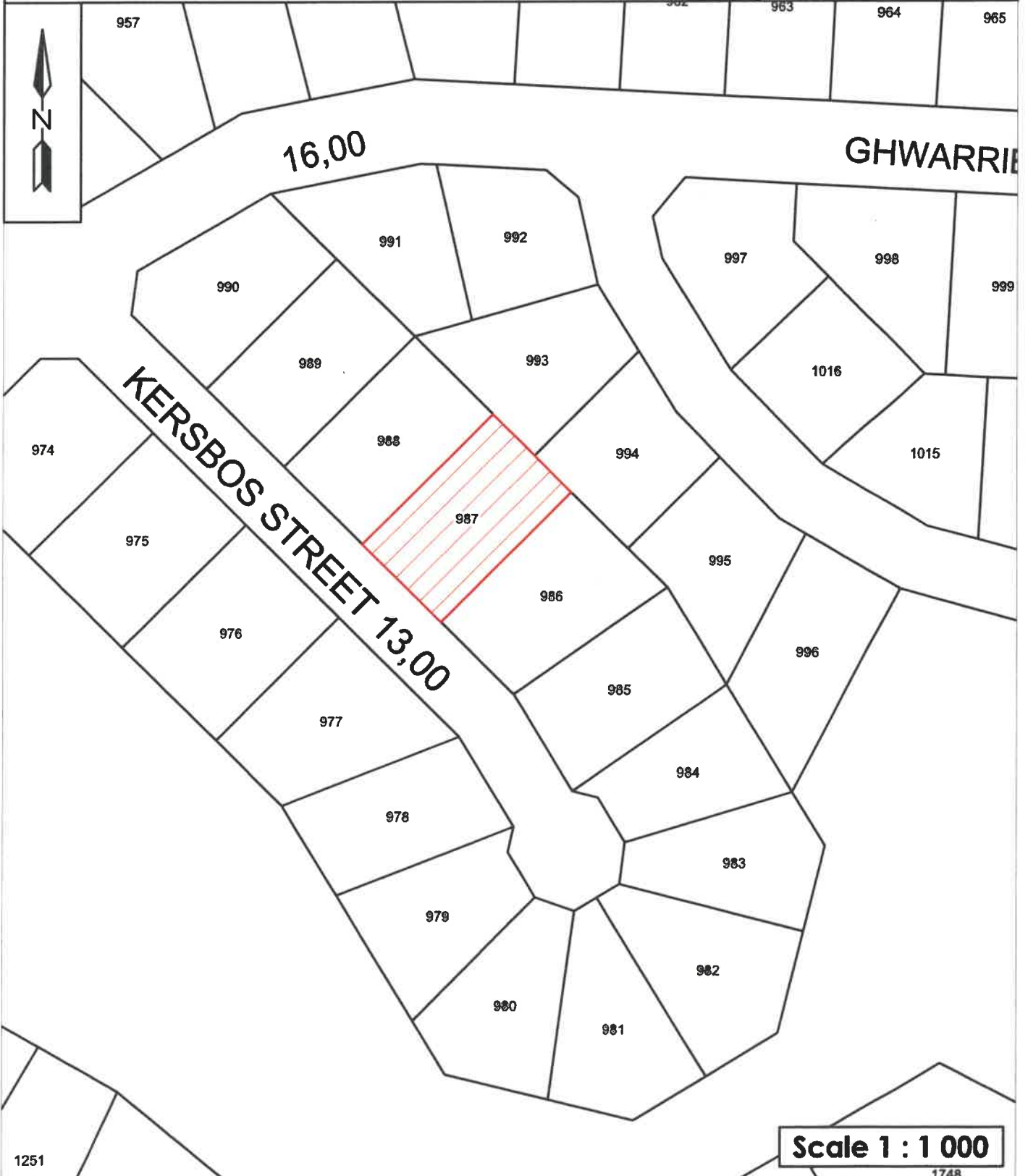
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Project Office
Town Planning & Project Management



Scale 1 : 1 000

3. Aerial Plan
Erf 987 Vermont

Plan prepared by: Veronica Jansen

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Project Office

Town Planning & Project Management



NTS



MOTIVATION

1. ABBREVIATIONS

OM	Overstrand Municipality
OMLUS	Overstrand Municipality Land Use Scheme, 2020
By-Law	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020
PSDF	Western Cape Provincial Spatial Development Framework, 2014
LUPA	Western Cape Land Use Planning Act, 2014.
MSDF	Overstrand Spatial Development Framework, 2020
SR1	Residential Zone 1: Single Residential

2. PROPERTY DETAILS

Erf Number	Erf 987 Vermont
Extent	735m ²
Zoning	Residential Zone 1: Single Residential

3. BACKGROUND AND INTENT

Erf 987 Vermont, referred to as the subject property, is located at 19 Kersbos Street, Vermont (refer to **Plan 1 – Locality Plan**). The property owners appointed WRAP Project Office to submit this land use application on their behalf (refer to **Annexure A – Power of Attorney**).

The subject property was recently acquired by the owners with the intention to reside at the property and simultaneously operate an educational centre called iHubs in the front section of the existing dwelling.

iHubs is an online school offering a United Kingdom (UK) curriculum that is dedicated to providing educational services, specifically club activities such as Virtual and Augmented Reality. No teaching or learning will take place from the subject property, but weekly activities to support and promote social skills development of learners will take place at the subject property.

To ensure compliance with the OMLUS, approval of the following application is required:

- Consent use to allow a place of instruction.

4. PROCEDURE TO ACHIEVE THE PROPERTY OWNER'S INTENT

WRAP compiled this report to ensure the property owner's vision is achieved. The following is proposed:

4.1 Consent Use for a place of instruction.

The subject property is currently zoned for single residential use, and the owners seek to continue residing at the property while utilizing a small portion of the existing dwelling for limited educational activities associated with iHubs, an online educational institution.



MOTIVATION

The proposed use aligns with the definition of a "Place of Instruction," which typically refers to a facility where educational support is provided. In this case, no formal teaching or academic instruction will take place on the premises, but instead, small-scale, weekly, in-person educational support sessions will be held to promote social skills development through structured activities, primarily in the fields of Virtual and Augmented Reality. These sessions will complement the learners' existing online curriculum and offer them the opportunity for essential real-world engagement and collaboration. These sessions will typically last for 1,5 hours with 30-minute intervals between sessions. The break between the sessions will assist with traffic management. There will also be times where learners will attend more than one session per day which will result in longer sessions further contributing to traffic management.

The mission of iHubs is to enhance educational opportunities within communities while also addressing the need for accessible educational opportunities. Due to iHubs being an online educational centre, learners from Vermont and Onrus can obtain education without the need to travel outside of the area. There is currently a pressing need for specialised education facilities in the Hermanus area. Allowing the place of instruction at the subject property, will greatly increase the educational options within the immediate area.

The proposed educational activities will be low-intensity and limited in scale, taking place in a room in the front section of the dwelling. The core residential use of the property will be retained, with the owners continuing to reside on-site. The proposed use will not alter the residential appearance of the property or introduce elements inconsistent with the surrounding residential environment, refer to **Plan 4 – Site Plan** which is an illustration of the area of the dwelling that is proposed for the educational use.

The nature of the activities (structured, short-duration sessions occurring no more than once per day), ensures minimal impact on the surrounding properties. Activities are expected to take place between 10:00 and 19:30 on weekdays, with sessions typically lasting only 1.5 hours. Attendance will be limited to small groups, and no signage, noise, or traffic congestion is anticipated beyond what is typical for a residential area.

The proposal contributes positively to youth development and community enrichment by offering learners a safe, supervised space to engage in practical, collaborative, and socially interactive learning experiences. This aligns with local and national planning goals which support innovative, accessible education models that promote inclusivity and personal growth. The proposed use aligns with the principles of spatial justice, efficiency, and inclusivity as set out in the Spatial Planning and Land Use Management Act (SPLUMA). It enables the integration of compatible land uses in a manner that supports community needs, without undermining the residential nature of the area.

The subject property is already connected to the necessary infrastructure and municipal services. The proposal promotes sustainable land use by enabling a portion of the existing built environment to serve a broader community function without requiring any new development or construction.

The proposed consent use for a Place of Instruction on the subject property is reasonable, contextually appropriate, and socially beneficial. It represents a low-impact, community-oriented use of the property that supports the broader educational needs of learners



MOTIVATION

enrolled in a progressive, technology-driven schooling model. The proposal is consistent with applicable planning policy and legislation, and it is submitted in the belief that it will contribute positively to the Overstrand community.

5. LAND USE ENVIRONMENT

The properties surrounding the subject property are predominantly zoned for single residential purposes. The surrounding area's zonings are illustrated in **Plan 2 – Zoning Plan**.

6. TITLE DEED

Title deed T41770/2024 (refer to **Annexure B**) was perused and there are no restrictive conditions that prohibits the proposal.

7. ZONING

The following zoning parameters were assessed in conjunction with the SR1 OMLUS zoning as this is a relevant consideration in terms of Section 66 (1) (q) of the OM By-Law:

RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL			
Land Use Restrictions			
	Parameters	Proposal	Comply/ deviate
Primary use	Crèche, Dwelling House, Guest Rooms, Home Occupation, Second Dwelling Unit and Self-Catering.	Dwelling House	Comply
Consent use that may be applied for	Day Care Centre, Green House, Guest House, House Shop, Institution, Place of Instruction , Place of Worship, Residential Building, and Intensive Horticulture.	Place of instruction	Applied for and motivated
Development parameters			
Coverage	The maximum coverage for all buildings on the land unit is determined in accordance with the net erf area: 400m ² and greater = 50%	Area of site = 735m ² Building Footprint = ±212m ² Coverage = 212m ² / 28,8%	Comply
Building lines	(i) The street building line is determined in accordance with the net erf area: 400 m ² and greater = 4m (ii) The side and rear building lines are determined in accordance with the net erf area: Greater than 400 m ² = 2m	Comply	Comply



MOTIVATION

Height	The maximum height of a building, measured from the base level to the top of the structure, is 8,0 m.	Existing – two Storey	Comply
Garages and carports	Garages and carports may be constructed within building lines in accordance with Chapter 16.1.2.	Comply	Comply
Parking	<u>Dwelling house:</u> 2 on-site parking bays per dwelling unit. <u>Place of instruction:</u> 0,5 bays per student plus 1 bay per classroom or office.	Dwelling house = 2 bays 1 classroom = 1 bay 10 students = 5 bays 8 parking bays required 8 parking bays provided	Comply

8. SERVICES

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA and is herewith illustrated.

Electricity, Water, Sewage and Solid Waste

The subject property is connected to the OM's networks, which include electricity, water and sewage. The proposal of this application is not expected to put excessive amount of pressure on these networks.

Solid waste is collected every week by the OM.

Access and Egress

Access and egress to the subject property is gained from Kersbos Street and the proposal will not affect this.

9. NEED AND DESIRABILITY

The need and desirability of the approval and implementation of this proposal in accordance with Section 66 (1) (c) of the OM By-Law can be illustrated as follow:

Need and desirability

The need for the land use application was a result of addressing all the land use requirements and ensuring the property meets the requirements of the owners. To achieve this, the owners are required to apply for a consent use to allow the place of instruction.

Socio-economic impact	The proposed use will have a positive socio-economic impact by supporting youth development through innovative and technology-driven activities that enhance learners' social skills. It contributes to local job creation by enabling the operation of a small, home-based educational centre, while also promoting community upliftment through accessible, supplementary
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MOTIVATION

	educational services. The low-intensity nature of the use ensures that it integrates harmoniously with the residential character of the area, with no adverse impacts on the surrounding community or infrastructure.
Compatibility with surrounding uses	The proposed use is compatible with the surrounding residential character, as it involves low-intensity, small-scale activities within the existing dwelling, without altering the property's residential appearance or function. The continued residential use by the owners ensures that the proposal remains in line with the area's land use pattern, while the educational activities are limited in scope, frequency, and impact, ensuring minimal disruption to neighbouring properties.
Impact on the external engineering services	Refer to <i>Section 8</i> of this report.
Impact on safety, health and wellbeing of the surrounding community	All activities will be supervised, occur during appropriate hours, and be limited to small groups of learners, ensuring a controlled and safe environment. The initiative may even contribute positively by fostering a sense of community and providing learners with a safe space for social engagement, without increasing public health or safety concerns.
Impact on heritage	The subject property is not listed in the OM Heritage Register.
Impact on the biophysical environment	The proposal will have no negative impact on the biophysical environment, as no new buildings, earthworks, or vegetation clearance are proposed. All activities will take place within the existing dwelling.
Traffic impacts, parking, access and other transport related considerations	The proposal will not have an impact on traffic, parking or access as the required parking is provided on-site.

Impact on views, sunlight and character of the area

The subject property is located in a residential neighbourhood and the existing buildings are compliant with the OMLUS's development parameters ensuring no views, sunlight, or the character of the area is affected.

Economic impact

The proposal will have a positive local economic impact by enabling a home-based educational initiative that may create part-time employment opportunities and support small business activity. It encourages entrepreneurship and skill development within the community, while operating at a scale that does not place additional demand on municipal infrastructure or services.

Opportunity cost

An opportunity cost in the context of land use planning refers to a development proposal that leads to the devaluation or foregoing of valued land use rights of interested and affected parties when an application is approved. The proposal is not predicted to have



MOTIVATION

a negative impact on surrounding properties as the primary residential use of the property will be retained and no alternative high-value use is being foregone.

Impact on heritage

The subject property is not listed in the OM Heritage Register.

Environmental impact

The subject property is not located within an environmentally important area, the proposed use is proposed within an existing structure and therefore the proposed use will not have an environmental impact.

10. POLICIES AND REGULATIONS

10.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The subject property is not located within the EMOZ.

10.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The subject property is not located within the HPOZ.

10.3 Spatial Planning Policies

PSDF

Broad policy objective

The objective of the policy is to create an enabling policy environment and prioritises the creation of employment opportunities, social inclusion and improvement of the quality of life of the Western Cape inhabitants. The development principles in the PSDF are informed by other spatial planning policies which are aimed at creating a policy alignment between different spheres of government.

Consistency of the proposal with the policy

The proposal aligns with the objectives of the PSDF by promoting social inclusion, supporting quality education, and enabling home-based economic activity that contributes to employment creation. By integrating a small-scale, community-focused educational centre within a residential area, the proposal supports livelihood diversification and contributes to the improvement of quality of life, in line with the PSDF's development principles and its emphasis on spatial and policy alignment across spheres of government.

MSDF

Broad policy objective

The broad policy objectives of the SDF include the encouragement of sustainable land use which promotes inclusive economic opportunities and enhances access to social and educational services within residential areas.

Consistency of the proposal with the policy

The proposal is consistent with the OMSDF as it promotes sustainable, context-sensitive land use by enabling low-impact economic activity within a residential area. It supports the MSDF's goals of inclusive local development, improved access to educational support services, and efficient use of existing infrastructure. It therefore contributes to the broader vision of creating a resilient and socially inclusive municipality.



MOTIVATION

11. PLANNING PRINCIPLES

Chapter 2 of SPLUMA contains 5 uncompromisable planning principles by which each development application must be guided by. Policy proposals in SPLUMA which are pertinent to this proposal are recorded below:

Spatial justice

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. This proposal is not predicted to contribute to past spatial injustices.

Spatial sustainability and Efficiency

Spatial sustainability refers to planning proposals that result in communities that are viable. This proposal to utilise the property for more than just a residential property and operate an educational centre as well, will ensure the property is being used for its maximum capabilities.

Spatial resilience

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience.

Good administration

The OM has a credible track record of good administration regarding the method of public participation. Public participation forms an integral part of the land use planning process. The public participation process provides people who may be affected by the proposal with an opportunity to provide comment and to raise issues of concern about the proposal or make possible suggestions that may result in an enhanced outcome of which both parties benefit. Comments will be reviewed and considered after which it will be addressed accordingly.



CONCLUSION AND RECOMMENDATION

12. CONCLUSION

The proposed consent use application for a Place of Instruction on the subject property intends to enable a low-impact, home-based educational centre called iHubs while retaining the primary residential use of the property. iHubs is an online school offering a UK curriculum that is dedicated to providing educational services, specifically club activities such as Virtual and Augmented Reality. No teaching or learning will take place from the subject property, but weekly activities to support and promote social skills development of learners will take place at the subject property.

The proposal aligns with relevant spatial planning policies by promoting social inclusion, local economic activity and the efficient use of land. The proposal is compatible with the surrounding residential character and offers positive socio-economic benefits through youth development and community engagement.

13. RECOMMENDATION


Based on the abovementioned motivation, it is recommended that the following be approved:

13.1 Consent Use for a place of instruction in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

4. Site Plan
Erf 987 Vermont

PROPERTY EXTENT: 735 m²
BUILDING EXTENT: ±212 m²

COVERAGE: 28,8%

 Converted Bedroom, Laundry & Storeroom to Tutoring room = ±45,4m²
 Bathroom = ±4,8m²

Total area for place of instruction = ± 50,2m²

Parking bays required = 8 bays
Total parking bays provided = 8 bays

Plan prepared by: Veronica Jansen on 2 May 2025
based on plans by Leslie Louw

Plan Number: 25.62 (001)

All distances are approximate
and subject to a survey

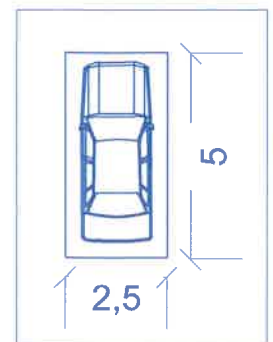
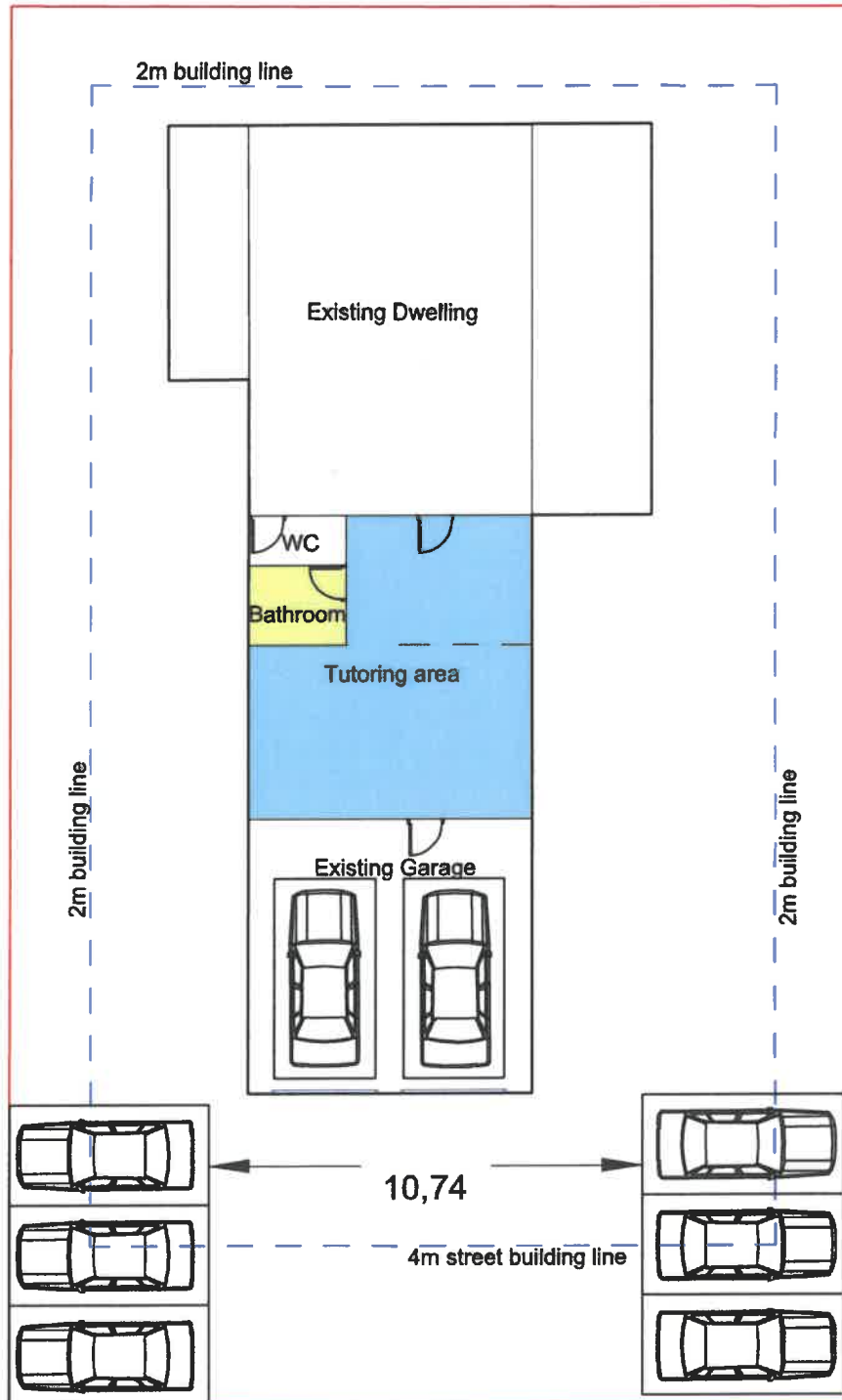
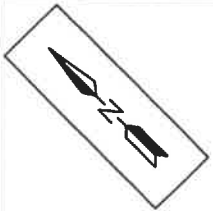
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House, Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Project Office
Town Planning & Project Management



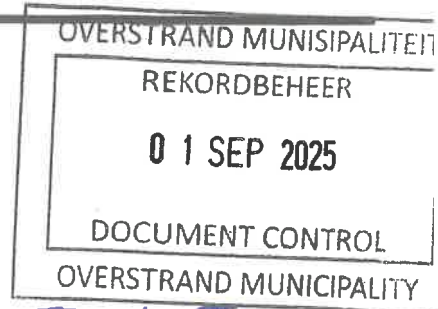
Scale 1 : 125

KERSBOS STREET

Annexure D 1/89

Loretta Gillion

Sent: Wednesday, 27 August 2025 18:22
To: Loretta Gillion
Subject: Objection to application for consent use. (ERF987)



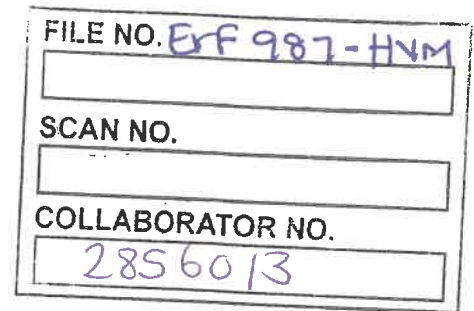
TP - A Theart
(A Olivier)

L Horn
21 Melkhout Street
Directorate: Planning & Development
Divisional Manager: Town & Spatial Planning

Vermont
7201
Hermanus
Overstrand Municipality

Tel:
7200

23 August 2025



Dear Sir/Madam,

Subject: Objection to consent use application for a place of instruction (business proposal) in a residential zone (file ref: 987 19 Kersbos Street)

As owner of home at 21 Melkhout Street, **ERF 993**, a 50% owner of 23 Melkhout **ERF 992** and 50% owner of **ERF997** which my husband and I are planning to sell to our son and niece M Low and N Holbak

I strongly object to the proposal to change ERF 987 to have business rights and run a place of instruction.

This will set a precedent and could further severely impact the residential tranquility of the neighbourhood .

The owners who are proposing this are commended for their vision and commitment to skill development which is admirable but I feel this is not the area to set it up in.

If their concern is costs and overheads , is it not possible to link into an already established educational facility.

Other things that concern me in the proposal are
- they state that the premises will not be used for formal teaching or academic instruction. Teaching is teaching and instruction is instruction so how can they apply for consent use for a place of instruction and say no instruction or teaching will take place on the premises?

29 AUG 2025

(They also mention iHubs as an opportunity for learners in Onrus and Vermont obtaining education without the need to travel outside of the area..education necessitates teaching and instruction!)

It would be interesting to hear how many learners in this area would be attending. These are contradictions and lead to questioning future goals.

- How would expansion and development with additions be contained going forward. Once permission is granted this will be very difficult to control.

- the hours of operation are not acceptable running till well after 17h00

- additional traffic which is confirmed by the need for 8 parking bays is an added safety risk to adults and children in the area.

I don't see how this is possible as there are two garages (I assume occupied) and proposed 6 bays, 4 of which are over the street building line.

This has a huge negative impact on surrounding neighbours.

- I respectfully appeal to your Department and the Overstrand Municipality to consider these concerns and reject the application.

Yours sincerely.

L Horn

Dr. Des & Lynda Horn

P.O.Box

Onrusrivier

7201

South Africa



3/89

23 Melkhout St
Vermont
23 August 2025

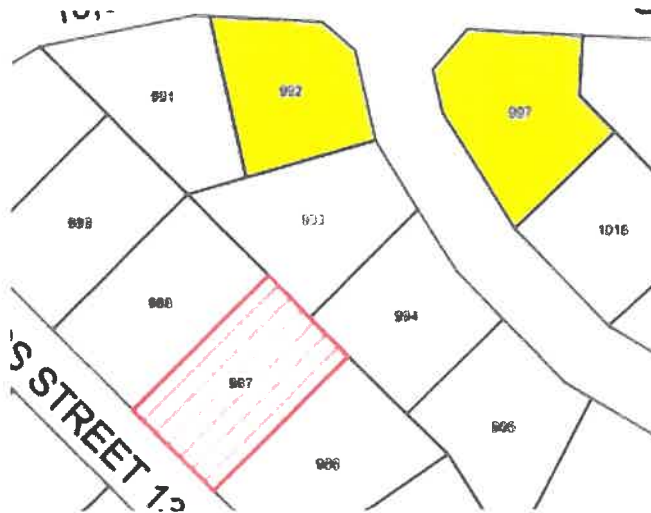
TP-A Theart
(H Olivier)

Dear Sir/Madam,

I write in connection with the Application for Consent Use of:

Erf 987 – 19 Kersbos St, Vermont
Current Zoning: Residential 1 – Single Residential
As contained in the notice circulated by the Municipality

My wife is the co-owner of both Erf 992 (house) and Erf 997 (plot) on opposite corners of intersection Melkhout and Ghwarrie Roads in Vermont – the former located withing one Erf of the proposal.



FILE NO. <u>EF987-HVM</u>
SCAN NO.
COLLABORATOR NO.
<u>2855964</u>

I hereby submit my objection to the above application as follows:

- 1) Allowing this activity changes the character of the quiet suburban neighbourhood and sets precedent for any similar future requests for consent use for any of the activities as summarised in the category "consent may be applied for" in residential Zone 1 as copied below.

Day Care Centre, Green House, Guest House, House Shop, Institution, Place of Instruction , Place of Worship, Residential Building, and Intensive Horticulture.

- 2) Should the Consent Use be granted there is no guarantee that future activities will adhere to the parameters as outlined in the proposal document. This approval would remain with the property in perpetuity as it is unlikely that any purchaser would apply for

reversal. This raises the risk of future operators expanding the scope, frequency, or intensity of activities beyond what is currently proposed.

- 3) The proposal states that activities will continue until 19:30 in the evening. It is common cause that students are unlikely to move out at precisely that time and that probably noisy interaction will continue. This would have a direct impact on neighbouring residents. There is no guarantee that the Municipality will be able to enforce the timing of activities at the proposed place of instruction.
- 4) The street has limited traffic capacity. It is difficult to accept that the provision of eight parking bays and probably five hour and a half sessions between 10:00 and 19:30 (equating to a minimum of five 90 minute session) is consistent with "the proposal will not have an impact on traffic". This could easily equate to six cars coming and going at two hour intervals. Students are also not known for their careful driving thus posing a risk to both young and old pedestrians – a common sight in Vermont during daylight hours. There is no guarantee that neighbouring residents will not be inconvenienced by additional cars parking in the road.

For these reasons, I respectfully request that the Municipality refuse the consent use application for Erf 987, as the proposal is not compatible with the surrounding residential character, poses traffic and safety risks, and sets a precedent that may negatively affect the neighbourhood in the long term.

Kind regards



Richard Henkel

Loretta Gillion

Sent: Friday, 29 August 2025 13:32
To: Loretta Gillion
Subject: RE: Objection Erf 987 Vermont
Attachments: Vermont Objection Erf 987 - RS Henkel.pdf

Good day Loretta

Please note that this is a **duplicate** of the Objection I sent yesterday. However, I omitted to sign that copy.

Attached is a signed version.

My apologies for the inconvenience.

Kind regards

Richard Henkel

Sent: Thursday, 28 August 2025 10:40
To: 'loretta@overstrand.gov.za' <loretta@overstrand.gov.za>
Subject: Objection Erf 987 Vermont

Good day Loretta

Attached please find Objection to the proposed rezoning of Erf 987 Vermont

Kind regards

Richard Henkel

OVERSTRAND MUNISIPALITEIT
 35
 REKORDBEHEER
 01 SEP 2025
 DOCUMENT CONTROL
 OVERSTRAND MUNICIPALITY

6/89

23 Melkhout St
 Vermont
 28th August 2025

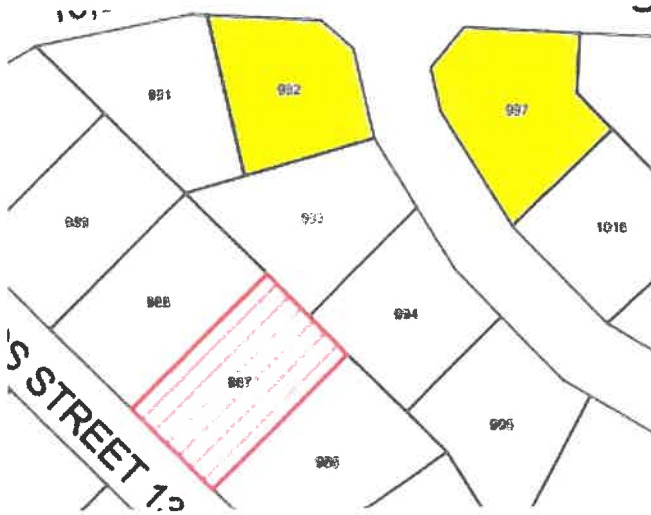
TP - A Theart
 (H Olivier)

Dear Sir/Madam,

I write in connection with the Application for Consent Use of:

Erf 987 – 19 Kersbos St, Vermont
Current Zoning: Residential 1 – Single Residential
As contained in the notice circulated by the Municipality

I am the co-owner of both Erf 992 (house) and Erf 997 (plot) on opposite corners of intersection Melkhout and Ghwarrie Roads in Vermont – the former located withing one Erf of the proposal.



FILE NO.	Erf 987-HVM
SCAN NO.	
COLLABORATOR NO.	2855984

I hereby submit my objection to the above application as follows:

- 1) This proposal is filled with inconsistencies and conflicting information – the application is for a Place of Instruction, but it is stated that no instruction will be on-site (that is no Instruction) – rather that the site will be utilised for on-site “social development” involving pupils interacting throughout the day.
- 2) The target training body is “Vermont/Onrust”. However it is highly likely that the target is the greater Hermanus area otherwise vehicular transport would not be required.

29 AUG 2025

- 3) Allowing this activity changes the character of the quiet suburban neighbourhood and sets precedent for any similar future requests for consent use for any of the activities as summarised in the category "consent may be applied for" in residential Zone 1 as copied below.

<p>Day Care Centre, Green House, Guest House, House Shop, Institution, Place of Instruction, Place of Worship, Residential Building, and Intensive Horticulture.</p>

- 4) It is stated that this initiative addresses "the greater Hermanus area need". Then why is this happening in a quiet residential street in Vermont with no other businesses in the wider vicinity?
- 5) Should the Consent Use be granted there is no guarantee that future activities will adhere to the parameters as outlined in the proposal document. This approval would remain with the property in perpetuity as it is unlikely that any purchaser would apply for reversal. This raises the risk of future operators expanding the scope, frequency, or intensity of activities beyond what is currently proposed.
- 6) The proposal states that activities will continue until 19:30 in the evening. It is common cause that students are unlikely to move out at precisely that time and that probably noisy interaction will continue. This would have a direct impact on neighbouring residents. There is no guarantee that the Municipality will be able to enforce the timing of activities at the proposed place of instruction.
- 7) It is mooted as mainly online instruction but one section addresses traffic management difficulties. This indicates that there will be major onsite tuition. It is stated that between 10 and 19:30 that there will be 90 Minute sessions with some pupils staying over to the next session. This is therefore **not** mainly online tuition. This also talks to the half hour breaks where there will be noise outside the "classroom". All this coming and going at short intervals will create a lot of traffic in a quiet cu-de-sac. This certainly is more invasive than an ordinary school with 08:00 drop-off and 14:30 pickup with two breaks during this period.
- 8) The street has limited traffic capacity. It is difficult to accept that the provision of eight parking bays and probably five hour and a half sessions between 10:00 and 19:30 (equating to a minimum of five 90 minute session) is consistent with "the proposal will not have an impact on traffic". This could easily equate to six cars coming and going at two hour intervals.
- 9) It is noted that the parking bays are situated on the boundary thus resulting in manoeuvring being difficult across the road to proceed in the opposing direction of the cul-de-sac. It is also noted that four of the narrow parking bays are outside the building

line of 4 metres. In addition the double garage would be used by the owners and are therefore unlikely to be available necessitating parking on the street.

Students are also not known for their careful driving thus posing a risk to both young and old pedestrians – a common sight in Vermont during daylight hours. There is no guarantee that neighbouring residents will not be inconvenienced by additional cars parking in the road.

For these reasons, I respectfully request that the Municipality refuse the consent use application for Erf 987, as the proposal is not compatible with the surrounding residential character, poses traffic and safety risks, and sets a precedent that may negatively affect the neighbourhood in the long term.

This rezoning as a Place of Instruction is completely inappropriate not ion keeping with a quiet residential area.



Kind regards

Anne Henkel (Dr.)

Loretta Gillion

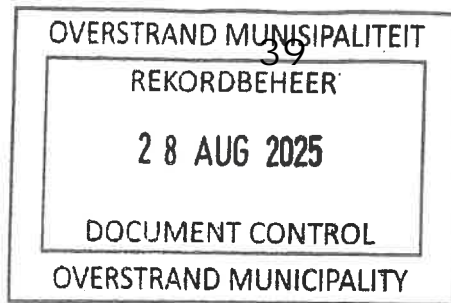
Sent: Friday, 29 August 2025 13:23
To: Loretta Gillion
Subject: Objection Erf 987 Rezoning Application
Attachments: Vermont Objection Erf 987 AE Henkel.pdf

Good day Loretta

Attached please find Objection to the proposed rezoning of Erf 987 Vermont

Kind regards

AE Henkel (Dr)



10/89

23 Melkhout St
Vermont
23 August 2025

TP- A Theart
(H Olivier)

Dear Sir/Madam,

I write in connection with the Application for Consent Use of:

Erf 987 – 19 Kersbos St, Vermont
Current Zoning: Residential 1 – Single Residential
As contained in the notice circulated by the Municipality

My wife is the co-owner of both Erf 992 (house) and Erf 997 (plot) on opposite corners of intersection Melkhout and Ghwarrie Roads in Vermont – the former located withing one Erf of the proposal.

I hereby submit my objection to the above application as follows:

- 1) Allowing this activity changes the character of the quiet suburban neighbourhood and sets precedent for any similar future requests for consent use for any of the activities as summarised in the category “consent may be applied for” in residential Zone 1 as copied below.

Day Care Centre, Green House, Guest House, House Shop, Institution, Place of Instruction , Place of Worship, Residential Building, and Intensive Horticulture.

FILE NO. Erf987-HVM
SCAN NO.
COLLABORATOR NO.
2854566

- 2) Should the Consent Use be granted there is no guarantee that future activities will adhere to the parameters as outlined in the proposal document. This approval would remain with the property in perpetuity as it is unlikely that any purchaser would apply for reversal. This raises the risk of future operators expanding the scope, frequency, or intensity of activities beyond what is currently proposed.
- 3) The proposal states that activities will continue until 19:30 in the evening. It is common cause that students are unlikely to move out at precisely that time and that probably noisy interaction will continue. This would have a direct impact on neighbouring residents. There is no guarantee that the Municipality will be able to enforce the timing of activities at the proposed place of instruction.
- 4) The street has limited traffic capacity. It is difficult to accept that the provision of eight parking bays and probably five hour and a half sessions between 10:00 and 19:30 (equating to a minimum of five 90 minute session) is consistent with “the proposal will not have an impact on traffic”. This could easily equate to six cars coming and going at two hour intervals. Students are also not known for their careful driving thus posing a risk to

TP

both young and old pedestrians – a common sight in Vermont during daylight hours. There is no guarantee that neighbouring residents will not be inconvenienced by additional cars parking in the road.

For these reasons, I respectfully request that the Municipality refuse the consent use application for Erf 987, as the proposal is not compatible with the surrounding residential character, poses traffic and safety risks, and sets a precedent that may negatively affect the neighbourhood in the long term.

Kind regards

Richard Henkel

Loretta Gillion

Sent: Thursday, 28 August 2025 10:40
To: Loretta Gillion
Subject: Objection Erf 987 Vermont
Attachments: Vermont Objection pdf.pdf

Good day Loretta

Attached please find Objection to the proposed rezoning of Erf 987 Vermont

Kind regards

Richard Henkel

Loretta Gillion

13/89

REKORDBEHEER
28 AUG 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP - A Theart
(H Olivier)

Sent: Thursday, 28 August 2025 12:55
To: Loretta Gillion
Subject: Fwd: Objection to application for consent use. (ERF987)

Dear Sir/Madam,

The email I sent last evening may have been too small to read.
 I am sorry about this and am resending.
 Please confirm you have received this objection

Yours faithfully,
 L Horn

FILE NO. Erf 987-HVM
SCAN NO.
COLLABORATOR NO.
2854572

Begin forwarded message:

Subject: Objection to application for consent use. (ERF987)
Date: 27 August 2025 at 18:21:56 SAST
To: loretta@overstrand.gov.za

L Horn
 21 Melkhout Street
 Planning
 Vermont
 7201
 Tel:

Directorate: Planning & Development
 Divisional Manager: Town & Spatial
 Overstrand Municipality
 Hermanus

7200

23 August 2025

Dear Sir/Madam,

Subject: Objection to consent use application for a place of instruction
 (business proposal) in a residential zone (file ref: 987 19 Kersbos Street)

TP

As owner of home at 21 Melkhout Street, **ERF 993**, a 50% owner of 23 Melkhout **ERF 992** and 50% owner of **ERF997** which my husband and I are planning to sell to our son and niece M Low and N Holbak

I strongly object to the proposal to change ERF 987 to have business rights and run a place of instruction.

This will set a precedent and could further severely impact the residential tranquility of the neighbourhood .

The owners who are proposing this are commended for their vision and commitment to skill development which is admirable but I feel this is not the area to set it up in.

If their concern is costs and overheads , is it not possible to link into an already established educational facility.

Other things that concern me in the proposal are
- they state that the premises will not be used for formal teaching or academic instruction. Teaching is teaching and instruction is instruction so how can they apply for consent use for a place of

instruction and say no instruction or teaching will take place on the premises?

(They also mention iHubs as an opportunity for learners in Onrus and Vermont obtaining education without the need to travel outside of the area..education necessitates teaching and instruction!)

It would be interesting to hear how many learners in this area would be attending. These are contradictions and lead to questioning future goals.

- How would expansion and development with additions be contained going forward.

Once permission is granted this will be very difficult to control.

- the hours of operation are not acceptable running till well after 17h00

- additional traffic which is confirmed by the need for 8 parking bays is an added safety risk to adults and children in the area.

I don't see how this is possible as there are two garages (I assume occupied) and proposed 6 bays, 4 of which are over the street building line. This has a huge negative impact on surrounding neighbours.

- I respectfully appeal to your Department and the Overstrand Municipality to consider these concerns and reject the application.

Yours faithfully,
L Horn

27 AUG 2025

Loretta Gillion

16/89

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

Sent: Tuesday, 26 August 2025 17:23
To: Loretta Gillion
Subject: Objection to erf 987, application for consent use.

TP - A Theart
(H Olivier)

Dear Sir/Madam, 25th August 2025

Please confirm this was received.

I am the joint owner of stand 993 as well as part owner of 992 and stand 997

I hereby submit my strong objection to the above application for consent use to allow a "Place of Instruction" at 19 Kersbos Street, Vermont , erf 987.

While I recognise the applicants' intention to contribute to educational development in the community, I have the following concerns:

1) this house in a residential area has changed hands a number of times in recent years.

If this re zoning happens then the next owner will retain this status and who knows what business they will start up.

2) this is a quiet residential area and the increased flow of traffic and people will drastically change this.

3) I also foresee a parking problem since this road is a cul de sac.

From what I've seen , I'm not sure how they claim 8 parking bays , four of which are over the street building line. Two of these , in the garage I assume will be used by the owners, so in fact there would only be six bays 4 of which are outside the building line.

4) there is bound to be a serious increase in the ambient noise level , especially since they plan to be active every two hours until 19.30 at night.

These will be young folks , so a substantial noise increase can be expected.

5) I'm convinced property values will suffer , noise levels from students will naturally increase as well as the danger from young drivers to children and the old folks walking in the area.

Yours faithfully,

Dr D R Horn

FILE NO.	Erf 987 - HVM
SCAN NO.	
COLLABORATOR NO.	2853060

TP

Dr.Des & Lynda Horn
21 Melkhout Street
Vermont
7201
South Africa

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
28 AUG 2025
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OVERSTRAND MUNICIPALITY

18/89

TP - A Thearts
(H Olivier)

Verw.: BK /990/2025

Mev. B. Kotze
Ghwarrie Crescent 27
Erf 990
Vermont
7201

Sel: †

U Verw.: 987 HVM (Aansoek Id: 4940/2025)

18 Augustus 2025

Die Munisipale Bestuurder
Overstrand Munisipaliteit
Posbus 20
HERMANUS
7200

Vir Aandag: Me. Loriaan Isaacs & Loretta Gillion
Land Use Administration, Town & Spatial Planning
Directorate: Planning & Development
Overstrand Municipality
16 Paterson Street
PO Box 20
Hermanus
7200

Mnr/Me

BESWARE: VOORGESTELDE VERGUNNINGSGEBRUIK AANSOEK:
ERF 987, KERSBOS STRAAT 19, VERMONT

'n Skrywe van u ontvang verw. 987HVM gedateer 23 Julie 2025, insake bogenoemde vergunningsgebruik aansoek, verwys.

As wettige eienaar van die eiendom geleë op Erf 990, Vermont wens ek hiermee **ten sterkste beswaar aan te teken teen die voorgestelde ongewenste vergunningsgebruik aansoek**, en word die volgende wetlike bepalinge, feite en redes vir besware aangevoer.

Ek het die eiendom op Vermont uitsluitlik aangekoop vir my aftrede, gesondheid en welsyn, aangesien die Vermont omgewing en spesifiek Kersbos Straat se rustige woonbuurt karakter en stilte dit daartoe verleen. Vermont in geheel is 'n woonbuurt area waar mense geakkommodeer word om te woon en 'n rustige lewe te ly. Gastehuse in die Vermont area word gebruik vir bewonings doeleindes, ontspanning en rus.

FILE NO. Erf 987-HVM
SCAN NO.
COLLABORATOR NO. 2854559

Daar moet gelet word op die feit dat Vermont beskik nie oor besighede wat nie residensiële van aard is nie, die tipe besighede is in Onrus en ander areas geleë.

Ek het hierdie eiendom uitsluitlik aangekoop om nie naby besighede te woon nie en om in 'n rustige woonbuurt omgewing te woon waar ek in stilte en vrede deel kan wees van 'n veilige woonbuurt gemeenskap en waar ek weet my bure sien om na my belange en ek na hulle sin.

Dit is belangrik om kennis te neem van die feit dat al 17 eiendomme tans in Kersbos Straat slegs vir residensiële doeleindes aangewend word en die straat is 'n doodloop straat (cul-de-sac), en word die straat selde deur die algemene publiek gebruik aangesien hul geen belange in die straat het nie, of die straat as 'n deurgang roete na ander areas kan gebruik nie. Gevolglik is hierdie een van die mees gesogte strate en stilste woonareas in Vermont om in te woon. Hierdie karakter van die betrokke straat het ook 'n belangrike sekuriteits voordeel, gesien in die lig van die ongekeerde en uiters hoë misdaad vlakke in Suid-Afrika word die teenwoordigheid van vreemdelinge of verdagte persone in die woonbuurt, baie vinnig opgemerk deur inwoners en bure wat bekend is aan mekaar en kan die verdagte se teenwoordigheid vinnig gerapporteer word.

Daar is baie inwoners in die woonbuurt wat nie meer jonk is nie en is hierdie area vir my as 'n ouerige persoon my toevlugs oord wat ek gekies het om vreedsaam in te woon.

Indien die Raad van Overstrand Munisipaliteit hierdie ongewenste vergunningsgebruik aansoek sou goedkeur, dan ontnem die Raad my willens en wetens die reg van my keuse om te mag woon in area en onder omstandighede wat ek aanvanklik gekies het en wat my in die eerste instansie laat besluit het om in die area my residensiële eiendom aan te koop vir my aftrede, persoonlike gesondheid en welsyn en word die ongewenste besigheids en omstandighede wat gepaard gaan daarmee op 'n gedwonge wyse op my afgeforseer.

Dit was in die eerste plek my besluit om weg van besighede en ander nie residensiële aktiwiteite en gebruike my te vestig,

Daar word seker aannames en bewerings in die motiveringsverslag vir die voorgestelde vergunnings gebruik aansoek gemaak, rakende die beoogde besigheid op Erf 987, waarop asvolg gereageer word:

1. Gaan nie 'n impak hê op verkeer en parkering nie. Elke voertuig wat nie verband hou met die huidige residensiële eiendomme nie gaan 'n ekstra voertuig wees wat nie normaalweg die woonbuurt besoek het nie. Voertuie wat vanaf die perseel in en uit beweeg kan huidige inwoners se normale ry en stap gerief negatief raak, neem kennis dit is 'n relatiewe nou straatjie. Die besigheid gaan beslis verkeersvloei beïnvloed dis voor die handliggend en normale logika.

2. Geen onderrig of leer sal op die perseel plaasvind nie en dit is 'n" online educational institution". Waarom is dit dan nodig vir studente om bymekaar te kom op die perseel. Daar is oral toegang tot rekenaars en rekenaar fasiliteite en selfone en tablette. Dis nie nodig om 'n woonbuurt as versamel punt vir studentre aan te wend vir "online" opleidings aktiwiteite nie. Daar is baie beskikbare besighede en vloer spasie waar hierdie tipe besigheid bedryf kan word, hoekom moet 'n rustige woonbuurt hiervoor opgeoffer word. Dit laat die vraag ontstaan wat is nou eintlik die hoof beweegrede om binne 'n pragtige gevestigte residensiële area die voorgestelde besigheid te wil bedryf as daar gesoneerde areas is, wat reeds voorsiening maak vir die tipe en ander besighede.
3. My eiendom is op die hoek van Kersbos en Ghwarrie strate geleë en die verhoogde verkeervloei gaan telkens by my woning verby beweeg en moet stop en wegtrek teen die bult en by my woning draai. Verder is daar stoptekens op die hoeke en is my eiendom teen die bult wat die volgende gaan meebring, verhoogde voertuig uitlaatgasse soos voertuie teen die bult moet wegtrek en verhoogde steurende geraas wat nie tans die geval is nie.
4. Die besigheid gaan blykbaar harmonieus inskakel by die karakter van die woongebied. Alle ander gebruike wat nie residensiël van aard is nie, het 'n negatiewe impak op so 'n spesiale en gesogte woonbuurt se eiesoortige karakter.

Gevolgtrekking:

Indien die voorgestelde vergunningsgebruik goedgekeur word, sal dit die eiesoortige en gesogte woonbuurt status vernietig. Dit gaan nie meer aangenaam wees om in die woonbuurt te woon nie. Die veiligheid, stilte, rustigheid en lae lugbesoedelings vlakke gaan iets van die verlede wees. Die herverkoop waarde van my eiendom gaan waarskynlik negatief hierdeur geraak word.

Verder word ek die reg ontnem om my aftrede te kan geniet deur in 'n woonbuurt omgewing van my keuse te mag woon, wat nie skadelik is vir my gesondheid en welsyn nie. Hierdie voorgename vergunninggebruik hou geen voordele in vir die woonbuurt of vir my wat gelukkig hier wou aftree nie.

Beslissing wat versoek word van Overstrand se Munisipale Raad:

In die lig van die vooraf genoemde en ingevolge artikel 24(a) van Die Grondwet van die Republiek van Suid - Afrika, 1996 wat bepaal dat elkeen het die reg op 'n omgewing wat nie skadelik vir hul gesondheid of welsyn is nie.

Hiermee wens ek te versoek dat die Raad hierdie voorgestelde uiters ongewenste vergunninggebruik aansoek sal afkeur synde daar alternatiewe opsies beskikbaar is vir die aansoeker buite die residensiële gebied en met

hierdie kundige besluit sal die raad verseker dat die karakter van hierdie pragtige gesogte woonbuurt area behoue en ongeskonde sal bly vir huidige en toekomstige residensiële gebruik alleenlik.

Kennigewing van Raads Besluit:

Dit sal waardeer word indien afskrifte van die volgende dokumentasie aan my voorsien kan word met die bekendmaking van die Raad se besluit rakende die vergunninggebruik aansoek naamlik:

1. Afskrif van die volledige agenda punt wat voor die raad gedien het.
2. Afskrif van die notule waarin die volledige raadsbesluit vervat is.
3. Afskrif van die persensielys van raadslede wat die betrokke vergadering bygewoon het.

Die uwe



Mev. B. Kotze

REKORDBEHEER
20 AUG 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

22/89

FILE NO. Erf 987-HVM
SCAN NO.
COLLABORATOR NO.
2849407

Ref: BK/990/2025

B. Kotze
27 Ghwarrie Crescent
VERMONT
7201

Date: 20 August 2025
Your Ref: 987 HVM (App Id: 4940/2025)

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS
7200

Attention: Ms Gillion (loretta@overstrand.gov.za)

Dear Ms Gillion

ERF 987, 19 KERSBOS STREET, VERMONT: APPLICATION FOR CONSENT USE - OBJECTION

1. The Municipal Notice dated 23 July 2025 (File Reference 987 HVM) and the Motivation Report (May 2025) as prepared by WRAP in the above regard, refer.
2. As the registered owner of Erf 990, I hereby lodge my objection to the application for Consent Use for the establishment of a "Place of Instruction" on Erf 987. The key reasons for objection are outlined below:
 - 2.1. The application has been prepared by a professional town planning office, yet is considered inadequate in terms of land use motivation and detail. The report also includes various unsubstantiated statements which is unacceptable.
 - 2.2. Even a cursory glance at the cadastral layout and zoning of Vermont, illustrates that the area has very clearly been designed is a vehicle-centred residential suburb, where people travel out to access social infrastructure and commercial facilities. It is clearly not meant to attract additional traffic, pedestrians, or uses, in. People that purchase property in such areas have a realistic expectation to enjoy the exclusively residential amenity that such areas offer. It is noted too that Kersbos Street itself is a quiet residential precinct in the middle of Vermont, comprising only 17 residential erven, adjoining a "green belt". Moreover, the impacted street is a cul-de-sac, not a through road, or residential collector.



TP

The introduction of supplementary land uses / business into such areas is quite clearly contrary to its intent, and more particularly so if such uses require the introduction of additional, unplanned traffic volumes.

- 2.3. Specifically in terms of traffic, some very simple calculations (based on the proposed numbers and sessions included in the motivation report) indicate that the proposal could potentially generate in excess of 100 additional vehicle trips per day. This is a significant impact on the area in terms of noise, traffic, road maintenance and residents' safety. To put this into context; assuming that each property in Kersbos Street (17x) generates 6 vehicle trips per day, they would collectively only generate 102 trips. In other words, the proposal has the potential to double the volume of traffic in the locality – this is certainly not a minor impact, and should not be supported.
- 2.4. The proposal is not a philanthropic endeavour. A private Place of Instruction / Educational Centre is little more than a business entity, a business entity which the new owners want to introduce into an exclusively residential area. If the aim of the business is to facilitate "community upliftment" and to "promote social skills development through structured activities" via "essential real world engagement and collaboration" as is stated in the motivation report, then this is certainly not the correct location to attract those most in need. There are very clearly far more appropriate, suitable and definitely more easily accessible locations (for the broader community) within the Overstrand Municipality. See an extract of the Overstrand Municipality's Zoning Scheme below.



- 2.5. Interestingly, the motivation report states that "no teaching or learning will take place from the subject property" and that "no formal teaching or academic instruction will take place on the premises". Instead, the property will be used for activities "to support and promote social skills development". The so-called sessions will be focused on "Virtual and Augmented Reality". What does this even mean and does this use in fact then fall within the definition of a "Place of Instruction"? Is this not just then a gathering point for young adults to sharpen up on their in-person social skills, which are lost as consequence of the otherwise entirely on-line curriculum? What then is the impact on neighbours, as it will quite clearly not be a quiet learning environment (in the traditional sense) but rather a social hub that serves to offer a form of club activities. Such a hub will be far better located on the fringe of a central business district, in a so-called "transitional area" (between business and residential) or perhaps even on the fringe of a residential area, along a through road.

- 2.6. It is noted that the so-called on-site sessions will occur for 9 hours per day – some 2 hours longer than a traditional high school – and only conclude at 19h30, some 2.5 hours after a normal business workday. For property owners, this is the “golden hour”, a time when residents ought to be able to enjoy their residential amenity etc, after work – this will not be the case here. The proponents intend to operate their business for longer hours than can even be expected in a normal central business district of a town. Whilst already significantly increasing the movement of persons and cars to and from the residential property as indicated above, at least 2 sessions would be generating such traffic well after sunset - noise, lights, safety etc. This is simply not acceptable, and clearly reflects a lack of consideration and respect, to the context and for other property owners in the area.
- 2.7. It is entirely unclear who would be attending the on-site sessions. What would be the age cohort and backgrounds of participants, and the actual number of people attending. Although the motivation report refers indirectly to 10 persons per session, this would be very difficult to monitor and manage. It is quite possible that +20 persons at a time attend sessions, particularly if the social hub gains traction and / or if the overall business grows significantly. Who would be responsible for addressing this if it happens?
- 2.8. It is noted that regardless of the land use conditions, there would be absolutely no control over the action / movements of participants prior or post their sessions, particularly if they elect to engage socially external to the premises or on the erf. Such engagements are to be expected, where even normal chatting of such numbers of people will have an impact on the normal, quiet residential amenity of the suburb.
- 2.9. The statement that the business would only use a “small portion” of the residential property is questionable. Consideration of the applicant's own sketch plan, illustrates that 50.2m² of the existing structure will be dedicated to the use, which translates into 23.7%. In fact, if you exclude the double garage at 40m² (which is not habitable space) the proposed Place of Instruction will be utilizing 30% of the dwelling unit. This is not considered acceptable in the middle of this residential suburb, and particularly given that the business pivots on attracting in-person participants to the premises
- 2.10. In terms of parking, the proposal will require the provision of 6 parking spaces. This amounts to some 80m² of the residential property, plus a further 75m² for reversing space. Accordingly, a total of 155m² of the front garden will need to be sterilized for parking purposes, which translates to 30% of the entire garden area of the property. Also, instead of the cars being contained in a garage, local residents will be confronted with 6 additional vehicles glinting in the sun with little to no visible greenery for the entire width of the erf and extending some 7.5m to 8.0m into the property. The proposal will clearly generate a very significant visual impact on the residential amenity, and particularly in such a relatively “green” precinct located well away from any other business entities and / or from transitional land use areas.
- 2.11. Finally, under “Need and Desirability”, the key phrase of the Motivation Report reads “..... ensuring the property meets the requirement of the owners”. Nowhere in the entire Motivation Report have the rights and expectations of the adjoining and neighbouring property owners, relative to proposal, been discussed or taken into consideration, or have any mitigation measures been suggested.
- 2.12. In conclusion, whilst the concept of an on-line school is perfectly acceptable in this day and age, the social engagement aspect of such learning / teaching models (which remains very necessary) are yet to be effectively tested in practice. What is VERY clear

from a land use perspective is that this proposal in relation to a "Place of Instruction" has been very poorly articulated. As outlined above, the proposal is at odds with its surroundings and will have a tangibly negative impact on the residential locality, particularly in terms of additional traffic, road maintenance, aesthetics, noise, and safety. It is therefore hereby strongly requested that the application be refused.

Yours faithfully



B. Kotze

26/89

Verw.: BK /990/2025

Mev. B. Kotze
Ghwarrie Crescent 27
Erf 990
Vermont
7201

Sel:

U Verw.: 987 HVM (Aansoek Id: 4940/2025)

18 Augustus 2025

Die Munisipale Bestuurder
Overstrand Munisipaliteit
Posbus 20
HERMANUS
7200

Vir Aandag: Me. Loriaan Isaacs & Loretta Gillion
Land Use Administration, Town & Spatial Planning
Directorate: Planning & Development
Overstrand Municipality
16 Paterson Street
PO Box 20
Hermanus
7200

Mnr/Me

BESWARE: VOORGESTELDE VERGUNNINGSGEBRUIK AANSOEK:
ERF 987, KERSBOS STRAAT 19, VERMONT

'n Skrywe van u ontvang verw. 987HVM gedateer 23 Julie 2025, insake bogenoemde vergunningsgebruik aansoek, verwys.

As wettige eienaar van die eiendom geleë op Erf 990, Vermont wens ek hiermee **ten sterkste beswaar aan te teken teen die voorgestelde ongewenste vergunningsgebruik aansoek**, en word die volgende wettike bepalinge, feite en redes vir besware aangevoer.

Ek het die eiendom op Vermont uitsluitlik aangekoop vir my aftrede, gesondheid en welsyn, aangesien die Vermont omgewing en spesifiek Kersbos Straat se rustige woonbuurt karakter en stilte dit daartoe verleen. Vermont in geheel is 'n woonbuurt area waar mense geakkommodeer word om te woon en 'n rustige lewe te ly. Gastehuse in die Vermont area word gebruik vir bewonings doeleindes, ontspanning en rus.

Daar moet gelet word op die feit dat Vermont beskik nie oor besighede wat nie residensiële van aard is nie, die tipe besighede is in Onrus en ander areas geleë.

Ek het hierdie eiendom uitsluitlik aangekoop om nie naby besighede te woon nie en om in 'n rustige woonbuurt omgewing te woon waar ek in stilte en vrede deel kan wees van 'n veilige woonbuurt gemeenskap en waar ek weet my bure sien om na my belange en ek na hulle sin.

Dit is belangrik om kennis te neem van die feit dat al 17 eiendomme tans in Kersbos Straat slegs vir residensiële doeleindes aangewend word en die straat is 'n doodloop straat (cul-de-sac), en word die straat selde deur die algemene publiek gebruik aangesien hul geen belange in die straat het nie, of die straat as 'n deurgang roete na ander areas kan gebruik nie. Gevolglik is hierdie een van die mees gesogte strate en stilste woonareas in Vermont om in te woon. Hierdie karakter van die betrokke straat het ook 'n belangrike sekuriteits voordeel, gesien in die lig van die ongekeerde en uiters hoë misdade vlakke in Suid-Afrika word die teenwoordigheid van vreemdelinge of verdagte persone in die woonbuurt, baie vinnig opgemerk deur inwoners en bure wat bekend is aan mekaar en kan die verdagte se teenwoordigheid vinnig gerapporteer word.

Daar is baie inwoners in die woonbuurt wat nie meer jonk is nie en is hierdie area vir my as 'n ouerige persoon my toevlugs oord wat ek gekies het om vreedsaam in te woon.

Indien die Raad van Overstrand Munisipaliteit hierdie ongewenste vergunningsgebruik aansoek sou goedkeur, dan ontnem die Raad my willens en wetens die reg van my keuse om te mag woon in area en onder omstandighede wat ek aanvanklik gekies het en wat my in die eerste instansie laat besluit het om in die area my residensiële eiendom aan te koop vir my aftrede, persoonlike gesondheid en welsyn en word die ongewenste besigheids en omstandighede wat gepaard gaan daarmee op 'n gedwonge wyse op my afgeforseer.

Dit was in die eerste plek my besluit om weg van besighede en ander nie residensiële aktiwiteite en gebruike my te vestig,

Daar word seker aannames en bewerings in die motiveringsverslag vir die voorgestelde vergunnings gebruik aansoek gemaak, rakende die beoogde besigheid op Erf 987, waarop as volg gereageer word:

1. Gaan nie 'n impak hê op verkeer en parkering nie. Elke voertuig wat nie verband hou met die huidige residensiële eiendomme nie gaan 'n ekstra voertuig wees wat nie normaalweg die woonbuurt besoek het nie. Voertuie wat vanaf die perseel in en uit beweeg kan huidige inwoners se normale ry en stap gerief negatief raak, neem kennis dit is 'n relatiewe nou straatjie. Die besigheid gaan beslis verkeersvloei beïnvloed dis voor die handliggend en normale logika.

2. Geen onderrig of leer sal op die perseel plaasvind nie en dit is 'n "online educational institution". Waarom is dit dan nodig vir studente om bymekaar te kom op die perseel. Daar is oral toegang tot rekenaars en rekenaar fasiliteite en selfone en tablette. Dis nie nodig om 'n woonbuurt as versamel punt vir studentre aan te wend vir "online" opleidings aktiwiteite nie. Daar is baie beskikbare besighede en vloer spasie waar hierdie tipe besigheid bedryf kan word, hoekom moet 'n rustige woonbuurt hiervoor opgeoffer word. Dit laat die vraag ontstaan wat is nou eintlik die hoof beweegrede om binne 'n pragtige gevestigte residensiële area die voorgestelde besigheid te wil bedryf as daar gesoneerde areas is, wat reeds voorsiening maak vir die tipe en ander besighede.
3. My eiendom is op die hoek van Kersbos en Ghwarrie strate geleë en die verhoogde verkeervloei gaan telkens by my woning verby beweeg en moet stop en wegtrek teen die bult en by my woning draai. Verder is daar stoptekens op die hoeke en is my eiendom teen die bult wat die volgende gaan meebring, verhoogde voertuig uitlaatgasse soos voertuie teen die bult moet wegtrek en verhoogde steurende geraas wat nie tans die geval is nie.
4. Die besigheid gaan blykbaar harmonieus inskakel by die karakter van die woongebied. Alle ander gebruike wat nie residensiël van aard is nie, het 'n negatiewe impak op so 'n spesiale en gesogte woonbuurt se eiesoortige karakter.

Gevolgtrekking:

Indien die voorgestelde vergunningsgebruik goedgekeur word, sal dit die eiesoortige en gesogte woonbuurt status vernietig. Dit gaan nie meer aangenaam wees om in die woonbuurt te woon nie. Die veiligheid, stilte, rustigheid en lae lugbesoedelings vlakke gaan iets van die verlede wees. Die herverkoop waarde van my eiendom gaan waarskynlik negatief hierdeur geraak word.

Verder word ek die reg ontnem om my aftrede te kan geniet deur in 'n woonbuurt omgewing van my keuse te mag woon, wat nie skadelik is vir my gesondheid en welsyn nie. Hierdie voorgenome vergunninggebruik hou geen voordele in vir die woonbuurt of vir my wat gelukkig hier wou aftree nie.

Beslissing wat versoek word van Overstrand se Munisipale Raad:

In die lig van die vooraf genoemde en ingevolge artikel 24(a) van Die Grondwet van die Republiek van Suid - Afrika, 1996 wat bepaal dat elkeen het die reg op 'n omgewing wat nie skadelik vir hul gesondheid of welsyn is nie.

Hiermee wens ek te versoek dat die Raad hierdie voorgestelde uiters ongewenste vergunninggebruik aansoek sal afkeur synde daar alternatiewe opsies beskikbaar is vir die aansoeker buite die residensiële gebied en met

hierdie kundige besluit sal die raad verseker dat die karakter van hierdie pragtige gesogte woonbuurt area behoue en ongeskonde sal bly vir huidige en toekomstige residensiële gebruik alleenlik.

Kennigewing van Raads Besluit:

Dit sal waardeer word indien afskrifte van die volgende dokumentasie aan my voorsien kan word met die bekendmaking van die Raad se besluit rakende die vergunninggebruik aansoek naamlik:

1. Afskrif van die volledige agenda punt wat voor die raad gedien het.
2. Afskrif van die notule waarin die volledige raadsbesluit vervat is.
3. Afskrif van die persensielys van raadslede wat die betrokke vergadering bygewoon het.

Die uwe



Mev. B. Kotze

Loretta Gillion

Sent: Wednesday, 20 August 2025 10:20
To: Loretta Gillion
Subject: Beswaar/Public Objection : Erf 987 Vermont
Attachments: 18.08.2025 Beswaar - Erf 987 Vermont.pdf; 20.08.2025 Public Objection - Erf 987 Vermont.pdf

Importance: High

Goeiedag Loretta

Vind aangeheg my besware in Engels gedateer 20.08.2025 en in Afrikaans gedateer 18.08.2025 met verwysing na Aansoek om Vergunningsgebruik : Erf 987, Kersbosstraat 19, Vermont.

Baie dankie

Beatrix Kotze
Erf 990
27 Ghwarrie Crescent
Vermont
7201



31/89

REKORDBEHEER

28 AUG 2025

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

BESWAAR TEEN VERGUNNINGSGEBRUIK – ERF 987, KERSBOS STRAAT 19, VERMONT

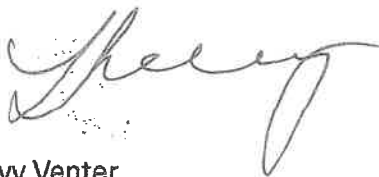
Ons het ons eindom, Kersbosstraat 20, Vermont, gekoop om af te tree vir die rustige stil omgewing en ook die feit dat dit aan ons genoem is dat daar geen besigheidsregte in die omgewing is nie. Die eiendom is n 'n doodloopstraat, wat dit nog stiller en veiliger vir kinders en diere maak, asook aangrensed aan die groengordel.

Volgens die eienaar van Erf 987, gaan verkeer glad nie verander van hoe dit tans is nie. Ons stem ongelukkig nie hiermee saam aangesien hy noem daar sal 5 klasse per dag aangebied word met ongeveer 10 kinders per klas. Die klasse is elke 2 uur. Indien al die kinders/studente deur iemand afgelaai moet word beteken dit elke sessie sal 40 voertuie wees wat 'n totaal van **200 voertuie** per dag sal wees. Indien studente self ry sal daar nie genoegsame parkering wees nie en sal hul in die pad moet parkeer. Die voertuie wat studente kom oplaai sal ook verkeersopeenhopings in die straat veroorsaak.

Dit gaan 'n baie groot toename in voertuie, **ongeveer 150 tot 200 voertuie per dag**, tot **19h30** elke dag wees wat nie riet die stilte van die omgewing sal verander nie maar ook die waarde van ons eiendomme geweldig sal laat daal. Dit sal nie net alleenlik baie geraas wees maar ook die veiligheid van mense en honde erg benadeel.

Daarom wil ek dus ten sterkste beswaar aanteken teen so 'n aansoek. Ons het reeds regs advies ingewin en is bereid om dit verder te neem indien so 'n aansoek goedgekeur sou word.

REGARDS



Keivy Venter

Kersbosstraat15, Vermont

FILE NO. Erf 987-HVM
SCAN NO.
COLLABORATOR NO.
2854546



TP- A Theart
(H Olivier)

25 August 2025

The Municipal Planning Manager

Overstrand Municipality

Hermanus, 7200.

RE: Formal Objection to Consent Use Application-Erf 987, 19 Kersbos Street, Vermont.

Attention: Town Planning,

Objector Details

Name Garth and Teresa Loades

Address 31 Kersbos Street, Vermont

Tenants of 31 Kersbos Street. Vermont.

Objection

We strongly object to the proposed application of a learning centre at 19 Kersbos Street.

We chose Kersbos street because of the peaceful surroundings and wildlife. Before moving to the area, we were neighbours to a home school centre. We have seen and felt, the ramifications of having a home learning school at our previous residence. The residents of the road endured an increase of traffic flow, noise pollution, speeding cars when parents were delayed in fetching or dropping off pupils and noisy learners whilst waiting for lifts. Our quiet road changed overnight and resulted in disgruntled owners. Our property upon selling, decreased in value, as potential buyers were aware of the home learning centre and were discouraged by it.

The green belt that surrounds the Kersbos road is resident to small mammals and reptiles. Tortoises can often be seen in the road as well as Mongeese and Porcupines. The increase of cars will have a negative impact on the conservation area. Loss of privacy for residents is another factor to consider due to increased traffic and loitering students.

If Overstrand municipality allow this application to be approved, it will be a tragedy for the home owners and wildlife alike.

We ask that all objections are given your attention and that the majority of the residents concerns are taken into account.

Kind regards

Garth and Teresa Loades.

FILE NO. Erf 987- HVM
SCAN NO.
COLLABORATOR NO.
2853022

TP

Loretta Gillion33 | 89

Sent: Tuesday, 26 August 2025 10:46
To:
Cc: Loretta Gillion
Subject: Objection Letter
Attachments: kersbos objection tm.pdf

Hi Jordaan

Please see the attached objection letter and trust it is in order.

We are new to the road and still moving into 31 Kersbos so I have given it from our own personal point of view.

Thank you for heading up this important matter and for taking it to the Municipality on behalf of all the residents.

It is much appreciated.

Would you please confirm receipt of this.

Kind regards
Teresa Loades.

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OVERSTRAND MUNICIPALITY

34/89

TP-A Theart
(Holivier)

Administrative Services
Overstrand Municipality
16 Prinsloo Street
Mossburn, 7100
18 August 2025

Re: Petrol Storage to General Use Application: 11 987, 19 Kerstus Street, Mossburn (Place of Instruction - WRA) Project Office

Dear Sir/Madam

Please find my comments on the application for the General Use Application lodged to 11 987, 19 Kerstus Street Mossburn.

Kerstus Street is a Residential Out de Steet within a wildlife corridor. The environmental impact of this application has not been considered as increased traffic will impact local fauna and flora. No consideration is given to the negative impact this change will have on property values.

The introduction of a petrol storage facility will increase traffic flow and overflow parking will compromise the safety and ability of the road for local and will have a negative impact on the current traffic management of this area.

There is no benefit of such a facility in the Kerstus Subdivision. Mossburn City Centre already has such a facility available where the zoning is already approved and the infrastructure for a training facility is in place.

Sincerely,

Single Member

Personnel (LFB) MSA

FILE NO. Ef987-HVM
 SCAN NO.
 COLLABORATOR NO.
 2851255

TP 25 AUG 2025

Loretta Gillion

Sent: Sunday, 24 August 2025 11:46
To: Loretta Gillion
Subject: Emailing: Image (47).jpg
Attachments: Image (47).jpg

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OVERSTRAND MUNICIPALITY
REKORDBEHEER
14 AUG 2025
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OVERSTRAND MUNICIPALITY

BESWAAR TEEN VERGUNNINGSGEBRUIK – ERF 987, KERSBOS STRAAT 19, VERMONT

Ons het ons eindom, Kersbosstraat 20, Vermont, gekoop om af te tree vir die rustige stil omgewing en ook die feit dat dit aan ons genoem is dat daar geen besigheidsregte in die omgewing is nie. Die eiendom is n 'n doodloopstraat, wat dit nog stiller en veiliger vir kinders en diere maak, asook aangrensed aan die groengordel.

Volgens die eienaar van Erf 987, gaan verkeer glad nie verander van hoe dit tans is nie. Ons stem ongelukkig nie hiermee saam aangesien hy noem daar sal 5 klasse per dag aangebied word met ongeveer 10 kinders per klas. Die klasse is elke 2 uur. Indien al die kinders/studente deur iemand afgelaai moet word beteken dit elke sessie sal 40 voertuie wees wat 'n totaal van **200 voertuie** per dag sal wees. Indien studente self ry sal daar nie genoegsame parking wees nie en sal hul in die pad moet parkeer. Die voertuie wat studente kom oplaai sal ook verkeersopeenhopings in die straat veroorsaak.

Dit gaan 'n baie groot toename in voertuie, **ongeveer 150 tot 200 voertuie per dag**, tot **19h30** elke dag wees wat nie net die stilte van die omgewing sal verander nie maar ook die waarde van ons eiendomme geweldig sal laat daal. Dit sal nie net alleenlik baie geraas wees maar ook die veiligheid van mense en honde erg benadeel.

Daarom wil ek dus ten sterkste beswaar aanteken teen so 'n aansoek. Ons het reeds regs advies ingewin en is bereid om dit verder te neem indien so 'n aansoek goedgekeur sou word.

Maret Sprake-Jones

Kersbosstraat 20, Erf 974

FILE NO. Erf 987-HNM
SCAN NO.
COLLABORATOR NO. 2846125

Loretta Gillion

Sent: Thursday, 14 August 2025 10:39
To: Loriaan Isaacs
Cc: Loretta Gillion
Subject: Beswaar teen vergunningsgebruik Erf 987, Vermont
Attachments: Beswaar Erf 987, Kersbos straat 19, Vermont.docx

Importance: High

Vind asb aangeheg my beswaar teen Vergunningsgebruik Erf 987.

Kontak my gerus indien u enige verdere informasie benodig.

Kind Regards

Maret Sprake-Jones



NO 132

38/89

14 AUG 2025

DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY**Notice of objection to consent use: Erf 987, 19 Kersbos Street, Vermont****Pleasant living environment**

As a cul-de-sac, Kersbos Street offers a peaceful and safe living environment. This tranquil atmosphere is further enhanced by the adjacent green belt. The pleasant environment is therefore the main reason why we decided to retire here four years ago.

Increase in traffic

If the application for consent use is approved, it will have a negative impact on the safe and peaceful living environment.

According to the application, the teaching sessions will take place on weekdays between 10:00 and 19:30 and will last 1,5 hours with half an hour in between to leave room for the increase in traffic. This means that a session can be offered every 2 hours and therefore 5 sessions per day can be accommodated with 30 minutes for lunch. The maximum size of the groups will be 10 students.

Scenario 1: Suppose all 10 students are transported to and from the training sessions by someone else

This means 4 trips in Kersbos Street per student. (In and out for download and the same for upload).

That's 40 rides per session

Five sessions = 200 rides per day.

Scenario 2: 5 students drive themselves (5 parking spaces) and 5 are transported.

5 students with own transport (2 trips per student) = 10 trips

5 students without their own transport (4 trips per student) = 20 trips

That's 30 rides per session

Five sessions = 150 rides per day.

It may be that each training session may not necessarily consist of 10 students, but the above scenarios give a good indication of what the increase in traffic may entail.

Unacceptability of increase in traffic volume

An increase of 150 – 200 vehicles per day will completely destroy the peaceful and safe living environment of Kersbos Street.

This will result in the following negative impacts:

- Noise pollution
- Visual impact

FILE NO.	Erf 987-HNM
SCAN NO.	
COLLABORATOR NO.	2846132

TP

HMS REC

- Safety of pedestrians and dogs
- Drop in property prices.

Notice of objection

In light of the above, we would therefore like to strongly object to the possible approval of the application for consent use on Erf 987 (19 Kersbos Street)

Mike Sprake-Jones

Erf 974

20 Kersbos Street

Vermont

Loretta Gillion

Sent: Thursday, 14 August 2025 10:39
To: Loriaan Isaacs; Loretta Gillion
Subject: RE: Erf 987, 19 Kersbos Street, Vermont: Public Participation - You are regarded as a potentially affected property owner
Attachments: Notice of objection to consent use.pdf

Good morning Loriaan,

Please find attached notice of objection to Consent of use Erf 987.

Kind Regards
Mike Sprake-Jones

20 Kersbos Street
Vermont
7201

eden



NO 132

From: Loriaan Isaacs <loriaanisaacs@overstrand.gov.za>
Sent: Wednesday, 23 July 2025 14:20
To: Loretta Gillion <loretta@overstrand.gov.za>
Subject: Erf 987, 19 Kersbos Street, Vermont: Public Participation - You are regarded as a potentially affected property owner

To whom it may concern

41/89

OVERSTRAND MUNISIPALITEIT
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01 SEP 2025
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OVERSTRAND MUNICIPALITY

TP-A Theart
(H Olivier)

27 August 2025

The Municipal Planning Manager Overstrand Municipality
16 Paterson Street
Hermanus, 7200
c/o loretta@overstrand.gov.za

Re: Formal Objection to Consent Use Application – Erf 987, 19 Kersbos Street, Vermont (Place of Instruction – WRAP Project Office)

Dear Sir

Objector Details:

- **Name:** Henriek & Michelle de Wet
- **Address:** 32 Kersbos Street, Vermont. Hermanus, 7201
- **Interest:** Affected resident and property owner in the immediate vicinity

This objection is submitted within the statutory timeframe as per Sections 51 and 52 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The application seeks to introduce an intensive commercial educational land use within a quiet residential cul-de-sac, namely Kersbos Street. It fails to comply with the Overstrand Municipality Land Use Scheme and the Spatial Planning and Land Use Management Act (SPLUMA), 2013, notably by not demonstrating exceptional circumstances to depart from primary residential zoning and lacking required technical assessments and adequate community consultation. I therefore request that the Municipality refuse this application.

LEGAL AND PLANNING GROUNDS FOR OBJECTION**Non-Compliance with Overstrand Municipality Amendment By-Law, 2020**

- The application does not satisfy the consent use criteria under Section 16(2)(o), requiring justification through *exceptional circumstances* to depart from residential zoning.
- No comprehensive impact assessment or mitigation measures have been disclosed to address potential harm to neighbouring properties.
- Operational details are vague, preventing proper evaluation of potential impacts.

Contravention of SPLUMA, 2013

- Section 7(1) (Development Principles) is contravened as the proposed commercial use is incompatible with the residential character, adversely affecting property values and community amenity.
- The principle of Good Administration is breached due to insufficient and generic public consultation, denying affected residents any meaningful input.
- Spatial Sustainability is undermined by ongoing operational demands unsupported by residential infrastructure.

29 AUG 2025

FILE NO. Erf 987-H4M
SCAN NO.
COLLABORATOR NO.
2855994

Zoning Incompatibility

- The use involves multiple daily sessions with fee-paying students and specialised equipment—activities inappropriate within the residential zoning of Erf 987.
- Operating hours from 10:00 to 19:30 exceed typical residential activity times, leading to increased disturbance.

TECHNICAL OBJECTIONS**Inadequate Traffic Impact Assessment**

- The application underestimates traffic impact by ignoring drop-off and collection vehicle movements, each session generating approximately 40 vehicle movements (20 drop-offs + 20 collections). A total of 5 sessions per day are planned, requiring 200 vehicle movements per day.
- Multiple daily sessions create significant peak congestion, incompatible with Kersbos Street—a narrow residential cul-de-sac lacking adequate parking capacity.
- No professional traffic impact study accompanies the application despite substantial traffic increase projections.

Community Safety Concerns

- Increased traffic and parking overflow may impede emergency vehicle access, critical given the presence of elderly residents.
- No emergency access management or protocol has been provided.
- Introduction of unfamiliar vehicles and persons compromises neighbourhood security and natural surveillance.

Environmental Impact Assessment Deficiencies

- The claim of "no negative biophysical impact" is unsubstantiated, disregarding Vermont's location within a green belt wildlife corridor and impacts on local fauna.
- Increased vehicle movements degrade residential tranquillity.
- No assessment or compliance confirmation under the National Environmental Management Act (NEMA) has been included.

PROCEDURAL CONCERNS**Inadequate Community Consultation**

- No evidence demonstrates meaningful direct consultation with affected residents, falling short of SPLUMA's public participation standards.
- The generic public notice issued is insufficient for a significant land use change of this nature.
- No neighbourhood meeting or stakeholder engagement session has been conducted.

Additional Application Deficiencies

- Critical technical reports, including traffic and environmental impact assessments, have not been submitted.
- The application shows poor site selection analysis and fails to consider alternative, more appropriate commercial locations.
- Insufficient operational details impede proper review.

IMPACT ON COMMUNITY AND RESIDENTIAL AMENITY

Protection of Residential Character

- Kersbos Street is a peaceful cul-de-sac whose residential amenity will be compromised by continuous commercial traffic, student activity, noise, and potential loitering outside operational hours.

Impact on Property Values and Community Cohesion

- Encroachment of commercial uses into residential zones typically results in diminished property values and degrades neighbourhood atmosphere.

ALTERNATIVE LOCATIONS

- Hermanus has established commercial zones along Main Road and mixed-use areas better suited for educational uses with adequate parking and access infrastructure.
- Existing educational institutions may accommodate specialised programs, minimising impact on residential neighbourhoods.
- These alternatives would uphold zoning compliance and protect residential amenity.

REQUESTED RELIEF

In light of the above, I respectfully request that the Overstrand Municipality:

1. REFUSE the consent use application in its entirety.
2. PROTECT Erf 987 and the broader Kersbos Street residential zoning integrity by rejecting this incompatible commercial intrusion.
3. REQUIRE comprehensive traffic and environmental impact assessments for any future land use applications of a similar nature.
4. ENSURE proper, meaningful, and transparent community consultation in accordance with SPLUMA and municipal by-laws.
5. DIRECT the applicant to seek premises that are appropriately zoned for commercial educational activities.

CONCLUSION

This application lacks compliance with relevant land use planning legislation, fails to adequately assess and mitigate significant impacts, and disregards essential community participation requirements. Approval would detrimentally affect the residential character, safety, and quality of life in Kersbos Street. I urge the Municipality to uphold statutory planning principles and refuse this application.

Yours faithfully,



M de Wet

Loretta Gillion

Sent: Wednesday, 27 August 2025 12:03
To: Loretta Gillion
Subject: Objection to rezoning of Erf 987, 19 Kersbos street, Vermont
Attachments: Objection Kersbos street.pdf

Please find attached objection to the rezoning of Erf 987, 19 Kersbos street, Vermont.

Yours faithfully,
Henriek de Wet

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
25 AUG 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

45/89

Loretta Gillion

From:
Sent: Monday, 25 August 2025 14:28
To: Loretta Gillion
Subject: Erf 987, 19 kersbos street

TP-A Theart
(H Olivier)

Dear madam/sir

I am writing to you with regards the above address and request of consent use application.

I hereby OBJECT to this application.

I reside with my husband at 28 kersbos street, and thus will be an effected party if this application was to be approved.

Kersbos street is a quiet, narrow street in Vermont. There is very little traffic and we have an abundance of bird life and small animals, mainly because of the green belts which make Vermont very special.

We bought in Vermont on the understanding that it is a residential area with no business licences allowed except for one property at the top of Lynx Road. If this is the case, how can anybody apply for a business license?

This application is asking for a license to set up an educational facility. This would firstly bring noise from the children being brought here to learn and secondly, a huge increase in traffic to our street and to the area in general.

This area is extremely quiet, with the only traffic being residents and a few visitors. The problem traffic is generally builders and the occasional taxi who generally drive fast and badly. If this application is approved, it would increase the traffic and noise hugely to this area and change our road completely.

The applicant is wanting to give 5 to 6 lessons a day with 10 students in each class. This would mean that there would be about 20 vehicles coming and leaving the area, every 2 hours. This would change the whole essence of the area and our road.

Our road is also narrow and even though the applicant has said there would be parking on the property, it is standard lazy practice, to stop in the road to drop off people and not to park. Our road would not be easy to drive in and use for residents.

An increase of traffic would also affect our animal and bird life. We see birds, small animals and pets being hit and killed by people driving too fast. To sad for words. This would increase.

The area would also become less safe. Less safe to walk in where there are no pavements and you have to walk in the roads and now have to dodge more cars. Less safe as more traffic brings generally more crime, this is a known fact. Also with more traffic, comes rubbish as you see on lynx road where people just throw their rubbish out of their cars.

And all of this would affect not only our road, but all roads leading to us, and all the movement and safety of animals and birds, mainly birds that move on land.

FILE NO. Erf 987-HVM
SCAN NO.
2851670
COLLABORATOR NO.

TP

Then with all of the above, comes a drop in our property values. We all bought into this area, being a residential area. Business brings a drop in these property values and changes the peacefulness and character that we bought into, with good faith that it would stay this way.

I trust that this will not just be a tickbox exercise and that you will take all that is said into consideration. Why change a good thing? There is plenty of place, and better place, to go start an educational facility. Surely it is better to have an educational facility near to where your students live?

I trust that this municipality, that wins awards of being one of the best, will uphold planning regulations and refuse this application. Like I said, why change a great thing when you have one. This is why people want to come here, and keeping it this way, should be what the municipality should strive for.

Please reject this application

Thanks

Michelle kamstra
28 kersbos street
Vermont

Sent from my phone

47/89

Boris R Kamstra BSc Civ. Eng MBA

28 Kersbos Street, Vermont, Hermanus, South Africa, 2024

23 August 2025

The Municipal Planning Manager
Overstrand Municipality
16 Paterson Street
Hermanus, 7200

TP-A Theart
(H Olivier)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
25 AUG 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Re: Formal Objection to Consent Use Application – Erf 987, 19 Kersbos Street, Vermont (Place of Instruction – WRAP Project Office)

Dear Sir/Madam,

I, Boris Richard Kamstra, residing at 28 Kersbos Street, Vermont, hereby submit this formal objection to the Consent Use Application lodged for Erf 987, 19 Kersbos Street, Vermont. The application seeks approval to operate a commercial educational facility within a residential zone, which raises multiple legal, technical, procedural, and community concerns set out below.

1. OBJECTOR DETAILS

- **Name:** Boris Richard Kamstra
- **Address:** 28 Kersbos Street, Vermont, Hermanus, 7201
- **Contact:**
- **Interest:** Affected resident and property owner in the immediate vicinity

2. EXECUTIVE SUMMARY

This objection is submitted within the statutory timeframe as per Sections 51 and 52 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020. The application seeks to introduce an intensive commercial educational land use within a quiet residential cul-de-sac, Kersbos Street. It fails to comply with the Overstrand Municipality Land Use Scheme and the Spatial Planning and Land Use Management Act (SPLUMA), 2013, notably by not demonstrating exceptional circumstances to depart from primary residential zoning and lacking required technical assessments and adequate community consultation. I therefore request that the Municipality refuse this application.

FILE NO. Erf987-HVM
SCAN NO.
COLLABORATOR NO. 2851196

TP

3. LEGAL AND PLANNING GROUNDS FOR OBJECTION

3.1 Non-Compliance with Overstrand Municipality Amendment By-Law, 2020

- The application does not satisfy the consent use criteria under Section 16(2)(o), requiring justification through *exceptional circumstances* to depart from residential zoning.
- No comprehensive impact assessment or mitigation measures have been disclosed to address potential harm to neighbouring properties.
- Operational details are vague, preventing proper evaluation of potential impacts.

3.2 Contravention of SPLUMA, 2013

- Section 7(1) (Development Principles) is contravened as the proposed commercial use is incompatible with the residential character, adversely affecting property values and community amenity.
- The principle of Good Administration is breached due to insufficient and generic public consultation, denying affected residents meaningful input.
- Spatial Sustainability is undermined by ongoing operational demands unsupported by residential infrastructure.

3.3 Zoning Incompatibility

- The use involves multiple daily sessions with fee-paying students and specialised equipment—activities inappropriate within the residential zoning of Erf 987.
- Operating hours from 10:00 to 19:30 exceed typical residential activity times, leading to increased disturbance.

4. TECHNICAL OBJECTIONS

4.1 Inadequate Traffic Impact Assessment

- The application underestimates traffic impact by ignoring drop-off and collection vehicle movements, each session generating approximately 40 vehicle movements (20 drop-offs + 20 collections). A total of 5 sessions per day are planned, requiring 200 vehicle movements per day.
- Multiple daily sessions create significant peak congestion, incompatible with Kersbos Street—a narrow residential cul-de-sac lacking adequate parking capacity.
- No professional traffic impact study accompanies the application despite substantial traffic increase projections.

4.2 Community Safety Concerns

- Increased traffic and parking overflow may impede emergency vehicle access, critical given the presence of elderly residents.
- No emergency access management or protocol has been provided.
- Introduction of unfamiliar vehicles and persons compromises neighbourhood security and natural surveillance.

4.3 Environmental Impact Assessment Deficiencies

- The claim of "no negative biophysical impact" is unsubstantiated, disregarding Vermont's location within a green belt wildlife corridor and impacts on local fauna.
- Increased vehicle movements degrade residential tranquillity.
- No assessment or compliance confirmation under the National Environmental Management Act (NEMA) has been included.

5. PROCEDURAL CONCERNS

5.1 Inadequate Community Consultation

- No evidence demonstrates meaningful direct consultation with affected residents, falling short of SPLUMA's public participation standards.
- The generic public notice issued is insufficient for a significant land use change of this nature.
- No neighbourhood meeting or stakeholder engagement session has been conducted.

5.2 Additional Application Deficiencies

- Critical technical reports, including traffic and environmental impact assessments, have not been submitted.
- The application shows poor site selection analysis and fails to consider alternative, more appropriate commercial locations.
- Insufficient operational details impede proper review.

6. IMPACT ON COMMUNITY AND RESIDENTIAL AMENITY

6.1 Protection of Residential Character

- Kersbos Street is a peaceful cul-de-sac whose residential amenity will be compromised by continuous commercial traffic, student activity, noise, and potential loitering outside operational hours.

6.2 Impact on Property Values and Community Cohesion

- Encroachment of commercial uses into residential zones typically results in diminished property values and degrades neighbourhood atmosphere.
-

7. ALTERNATIVE LOCATIONS

- Hermanus has established commercial zones along Main Road and mixed-use areas better suited for educational uses with adequate parking and access infrastructure.
 - Existing educational institutions may accommodate specialised programs, minimising impact on residential neighbourhoods.
 - These alternatives would uphold zoning compliance and protect residential amenity.
-

8. REQUESTED RELIEF

In light of the above, I respectfully request that the Overstrand Municipality:

1. REFUSE the consent use application in its entirety.
 2. PROTECT Erf 987 and the broader Kersbos Street residential zoning integrity by rejecting this incompatible commercial intrusion.
 3. REQUIRE comprehensive traffic and environmental impact assessments for any future land use applications of a similar nature.
 4. ENSURE proper, meaningful, and transparent community consultation in accordance with SPLUMA and municipal by-laws.
 5. DIRECT the applicant to seek premises that are appropriately zoned for commercial educational activities.
-

9. CONCLUSION

This application lacks compliance with relevant land use planning legislation, fails to adequately assess and mitigate significant impacts, and disregards essential community participation requirements. Approval would detrimentally affect the residential character, safety, and quality of life in Kersbos Street. I urge the Municipality to uphold statutory planning principles and refuse this application.

Yours faithfully,



Boris Richard Kamstra

This objection is submitted within the prescribed timeframe pursuant to Sections 51 and 52 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Loretta Gillion

Sent: Monday, 25 August 2025 08:16
To: Loretta Gillion
Subject: OBJECTION TO: ERF 987, 19 KERSBOS STREET, VERMONT: APPLICATION FOR CONSENT USE
Attachments: Objection to ReZoning Erf 987 Vermont - 24 Aug 2025.pdf

Dear Madam,

Please find my objection to the APPLICATION FOR CONSENT USE on ERF 987, 19 KERSBOS STREET, VERMONT.

My best regards,

Boris

Boris Kamstra

Sent with [Proton Mail](#) secure email.

Aantekening van beswaar teen vergunningsgebruik: Erf 987, Kersbosstraat 26, Vermont.

Die rede vir ons aankoop van die eiendom in Kersbosstraat en ook die breë Vermont was juis:

Die rustigheid van Vermont

Die min verkeer wat 'n doodloopstraat jou bied

Die groen strook wat duidelik geskep is om kalmte en rustigheid van 'n topgehalte woonbuurt daar te stel

Die feit dat daar geen ander besigheidsareas en besighede in die omgewing is nie

Ons beswaar is dus:

Toename van verkeer

Waardevermindering dus negatiewe invloed op die waarde van eiendom

Geraasvlakke wat sal styg

Negatiewe invloed op sekuriteit en veiligheid

Hiermee teken ons dus ten sterkste bewaar aan teen die voorgelegde aansoek.

Francois en Blanche Müller

Kersbosstraat 26 (Erf 977)

Vermont

FILE NO.	Erf 987-HVM
SCAN NO.	
COLLABORATOR NO.	2853034

Loretta Gillion

54/89

Sent: Tuesday, 26 August 2025 12:47
To: Loretta Gillion
Subject: Beswaar teen aansoek van Erf 987, Kersbos str. 19 Vermont
Attachments: Aantekening van beswaar teen vergunningsgebruik.pdf

Goeiedag

Vind aangeheg beswaar teen bogenoemde aansoek.

Francois en Blanche Muller
Erf 977
Kersbosstraat 26
Vermont

Loretta Gillion

55/89

REKORDBEHEER

22 AUG 2025

DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Sent: Friday, 22 August 2025 09:21
To: Loretta Gillion
Subject: OBJECTION: Place of Instruction. Erf 987, 19 Kersbos Street, Vermont

Dear Sir/Madam,

I am writing to formally object to the application for consent use relating to Erf 987, located at 19 Kersbos Street, Vermont, which seeks to permit a "Place of Instruction" on the premises.

I have several reservations regarding the suitability of this proposal for our residential neighbourhood:

Traffic and Parking Concerns

Kersbos Street is a quiet, residential road not designed to accommodate frequent vehicle traffic. The proposed development will likely result in a significant increase in daily drop-offs and pick-ups, even with designated on-site parking.

This heightened traffic volume could create congestion and present safety risks, particularly for children and pedestrians using the street.

Noise and Extended Activity Hours

Permitting activities until 19:30 in the evening is out of step with the tranquil nature of this residential community. Such extended hours would disrupt the peace and quiet that residents currently enjoy, especially in the evenings.

Impact on Residential Character

Introducing a non-residential activity into a zone designated for single residential use could set a concerning precedent. Over time, this may erode the distinct residential identity of Vermont, gradually transforming the character of the area.

Concerns About Long-Term Use and Oversight

If consent use is granted, it attaches to the property, not the applicant. This opens the door to future operators potentially altering or intensifying the nature of the activities beyond what is currently proposed. Ensuring consistent compliance with operational restrictions—such as session limits and hours—may prove challenging for municipal enforcement.

Effect on Property Values

The presence of a commercial-type activity within a residential setting may deter potential buyers and could negatively influence the property values of neighbouring homes.

Given these concerns, I urge the Municipality to decline the application. The proposed use is not in harmony with the surrounding residential environment, introduces potential safety and traffic issues, and may pave the way for further incompatible developments.

FILE NO. Erf 987-HVM

SCAN NO. 2850869

* *

Thank you for taking my objection into consideration.

Kind Regards,

Nicola Holbak

(Intended Purchaser of ERF 997, currently owned by L Horn and A Henkel)

57/89

OVERSTRAND MUNICIPALITEIT
REKORDBEHEER
22 AUG 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Loretta Gillion

Sent: Thursday, 21 August 2025 14:22
To: Loretta Gillion
Subject: Kersbos 19

TP- A Theart
(H Olivier)

Wie dit mag aangaan,

Ons is sopas bewus gemaak van die situasie by Kersbos 19 wat aansoek gedoen het vir ontwikkeling vir n ? Leersentrum. Dit is vir ons total onaanvaarbaar vir verskeie redes. Ons het reeds hier gekoop vir n rustige omgewing en so besigheid gaan n geweldige toevoer van voertuie meebring op n kuising waar ons persoonlik al n paar noue ontkomings gehad het.

Hierdie is n woongebied en Nie besigheids area en moet asb as sulks hanteer word.

By voorbaat dank .

Andries en Erika Strauss

FILE NO.	EF987-HVM
SCAN NO.	
COLLABORATOR NO.	2850883

TP

58/89

21 AUG 2025

Loretta Gillion

Sent: Wednesday, 20 August 2025 20:47
To: Loretta Gillion
Cc: Mikey Low
Subject: Re: Objection to Consent Use Application – Erf 987, 19 Kersbos Street, Vermont

Dear Sir/Madam,

I hereby submit my objection to the above application for consent use to allow a "Place of Instruction" at 19 Kersbos Street, Vermont.

While I recognise the applicants' intention to contribute to educational development in the community, I have the following concerns:

1. Traffic and Parking Impact

- o Kersbos Street is a residential street with limited traffic capacity. The proposal will generate repeated drop-offs and pick-ups throughout the day, despite the provision of parking bays on-site.
- o The increased vehicle movements pose safety risks to pedestrians and children in the area, as well as potential congestion for neighbouring residents.

2. Noise and Disturbance

- o The proposal allows activities up to 19:30 in the evenings. This is inconsistent with the quiet, residential nature of the neighbourhood and will negatively affect residents' right to peaceful enjoyment of their homes.

3. Change of Neighbourhood Character

- o Approving a non-residential use within a residential zone sets an undesirable precedent. The area is zoned for single residential purposes, and the introduction of semi-commercial activities risks undermining the residential character of Vermont over time.

4. Uncertainty of Future Use and Enforcement

- o Once consent use is granted, the approval remains with the property regardless of ownership. This raises the risk of future operators expanding the scope, frequency, or intensity of activities beyond what is currently proposed.
- o Enforcement of session limits, operating hours, and intensity of use may prove difficult for the municipality.

5. Impact on Property Values

- o The presence of a business-like operation within a residential area may reduce the desirability and value of neighbouring properties.

For these reasons, I respectfully request that the Municipality refuse the consent use application for Erf 987, as the proposal is not compatible with the surrounding residential character, poses traffic and safety risks, and sets a precedent that may negatively affect the neighbourhood in the long term.

Thank you for considering my submission.

FILE NO.	Erf 987 - HVM ✓
SCAN NO.	2849772
COLLABORATOR NO.	

TP

Yours faithfully,

Michael Low
(Intended Purchaser of ERF 997, currently owned by L Horn and A Henkel)

60/89

20 AUG 2025

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

Loretta Gillion

Sent: Wednesday, 20 August 2025 10:41
To: Loretta Gillion
Subject: Objection to Application for Consent Use – ERF 987, 19 Kersbos Street, Vermont

Dear Loretta Gillion

I am writing to object to the proposed land use application submitted by WRAP Project Office on behalf of JP Steyn & K van Schalkwyk, regarding ERF 987, located at 19 Kersbos Street, Vermont.

I would like to object to the proposed consent use for ERF 987 due to its potential negative impact on the residential character of Kersbos Street.

The development will increase traffic and parking pressure, posing safety risks and causing congestion.

Extended operating hours until 19:30 will disrupt the peace and quiet of the neighborhood and change the neighbourhood's residential character. Approving a non-residential use sets a concerning precedent that could erode Vermont's single residential zoning.

Furthermore, the permanence of the consent use raises concerns about future intensification and enforcement challenges, and the presence of a business-like operation may adversely affect property values in the area.

Cailey Lowa

(Wife of Intended Purchaser of ERF 997, currently owned by L Horn and A Henkel)

FILE NO.	ERF987-HVM
SCAN NO.	
COLLABORATOR NO.	2849404

JP

61/89

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 AUG 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Loretta Gillion

Sent: Tuesday, 19 August 2025 10:27
To: Loretta Gillion
Cc: istraussdewet
Subject: ERF 987, 19 KERSBOS STREET, VERMONT: APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF JP STEYN & K VAN SCHALKWYK

To whom it may concern

As owner of property 9 Kersbos Street I would like to register my complaint against the proposal to use of 19 Kersbos Street for business purposes.

I feel it will affect the area very negatively. An influx in vehicle traffic due to this proposal would mean that our quiet neighborhood will be ruined. Kids will not be able to play safely in the street and traffic incidences will increase at our current 2 way stop intersection where Gwarrie and Kersbos Streets meet (which people already do not adhere too properly). More people coming and going will also increase the risk of attracting more crime in the area. Above all what they are proposing with regards to parking spaces etc. will create an eye sore in our beautiful neighborhood and thus reduce the overall value of the houses in our street.

I feel they can use an appropriate business premises somewhere else in town for their proposed venture which will not negatively impact our neighborhood.

Kind Regards
Willem

FILE NO. Erf 987-HNM ✓
SCAN NO.
COLLABORATOR NO. 2848271

62/89

OVERSTRAND MUNICIPALITEIT
REKORDBEHEER
14 AUG 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Loretta Gillion

Sent: Thursday, 14 August 2025 09:25
To: Loretta Gillion
Cc: Jan Kotze
Subject: ERF 987, 19 Kersbos Street

Aangaande aansoek om vergunnings gebruik, wrap project office namens JP Steyn en K Van Schalkwyk,

Ons is die eienaars van 24 Kersbos straat,
En is NIE ten gunste van die projek by 19 Kersbos Straat Vermont.

Die redes,

- Veiligheids risiko – meer mense lok meer probleme (diefstal ens)
- kinders wat dood gery kan word wat speel in die straat word verhoog.
- Geraas besoedeling van motors.

Erken asb ontvangs van epos.

Groete,

FILE NO. <i>ErF987-HVM</i>
SCAN NO.
COLLABORATOR NO.
<i>2845902</i>



RADIE KOTZE - DIRECTOR AND FINANCIAL ADVISER



Website | infin8.co.za
 Address | Unit 4, First Floor,
 44 Oxford Street,
 Durbanville, 7550

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TP

63/89

Aantekening van beswaar teen vergunningsgebruik: Erf 987, Kersbosstr. 19, Vermont

Aangename woonomgewing

As cul-de-sac bied Kersbosstraat 'n rustige en veilige woonomgewing. Hierdie rustige atmosfeer word verder versterk deur die aangrensende groengordel. Die aangename omgewing is dan ook die hoofrede hoekom ons besluit het om vyftien jaar gelede hier af te tree.

Toename in verkeer

Indien die aansoek om vergunningsgebruik goedgekeer word sal dit 'n negatiewe impak op die veilige en rustige woonomgewing hê.

Volgens die aansoek sal die onderrigssessies weksdae tussen 10:00 en 19:30 plaasvind en sal 1,5 uur duur met 'n halfuur tussenin om ruimte te laat vir die toename in verkeer. Dit beteken daar kan 'n sessie elke 2 ure aangebied word en daar kan dus 5 sessies per dag ingepas word met 30 minute vir middagete. Die maksimum grootte van die groepe sal 10 studente wees.

Scenario 1: Veronderstel al 10 studente word deur iemand anders na en van die opleidingsessies vervoer

Dit beteken 4 ritte in Kersbosstraat per student. (In en uit vir aflaai en dieselfde vir oplaai).

Dit is 40 ritte per sessie

Vyf sessies = 200 ritte per dag.

Scenario 2: 5 studente ry self (5 parkeerplekke) en 5 word vervoer.

5 studente met eie vervoer (2 ritte per student) = 10 ritte

5 studente sonder eie vervoer (4 ritte per student) = 20 ritte

Dit is 30 ritte per sessie

Vyf sessies = 150 ritte per dag.

Dit mag wees dat elke opleidingsessie nie noodwendig uit 10 studente bestaan nie, maar die bogenoemde scenario's gee 'n goeie aanduiding wat die toename in verkeer mag behels.

Onaanvaarbaarheid van toename in verkeersvolume

'n Toename van 150 – 200 voertuie per dag sal die rustige en veilige woonomgewing van Kersbosstraat geheel en al vernietig.

Dit sal die volgende negatiewe impakte tot gevolg hê:

- Geraasbesoedeling

FILE NO. Erf 987 - HVM
SCAN NO.
COLLABORATOR NO.
2845904

TP

- Visuele impak
- Veiligheid van voetgangers en honde in Kersbosstraat
- Daling in eiendomspryse.

Aantekening van beswaar

In die lig van bogenoemde wil ons dus ten sterkste beswaar aanteken teen die moontlike goedkeuring van die aansoek om vergunningsgebruik op erf 987 (Kersbosstr. 19)

Frans en Magda Jordaan (inwoner & eienares)

Kersbosstr. 22 (Erf 975)

Loretta Gillion

Sent: Monday, 11 August 2025 16:36
To: Loretta Gillion
Subject: Aansoek om vergunningsgebruik Kersbosstr.19
Attachments: Aantekening van beswaar teen vergunningsgebruik.pdf

Vind asb aangeheg ons beswaar teen die goedkeuring van vergunningsgebruik te Kersbosstr.19, Vermont.

MC Jordaan (Eienares Kersbosstr.22)

PF Jordaan (Inwoner Kersbosstr.22)

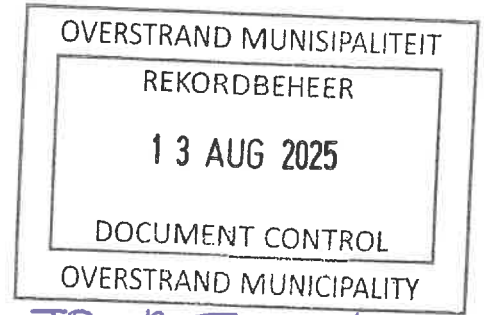
Loretta Gillion

Sent: Tuesday, 29 July 2025 20:47
To: Loretta Gillion
Subject: Re: Erf 987, 19 Kersbos Street, Vermont: Public Participation - You are regarded as a potentially affected property owner

Hello Loretta,

Verwys na die onderstaande mail as n moontlik geaffekteerde:-

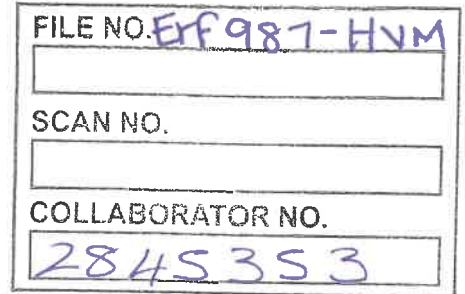
Erf 995
Melkhout
RL Meyer
Eienaar



TP-A Theart
(Holivier)

Order geen omstandighede kan ek die voorgestelde aansoek ondersteun nie. Ek is ten sterkste daarteen gekant. Ons as inwoners van n residentiele woonbuurt kan nie toelaat dat dit in n kommersiele omgewing omskep word nie. Dis nie n hoofweg waar dit waarskynlik toegelaat sou word. Hierdie is n aansoek diep in residentiele gebied. Dit sal die tranquillity van Vermont verwoes. Waar word die streep getrek as dit nou toegelaat word? Defnitief nie.

Baie dankie
Retha Meyer



Sent from Outlook for iOS

Subject: Erf 987, 19 Kersbos Street, Vermont: Public Participation - You are regarded as a potentially affected property owner

To whom it may concern

ERF 987, 19 KERSBOS STREET, VERMONT: APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF JP STEYN & K VAN SCHALKWYK

You are regarded as a potentially affected property owner.

Attached please find a self-explanatory notice for your attention.

Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 (By-Law) requires that notice must be given, and Section 49 allows for a period of not less than 30 days from the date on which notice was given to affected persons to submit comments, objections or representations in respect of a land use planning applications. Council, during a meeting held on 30 November 2023, resolved that such notice be given via e-mail in accordance with the provisions of the Electronic Communications and Transactions Act, 25 of 2002. Due to ongoing difficulties in service delivery experienced by the South African Post Office, and as per the aforesaid Council resolution, **NO** registered mail/letters will be forwarded in the interim period.

TP



67/89

SJ & AS Viljoen
Erf 994
19 Melkhout street
VERMONT
7201

TP - A Theart
(H Olivier)

Directorate: Planning & Development
Divisional Manager: Town & Spatial Planning
Overstrand Municipality
HERMANUS
7200

4 August 2025

Dear Sir/Madam,

Subject: Objection to Consent Use Application for a place of instruction (business) in residential zone [File ref: 987 HVM/APP ID:4940/2025]

As homeowners of Erf 994 - 19 Melkhout street, Vermont (who would be directly impacted by the application), we are writing to **formally object** to the above-mentioned planning application concerning the proposed registration of a place of instruction (registering a business) at 19 Kersbos street, Vermont (Erf 987), which is directly adjacent to our property.

We have serious concerns regarding the potential impact of this development on the character of the area, hours of operation, noise and traffic, and reduced property value that would affect our property as well as the surrounding neighbourhood. Our objections are based on the following grounds:

1. Incompatibility with Zoning and Spatial Planning Principles

- The proposed use is inconsistent with the current residential zoning of the area. The property is registered as a dwelling house (as per the primary use parameters). On page 5 of the application (Economic Impact) it states that this venture may create part-time employment opportunities and support business activity. To be classified as a place of instruction it would need to be registered as a business. Even without signage, the shift from a private dwelling to a multi-use space may erode the residential tranquillity of the area.
- Any business that runs from home infringe on residential zoning regulations because the zoning laws state that the business can only be conducted in areas zoned for business use and not in residential areas.
- Allowing a change to the primary use of the property will set a precedent for further non-residential developments, undermining the integrity of the spatial development framework for the immediate surroundings.
- There are concerns about future intensification or expansion of the centre beyond current limits. What regulatory oversight or formal institutional control would be applied?
- Increase in daily visitors could change the perception of the area from being purely residential to semi-commercial.

FILE NO.	Erf 987-HVM
SCAN NO.	
COLLABORATOR NO.	2844903

TP 13 AUG 2025

- Due to the 8 parking bays in front of the property (directly visible from street level) the aesthetics of the neighbouring area would be impacted.

2. Hours of operation

- It is stated on page 2 of the application that the hours of operation will be between 10:00 and 19:30 on weekdays, with sessions typically lasting 1.5 hours. (in total 9h30 minutes per day) with a break between sessions of 30 minutes. This would result in 5 groups of up to 10 students (page 4 of the application indicates the dwelling house = 2 bays, 1 classroom = 1 bay, 10 students = 5 bays) being accommodated resulting in 50 students per day accessing the premises.
- It is also unacceptable that the hours of operation are extending into the evening hours when residents expect peace and privacy. Even limited activities during later hours may disturb nearby families, especially those with young children or elderly members.

3. Noise and Traffic Concerns

- Increased vehicular traffic may pose safety risks, especially for children and elderly residents in the area. The neighbourhood is known people walking and kids riding their bicycles.
- Parents and visitors unfamiliar with the area may inadvertently create safety hazards (e.g. parking on sidewalks, blocking driveways, and driving too fast).
- Although activities are described as low-intensity, groups of learners arriving and leaving regularly may result in noise and disruption beyond typical residential expectations.
- There is a potential for spillover parking onto neighbouring properties, leading to potential community friction/changing neighbourhood aesthetics. It is stated that 10 students require 5 bays (page 4 of the application). This indication is in doubt as 10 students might result in 10 vehicles per session – it cannot be assumed that 2 students will share a vehicle. These vehicles would therefore need to park in the street in front of neighbouring properties (accommodation is only made for 5 student parking bays. This has a potential impact of 50 cars per day/250 cars per week. There is also a concern about potential drop offs and pickups within the allotted 30-minute timeslot set aside for it (20 potential vehicles within a 30-minute period would negatively impact the neighbouring owners).
- Frequent foot and vehicle traffic may alter the quiet character of the street impacted (Kersbos cul-de-sac) as well as adjacent streets.
- Ghwarrie crescent already pose risks to residents who are turning out of Melkhout street. There is no speed bump for vehicles coming from the top going down Ghwarrie crescent (refer to image on the next page).



4. Impact on property values

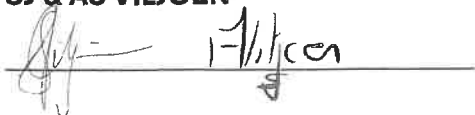
- Perceived commercialization: Even a low-intensity educational institution (business) use may shift the perception of the area from purely residential to mixed-use, which can deter buyers seeking quiet, single-use neighbourhoods. Vermont is known for its tranquillity and was the reason why we bought in the area.
- Traffic & Activity Levels: Increased daily vehicle movement and learner drop-offs may raise concerns about congestion, noise, and safety — all of which can influence buyer sentiment and affecting property values.
- Market Sensitivity: Buyers may worry about future expansion or intensification of use, even if the current proposal is modest. This uncertainty can affect demand and pricing.
- Estate agents have indicated that in the past property values declined due to rezoning applications that were approved that changed the characteristic of the neighbouring properties.

We understand that an education institution/small business creation is required in the bigger Hermanus area but there are designated business zones with adequate access where such activities can occur. We respectfully urge your Department and the Overstrand Municipality to consider these concerns and reject the application. We are not opposed to skills development or allowing new businesses to start, but it must be appropriate, sustainable, and aligned with the needs and character of the existing community in zones already set aside for such activities.

Thank you for your attention on this matter.

Yours faithfully,

SJ & AS VILJOEN



Loretta Gillion

Sent: Tuesday, 12 August 2025 09:41
To: Loretta Gillion
Subject: Re: Erf 987, 19 Kersbos Street, Vermont: Public Participation - You are regarded as a potentially affected property owner
Attachments: SJ & AS Viljoen - Objection to Consent Use Application for a place of instruction (File ref (987 HVM) - APP ID (4940-2025)).pdf

Good morning Loretta

Please find the following objection regarding an application submitted to the Overstrand Municipality that directly affects our property at 19 Melkhout St, Vermont, 7201 (Erf 994):

- **Objection** to Consent Use Application for a place of instruction (business) in residential zone [File ref: 987 HVM/APP ID:4940/2025]
- **Owners:** SJ & AS Viljoen
- **Address:** 19 Melkhout St, Vermont, 7201 (Erf 994)
- Reasons of objection stated in attached pdf document

Can you kindly confirm the submission/acceptance of this objection.

Kind regards
Sarel & Anna Viljoen

On Wed, 23 Jul 2025 at 14:20, Loriaan Isaacs <loriaanisaacs@overstrand.gov.za> wrote:

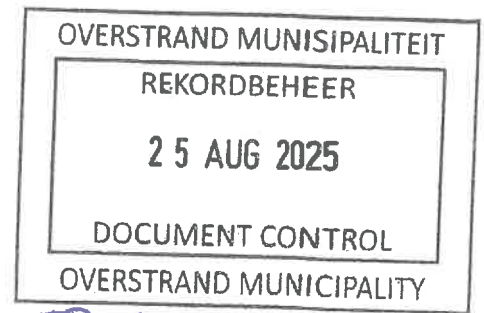
To whom it may concern

ERF 987, 19 KERSBOS STREET, VERMONT: APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF JP STEYN & K VAN SCHALKWYK

You are regarded as a potentially affected property owner.

Attached please find a self-explanatory notice for your attention.

Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 (By-Law) requires that notice must be given, and Section 49 allows for a period of not less than 30 days from the date on which notice was given to affected persons to submit comments, objections or representations in respect of a land use planning applications. Council, during a meeting held on 30 November 2023, resolved that such notice be given via e-mail in accordance with the provisions of the Electronic Communications and Transactions Act, 25 of 2002. Due to ongoing



71|89

TP - A Theart
(H Olivier)

The Municipal Planning Manager

Overstrand Municipality

16 Paterson Street

Hermanus, 7200

24 August 2025

Aantekening van beswaar teen vergunningsgebruik: Erf 987, Kersbosstr. 19, Vermont

Hierdie skrywe dien as **formele** aantekening van beswaar teen vergunningsgebruik: Erf 987, Kersbosstr. 19, Vermont

Omgewings Impak

Kersbosstraat is 'n residensiële doodloopstraat geleë binne 'n groen belt. Die Omgewings impak van die voorgestelde aansoek is nie voldoende aangespreek nie, aangesien verhoogde verkeers druk 'n bedreiging vir plaaslike fauna en flora inhou.

Verkeer en Veiligheid

Die vestiging van 'n kommersiële opvoedkundige fasiliteit in Kersbos straat gaan lei tot verhoogde verkeersdruk en onnodige toegang van mense tot 'n residensiële area en gaan die veiligheid en sekuriteit van die buurt beïnvloed. Die frekwensie van die klasse en die voorgestelde besigheids ure gaan lei tot onnodige ontwinging in a stil woonbuurt.

Die aansoek detaileer nie waar studente gaan wag tussen klasse nie en die straat het geen fasiliteite vir leerders nie

Daar is geen identifiseerbare voordeel verbonde aan die vestiging van so 'n fasiliteit binne die Kersbos-woonbuurt of the groter Vermont area nie.

Hermanus Stadskern bied reeds soortgelyke fasiliteite waar toepaslike sonering in plek is en geskikte infrastruktuur vir 'n opleidingsfasiliteit bestaan.

Verder is daar geen assessering gedoen van die potensiële negatiewe impak op eiendomswaardes in die gebied nie.

Opsomming

Om die redes hierbo uiteengesit, dien ek my formele beswaar in teen die aansoek om vergunningsgebruik en versoek die Overstrand munisipaliteit om die versoek af te keur.

Annelize Marais

Kersbos 25 [ERF 984]

FILE NO.	Erf 987-HVM
SCAN NO.	
COLLABORATOR NO.	2851238

TP

Loretta Gillion

Sent: Sunday, 24 August 2025 12:51
To: Loretta Gillion
Subject: Aantekening van beswaar teen vergunningsgebruik: Erf 987, Kersbosstr. 19, Vermont
Attachments: Beswaar ERF 987 VERMONT - A Marais Kersbos 25 ERG 984.pdf

Hi Loretta

Aangeheg ons getekende aantekening van bewaar

Die beswaar word aangeteken binne die aanvaarbare tydperk soos uiteengesit in julle skrywe

Groete

Annelize Marais
Eienaar Kersbos 25 ERF984

24 August 2025

The Municipal Planning Manager
Overstrand Municipality
16 Paterson Street
Hermanus, 7200

73/89

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
25 AUG 2025
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP - A Theart
(H Olivier)

Re: Formal Objection to Consent Use Application – Erf 987, 19 Kersbos Street, Vermont (Place of Instruction – WRAP Project Office)

Dear Sirs

Objector Details

- **Name:** Maria Ioannou van den Bosch
- **Address:** 31 Kersbos Street, Vermont, Hermanus, 7201
- **Contact:**
- **Interest:** Affected resident and property owner in the immediate vicinity

This objection is submitted within the statutory timeframe as per Sections 51 and 52 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The application seeks to introduce an intensive commercial educational land use within a quiet residential cul-de-sac, namely Kersbos Street. It fails to comply with the Overstrand Municipality Land Use Scheme and the Spatial Planning and Land Use Management Act (SPLUMA), 2013, notably by not demonstrating exceptional circumstances to depart from primary residential zoning and lacking required technical assessments and adequate community consultation. I therefore request that the Municipality refuse this application.

LEGAL AND PLANNING GROUNDS FOR OBJECTION

Non-Compliance with Overstrand Municipality Amendment By-Law, 2020

- The application does not satisfy the consent use criteria under Section 16(2)(o), requiring justification through *exceptional circumstances* to depart from residential zoning.
- No comprehensive impact assessment or mitigation measures have been disclosed to address potential harm to neighbouring properties.
- Operational details are vague, preventing proper evaluation of potential impacts.

Contravention of SPLUMA, 2013

- Section 7(1) (Development Principles) is contravened as the proposed commercial use is incompatible with the residential character, adversely affecting property values and community amenity.
- The principle of Good Administration is breached due to insufficient and generic public consultation, denying affected residents any meaningful input.
- Spatial Sustainability is undermined by ongoing operational demands unsupported by residential infrastructure.

FILE NO. Erf 987- HVM
SCAN NO. 2851243
COLLABORATOR NO.

TP

Zoning Incompatibility

- The use involves multiple daily sessions with fee-paying students and specialised equipment—activities inappropriate within the residential zoning of Erf 987.
- Operating hours from 10:00 to 19:30 exceed typical residential activity times, leading to increased disturbance.

TECHNICAL OBJECTIONS**Inadequate Traffic Impact Assessment**

- The application underestimates traffic impact by ignoring drop-off and collection vehicle movements, each session generating approximately 40 vehicle movements (20 drop-offs + 20 collections). A total of 5 sessions per day are planned, requiring 200 vehicle movements per day.
- Multiple daily sessions create significant peak congestion, incompatible with Kersbos Street—a narrow residential cul-de-sac lacking adequate parking capacity.
- No professional traffic impact study accompanies the application despite substantial traffic increase projections.

Community Safety Concerns

- Increased traffic and parking overflow may impede emergency vehicle access, critical given the presence of elderly residents.
- No emergency access management or protocol has been provided.
- Introduction of unfamiliar vehicles and persons compromises neighbourhood security and natural surveillance.

Environmental Impact Assessment Deficiencies

- The claim of "no negative biophysical impact" is unsubstantiated, disregarding Vermont's location within a green belt wildlife corridor and impacts on local fauna.
- Increased vehicle movements degrade residential tranquillity.
- No assessment or compliance confirmation under the National Environmental Management Act (NEMA) has been included.

PROCEDURAL CONCERNS**Inadequate Community Consultation**

- No evidence demonstrates meaningful direct consultation with affected residents, falling short of SPLUMA's public participation standards.
- The generic public notice issued is insufficient for a significant land use change of this nature.
- No neighbourhood meeting or stakeholder engagement session has been conducted.

Additional Application Deficiencies

- Critical technical reports, including traffic and environmental impact assessments, have not been submitted.
- The application shows poor site selection analysis and fails to consider alternative, more appropriate commercial locations.
- Insufficient operational details impede proper review.

IMPACT ON COMMUNITY AND RESIDENTIAL AMENITY

Protection of Residential Character

- Kersbos Street is a peaceful cul-de-sac whose residential amenity will be compromised by continuous commercial traffic, student activity, noise, and potential loitering outside operational hours.

Impact on Property Values and Community Cohesion

- Encroachment of commercial uses into residential zones typically results in diminished property values and degrades neighbourhood atmosphere.

ALTERNATIVE LOCATIONS

- Hermanus has established commercial zones along Main Road and mixed-use areas better suited for educational uses with adequate parking and access infrastructure.
- Existing educational institutions may accommodate specialised programs, minimising impact on residential neighbourhoods.
- These alternatives would uphold zoning compliance and protect residential amenity.

REQUESTED RELIEF

In light of the above, I respectfully request that the Overstrand Municipality:

1. REFUSE the consent use application in its entirety.
2. PROTECT Erf 987 and the broader Kersbos Street residential zoning integrity by rejecting this incompatible commercial intrusion.
3. REQUIRE comprehensive traffic and environmental impact assessments for any future land use applications of a similar nature.
4. ENSURE proper, meaningful, and transparent community consultation in accordance with SPLUMA and municipal by-laws.
5. DIRECT the applicant to seek premises that are appropriately zoned for commercial educational activities.

CONCLUSION

This application lacks compliance with relevant land use planning legislation, fails to adequately assess and mitigate significant impacts, and disregards essential community participation requirements. Approval would detrimentally affect the residential character, safety, and quality of life in Kersbos Street. I urge the Municipality to uphold statutory planning principles and refuse this application.

Yours faithfully,



Maria van den Bosch

Loretta Gillion

From: ..
Sent: Sunday, 24 August 2025 18:36
To: Loretta Gillion ..
Cc:
Subject: Objection to rezoning of Erf 987, 19 Kersbos street, Vermont
Attachments: Objection 19 Kersbos.pdf

Dear Sirs

Please find attached my objection to the rezoning of Erf 987, 19 Kersbos street, Vermont.

Yours faithfully

Maria van den Bosch

)

77/89

25 AUG 2025

DOCUMENT CONTROL

OVERSTRAND MUNICIPALITY

Loretta Gillion

From: Monday, 25 August 2025 14:53
Sent: Loretta Gillion
To: Objections against the Application for Consent Use, Erf 987, 19 Kersbos Street Vermont
Subject: Objections Against the Application for Consent Use, Erf 987, 19 Kersbos Street Vermont.docx; Objections Mun Docs Re 19 Kersbos Str Vmont.docx
Attachments:

Dear Madam

Kindly find attached the abovesaid document, with written comments regarding the noted matter, which referring to a recently circulation from the Municipality concerning the Application for Consent Use, to close property owners in Vermont (documentation also attached).

Best regards

SE Engelbrecht

FILE NO.	Erf 987-HVM
SCAN NO.	
COLLABORATOR NO.	2851632

TP

Name : Susanna E & Amos S Engelbrecht

Adres : 38 Ghwarrie Street, Vermont (c/r Ghwarrie- and Kersbos Street)

Contact :

Email :

Reasons for Comment: Residents at the c/r Ghwarrie- and Kersbos Streets (turn-off into Kersbos Street) and directly disturbed by the undermentioned Application

OBJECTIONS AGAINST THE APPLICATION FOR CONSENT USE, RE ERF 987, 19 KERSBOS STREET, VERMONT SUBMITTED BY WRAP PROJECTS OFFICE ON BEHALF OF JP STEYN AND K VAN SCHALKWYK

Objections against the abovementioned Application are listed here-under:

1. Referring to Point 3 of the Application – See paragraph 3

The application speaks of an iHubs online school *offering* and as quoted from the application "***providing educational services – specifically club activities such as Virtual and Augmented Reality, no teaching and learning will take place from the property***".

However, the following sentence stated, and as quoted "***but weekly activities to support and promote social skills development of learners will take place at the subject property***". This statement is confirmed by the timeframes of the in-person, daily learning sessions later in the Application.

Objection against the Application:

Within the very first paragraph of the Application, inconsistency of the activities is stated. In contrast of the first sentence "activities will be online" the last quoted sentence confirmed that "weekly activities" will take place at the property.

(1) Question - what is the correct information and motive of the Application, viewing that the implications of these two sentences, describing the main purpose of the business, are in risky contradiction with each other. The consequences will differ drastically (online activities are relatively no learners attending training against in-person attendance are groups of learners (quoted from the Application) attending uninterruptedly daily). The Application skillfully never mentioned the number of learners they are aiming to serve daily. This undefined fact is a stimulus for more vehicles/bikes etc, driving to-and-from the property and/or park in the street with related consequences for the close neighbours (facts highlighted below).

(2) Question - If these business activities expand, have the Authority controls in place to ensure future unlimited expansion of the business? (with additional vehicles pouring into the area). To outline - a constant daily high impact traffic flow (refers to Illustration below) from Ghwarrie Street (stop street) into Kersbos Street (Cul-de-sac), and further onto the property of 19 Kersbos Street, will be unavoidable.

(3) Concern - As these streets are not equipped with sidewalks - security of pedestrians, little children and pet owners (walking with their pets) will constantly be under threat and another unpredicted concern is the senior citizens. Who will ensure the vulnerable senior citizens are relatively safe, they are used to going for their daily exercises in these streets and suddenly will be troubled with this high traffic influx - knowing that several senior citizens are living in this area, not even to speak about the vulnerable wildlife in the area. The training (as defined later,) is a daily activity from 10:00 until 19:30.

(4) Scenarios of Traffic Influx - The traffic increases, to be originated from the project, are illustrated in the "Illustration of the Traffic Table" below. The number of learners and/or classes are based on an average which can be increased in due time (from start or pending business expansion) and contribute than to even more congestion of vehicles. Once approval is granted, the path for expansion is open and involves even more traffic. The Application is silent about the number of learners they are aiming to serve daily.

Illustration of the Traffic Table:

These details are withdrawn from the proposal to calculate 2 scenarios concerning traffic influx:

- The Application/motivation stated "*small groups*" of learners and activities are expected to take place between 10:00 and 19:30 weekdays and last for 1.5 hours with 30 minutes intervals.

To argue;

- If a group consists of 10 learners and there are 4 sessions during a day with a 30-minute interval;

Scenario 1 – If 10 learners attend a 1.5 hour sessions daily;

If 10 learners are transported by parents, it means, 1 vehicle will do 4 trips for each learner,

- For example - a 1st trip to the property to drop the learner, then followed by a 2nd the return trip of the vehicle (meaning - drive in Ghwarrie Street and turn into Kersbos Street, drop the learner and return the same way).
- After 1.5 hours (time of the training session), a 3rd trip to fetch the learner at the property and followed by a 4th - the return trip (in the same streets). This is 4 trips for one learner.
- Thus 4 trips (per learner) X 10 learners (per session) = 40 vehicle trips per 1.5 hour session and there will be 4 sessions during a normal day.
- Thus 40 trips for each session X 4 sessions per day = 160 vehicle trips per day.
- Realistically summarised - its 160 vehicles per day, using Ghwarrie Street (stop street), turn into Kersbos street and drop a learner at 19 Kersbos Street, then return home. After 1.5 hours the same vehicle needs to come back and fetch the learner, after completion of the study session and return in the same street(s). Is this low-impact traffic as noted by the Application?

Scenario 2 - If 5 learners have own their transport and 5 learners need transport;

If thus 5 students have their own cars (using 5 parking bays at the property - there are only 8) and the other 5 learners are to be transported to and from the property,

- 5 learners = only 2 trips for each learner = 10 trips, (in and out of the said streets after every 1.5 hours plus 30 minutes)
- 5 learners to be transported = 4 trips for each learner X 5 = 20 trips, (in and out of the said streets after every 1.5 hours plus 30 minutes) as described under Scenario 1.
- This is 30 trips for each session of 1.5 hours
- Thus 4 sessions X 30 trips = 120 trips for each day (in and out of Ghwarrie Street and Kersbos Street)

Consequences : (1) Irrespective of how illustrations are calculated, the influx of vehicles from Ghwarrie Street into Kersbos Street will be between 120 to 160 vehicles each day. (significantly more than being at most businesses in any business zoning area, it will be more like a mini Hermanus Mall). There are only two entrances from the R44, one from Onrus and the other via Lynx Street which have to deal with the cited traffic congestion first, thereafter, traffic will find a street and all flow into Ghwarrie Street and then into Kersbos Street a Cul-de-sac.

(2) This business is not running within normal office business hours; however Par 4.1 confirms, it starts at 10:00 until 19:30. Hence, we as neighbours have to deal with the abnormal traffic overflow daily into the early evening which is 19:30. As a result, the neighbourhoods' children will never have the privilege again to play in the streets even in the late afternoons as they used to do and the same apply for those residents who wish to walk, cycle etc, late afternoons.

(3) This extremely constant traffic noise, -movement and unsafe roads environment, will negatively influence all the other property owners' physical- and mental health (nobody is used to such extreme traffic flow/noise) and not even to mention the deadly effect on the existing wildlife. Property owners bought property in Vermont because of the healthy green areas, safe roads for old and young to walk freely and enjoy the wildlife, which will henceforth be extremely under threat. Said that, escalation in vehicle accidents at the corner of Ghwarrie Street and Kersbos Street (with no sidewalks) where so many children and senior citizens walk daily, are accidents waiting to happen and as property-owners, it is our responsibility to highlight these unpredicted possibilities.

(4) Another reality to face will be the devaluation of property values in this uncontrolled traffic overflow area - will the authority compromise on property rates and taxes due to this situation.

2. Referring to Paragraph 4 of the Application

2.1 As quoted from the 1st paragraph

"In the case no formal teaching or academic instruction will take place on the premises, but instead, small-scale, weekly, in-persons educational support sessions will be held to promote

social skills development through structured activities, primarily in the field of Virtual and Augmented Reality". ***"These sessions will typically last for 1,5 hours with 30-minute intervals between sessions "***.

Objection against the Application:

This is a follow-up on Paragraph 3, regarding the inconsistency of learning/teaching support (*no formal teaching at the premises* but ... (further in the paragraph its stated) Session will last for 1.5 hours with 30-minutes intervals).

The reality is thus, a new group of learners (does the Application intentional not mention the numbers) will attend these sessions within every 2 hours, refer to the "Illustration of Traffic Table" above. Viewing that the property is far from the main residential and/or business infrastructure of Hermanus, thus, only transport can bring these learners to the training premises, 19 Kersbos Street, with far-reaching traffic problems that will disturb daily, all the nearby residents as already noted, who live a quiet and environmentally supporting life.

2.2 As quoted from the 2nd paragraph

"Due to iHubs being an online educational centre, learners from Vermont and Onrus can obtain education without the need too travel outside the area".

Objection against the Application:

On offer, it is an online program, but practicality, the learners attend in-person, in fact, this paragraph does not lessen the traffic nor reduce the number of vehicles during a day/week in the mentioned streets. Irrespective of how far learners must travel, additional vehicles will come, drop the learner, depart and come back again to fetch the learner and depart again, that is 4 times for each learner.

2.3 As quoted from the 3rd paragraph

"The proposed educational activities will be low-intensity and limited in scale, taking place in a room in the front section of the dwelling".

Objection against the Application:

The argument does not minimise the traffic, towards and from the property – however, if the owners of the Applicant sees the influx of vehicles as "*low-intensity and limited in scale*", surely the conclusions listed under "Illustration of the Traffic Table" confirms a totally opposite disorder and an enormous impact on the immediate environment and its inhabitants. The Application continuously keeps silent about the number of learners who will attend the classes daily, at the property and the question is why so secretive about the numbers.

2.4 As quoted from the 4th paragraph:

"The nature of the activities (structured, short-duration sessions occurring no more than once per day), ensures minimal impact on the surrounding properties. Activities are expected to take place between 10:00 and 19:30 on weekdays, with sessions typically lasting only 1.5 hours. Attendance will be limited to small groups, and no signage, noise, or traffic congestion is anticipated beyond what is typical for a residential area".

Objection against the Application:

The paragraph's activities/timeframes confirm undoubtedly, what catastrophic consequences the Application will bring to the area and outlines the seriousness of the movement of vehicles and even more, supports the above mentioned "Illustration of the Traffic Table" consequences, regarding the Ghwarrie Street / Kersbos Street traffic, towards and from 19 Kersbos Street.

To put in perspective, due to the additional traffic, who will be responsible for the related security risks against pedestrians, children, pet owners (walking their pets) and vulnerable senior citizens (even more those with walking aids), as streets are not equipped with sidewalks.

2.5 As quoted from the 5th paragraph:

“The proposal contributes positively to youth development and community enrichment by offering learners a safe, supervised space to engage in practical, collaborative, and socially interactive learning experiences”.

Noted: The paragraph further feeds on assistance from various Legislatives regulations in support of justification of the project.

Objection against the Application:

The argument is, if the Application aim to support the community, the iHubs' infrastructure should be located within a more centralised area and/or closer to the Hermanus business hub, or schools of the Hermanus area and not out-of-the-way in a residential area and accordingly burden learners with additional financial travel expenses in order to attend the above-said activities - serving the community is to take a product to the community.

2.6 As quoted from the 6th paragraph:

“The proposal promotes sustainable land use by enabling a portion of the existing built environment to serve a broader community function without requiring any new development or construction”.

Objection against the Application:

As stated above, the project should be located within the Hermanus business hub and enable learners to walk to the facility, if the understanding is to serve the broader community. To change the “present survival of the environment and quiet residential area, only one ill-considered approval is required to start an ongoing application process for associated “low-impact/intensity” business licences.

2.7 As quoted from the 7th paragraph:

“The proposed consent use for a Place of Instruction on the subject property is reasonable, contextually appropriate, and socially beneficial. It represents a low-impact, community-oriented use of the property that supports the broader educational needs of learners enrolled in a progressive, technology-driven schooling model”.

Objection against the Application:

If the Application's intention is to educate/supports the broader community and address the broader educational needs of learners – why open the training facility in a residential area away from the Hermanus business infrastructure and not adjacent to existing schools / educational centres etc, now the facility can only serve learners who are financially equipped to travel.

3. Referring to paragraph 8 of the Application:

As quoted from Par 8;

“Access and Egress to the subject property is gained from Kersbos Street and the proposal will not affect this.”

Objection against Application:

The property will be equipped with 8 parking areas , thus access from Kersbos Street (although narrow) into the property may perhaps not be such a problem, but the high impact of the additional traffic increase from Ghawarrie Street into and out of Kersbos Street, to serve this business activities of 19 Kersbos Street, will unquestionably be a challenge for the current Kersbos Street proper owners and change the quiet environment of the area and contribute to unforeseen safety risks against inhabitants and wildlife, as noted above.

4. Referring to paragraph 9 of the Application:

As quoted from Par 9;

“Socio-economic impact.....,

Compatibility with surrounding uses.....,

Impact on safety, health and wellbeing of the surrounding community.....,

Traffic impacts, parking, access and other transport related considerations.....”

“the low-intensity nature of the use ensures that it integrates harmoniously with the residential character of the area, with no adverse impacts on the surrounding community or infrastructure”

Objection against the Application:

As stated earlier in this document, if the Application’s intention is to promote community upliftment, the IHub should be housed in the Hermanus business hub, near existing schools / educational centres and not in a residential area, with all the adverse impacts as constantly documented above, on the residents (more so on the senior citizens, children), wildlife, influx of traffic, noise-levels, property values – the quiet residential character of the area will be transformed negatively for ever.

The Application specified further; *“integrates harmoniously with the residential character of the area with no adverse impact on the surrounding community”*. The Applicant is silent about the number of vehicles in association to the number of learners who will attend daily and the mentioned statements does not echo nor promote the interest of the surrounding community nor the environment and convey no respect against the neighbourhood’s property owners.

“Economic impact and Environmental impact”

Objection against the Application:

As noted in the Application’s document, the training initiative/purpose is to serve the community, develop/encourage entrepreneurial opportunities and related skills, develop part-time employment opportunities, support small business - it entirely demonstrates the need to serve the broader community of all “walks-of-life”. To balance the economic impact, the infrastructure/venue should be much more accessible than a residential house (which only benefit the Application’s interest), and not the learners who need the training but also additional funding for travel.

The environmental impact on the surroundings (residents, streets, wildlife), high stress level of the traffic and related pressure over time are unpredicted consequences.

Consent:

If this Application is not rejected, it opens the doors in future for all kinds of *“so-called low-impact and environmentally friendly businesses”* in Vermont. Slowly the pristine environment with its wildlife will be swallowed by various business activities and turn Vermont into a low-impact business hub and we as proud property owners are exposed to results of unforeseen and unpredictable devastation.

As described in the various Objection points above, **consent is not given** to the Application of Erf 987, 19 Kersbos Street, Vermont.

Best regards

A S and S E Engelbrecht
Erf 949,
38 Ghwarrie Street or c/o Ghwarrie Street and Kersbos Street, Vermont
Mobile ~

Aantekening van beswaar teen vergunningsgebruik: Erf 987, Kersbosstr. 19, Vermont

Aangenane woonomgewing

As cul-de-sac bied Kersbosstraat 'n rustige en veilige woonomgewing. Hierdie rustige atmosfeer word verder versterk deur die aangrensende groengordel. Die aangename omgewing is dan ook die hoofrede hoekom ons besluit het om vyftien jaar gelede hier af te tree.

Toename in verkeer

Indien die aansoek om vergunningsgebruik goedgekeer word sal dit 'n negatiewe impak op die veilige en rustige woonomgewing hê.

Volgens die aansoek sal die onderrigssessies weksdae tussen 10:00 en 19:30 plaasvind en sal 1,5 uur duur met 'n halfuur tussenin om ruimte te laat vir die toename in verkeer. Dit beteken daar kan 'n sessie elke 2 ure aangebied word en daar kan dus 4 sessies per dag ingepas word met 30 minute vir middagete. Die maksimum grootte van die groepe sal 10 studente wees.

Scenario 1: Veronderstel al 10 studente word deur iemand anders na en van die opleidingsessies vervoer

Dit beteken 4 ritte in Kersbosstraat per student. (In en uit vir aflaaï en dieselfde vir oplaai).

Dit is 40 ritte per sessie

Vier sessies = 160 ritte per dag.

Scenario 2: 5 studente ry self (5 parkeerplekke) en 5 word vervoer.

5 studente met eie vervoer (2 ritte per student) = 10 ritte

5 studente sonder eie vervoer (4 ritte per student) = 20 ritte

Dit is 30 ritte per sessie

Vier sessies = 120 ritte per dag.

Dit mag wees dat elke opleidingsessie nie noodwendig uit 10 studente mag bestaan nie, maar die bogenoemde scenario's gee 'n goeie aanduiding wat die toename in verkeer mag behels.

Onaanvaarbaarheid van toename in verkeersvolume

'n Toename van 120 – 160 voertuie per dag sal die rustige en veilige woonomgewing van Kersbosstraat geheel en al vernietig.

Dit sal die volgende negatiewe impakte tot gevolg hê:

- Geraasbesoedeling
- Visuele impak
- Veiligheid van voetgangers en honde
- Daling in eiendomspryse.

Aantekening van beswaar

In die lig van bogenoemde wil ons dus ten sterkste beswaar aanteken teen die moontlike goedkeuring van die aansoek om vergunningsgebruik op erf 987 (Kersbosstr. 19)

OBJECTIONS AGAINST THE APPLICATION FOR CONSENT USE, RE ERF 987, 19 KERSBOS STREET, VERMONT SUBMITTED BY WRAP PROJECTS OFFICE ON BEHALF OF JP STEYN AND K VAN SCHALKWYK

Objections against the application are listed here-under:

1. Referring to Paragraph 3 of the Application:

The application speaks of an iHubs online school *offering* and as quoted from the application "***providing educational services – specifically club activities such as Virtual and Augmented Reality, no teaching and learning will take place from the property***".

However, the following sentence stated, and as quoted "***but weekly activities to support and promote social skills development of learners will take place at the subject property***".

Objection:

Within the very first paragraph of the Application, inconsistency of the activities is stated. In contrast of the first sentence "activities will be online" the last quoted sentence confirmed that "weekly activities" will take place at the property. My questions are (1) what is the correct information and motive of the Application, viewing that the implications of these two sentences are in contradiction with each other. The ratio will differ, (2) If these business activities expand, how much more learners/vehicles/bikes etc will attend and then drive to the property and or parking in the street, Has the Authority controls in place to ensure the last possibility of unrestricted expansion (and more vehicles pouring into the area). Thus a constant daily traffic flow (refers to Illustration below) from Ghwarrie Single into Kersbos street, and onto the property of 19 Kersbosstr, will be certain.

The traffic increases to support the project are illustrated in the table below. The number of leaners and/or classes are based on an average which can be increased in due time (pending business expansion) and contribute to an even more congestion of vehicles. Once approval is granted, expansion will be the next step together with the traffic. Henceforth, security of pedestrian, little children and pet owners {waking with their pets} will constantly be under threat and further, who will ensure senior citizens {who are used to go for their daily walks} will be save under these circumstances, knowing that various senior citizens are living in this area, not even to speak about the wildlife in the area.

Illustration of the Traffic Table:

These details are withdrawn from the proposal;

- The Application/motivation stated "*small groups*" of learnes and activities are expected to take place between 10:00 and 19:30 weekdays and last for 1.5 hours with 30 minutes intervals.

Further Debated;

- If a group consists of 10 learners and there are 4 sessions during a day with a 30-minute lunch;

Scenario 1;

If 10 learners are transported by parents, it means 1 vehicle will do 4 trips for each learner,

- a trip to the property and drop the learner, followed by a 2nd /return trip (meaning - drive in Ghwarrie Singel and turn into Kersbos Street, drop the learner and return the same way).
- After 1.5 hours, a 3rd trip to fetch the learner at the property and followed by a 4th - the return trip (in the same streets).
- Thus 4 trips X 10 learners = 40 vehicle trips per session and there will be 4 sessions during a normal day,
- Thus 40 trips for each session X 4 sessions per day = 160 vehicle trips per day,
- Realistic its 160 vehicles per day, using Ghwarrie Single and turn into Kersbos street and drop a learner at 19 Kersbos Street and fetch the learner later after completion of the study session.

Scenario 2;

If 5 students have their own cars (using 5 parking bays and there are only 8) and the other 5 learners are to be transported,

- 5 learners = only 2 trips for each learner = 10 trips, (in and out of the said streets after every 1.5 hours plus 30 minutes)
- 5 learners to be transported = 4 trips for each learner = 20 trips, (in and out of the said streets after every 1.5 hours plus 30 minutes)
- This is 30 trips for each session of 1.5 hours
- Thus 4 sessions X 30 trips = 120 trips for each day (in and out of Ghwarrie Single and Kersbos Street)

Irrespective of how illustrations are calculated, the influx of vehicles from Ghwarrie Single into Kersbos Street will be between 120 to 160 vehicles each day. (significantly more than be at most businesses in any business zoning area, excluding the Hermanus Mall). There are only two entrances from the R44, one from Onrus and the other via Lynx Street which have to deal with the cited traffic congestion first.

This extremely constant traffic noise, -movement and unsafe roads environment, will negatively influence all the other property owners' physical and mental health and not even to mention the impact on the existing wildlife. Property owners bought property because of the healthy green areas, safe roads for old and young to walk freely and the wildlife. Said that, escalation in vehicle accidents at the corner of Ghwarrie Single and Kersbos street where so many children and senior citizens walk daily, are accidents waiting to happen.

Another reality to face will be the devaluation of property values in this traffic overflown area or will the authority compromise on property rates and taxes due to this situation.

2. Referring to Paragraph 4 of the Application

2.1 As quoted from the 1st paragraph

"In the case no formal teaching or academic instruction will take place on the premises, but instead, small-scale, weekly, in-persons educational support sessions will be held to promote social skills development through structured activities, primarily in the field of Virtual and Augmented Reality".

Objection:

Concerns stated above - under **Illustration of the Traffic Table:**

2.2 As quoted from the 2nd paragraph

"Due to iHubs being an online educational centre, learners from Vermont and Onrus can obtain education without the need too travel outside the area".

Objection:

Thus, this argument does not minimize the traffic towards and from the property, nor reduces the number of vehicles during a day/week.

2.3 As quoted from the 3rd paragraph

"The proposed educational activities will be low-intensity and limited in scale, taking place in a room in the front section of the dwelling".

Objection:

The argument does not minimize the traffic towards and from the property – however, if the applicant(s) perceives the influx of vehicles as "low-intensity and limited in scale", surely the conclusions listed under " Illustration of the Traffic Table" confirms a different outcome.

2.4 As quoted from the 4th paragraph:

"The nature of the activities (structured, short-duration sessions occurring no more than once per day), ensures minimal impact on the surrounding properties. Activities are expected to take place between 10:00 and 19:30 on weekdays, with sessions typically lasting only 1.5 hours. Attendance will be limited to small groups, and no signage, noise, or traffic congestion is anticipated beyond what is typical for a residential area".

Objection:

This argument defines the seriousness of the number of vehicles and further confirms the above mentioned "Illustration of traffic" increases, concerning Ghwarrie Singel / Kersbos Street towards and

from 19 Kersbos Street and related security risks against pedestrians, children, pet owners (walking their pets) and scare senior citizens (even more those with walking aids) due to the additional traffic.

2.5 As quoted from the 5th paragraph:

“The proposal contributes positively to youth development and community enrichment by offering learners a safe, supervised space to engage in practical, collaborative, and socially interactive learning experiences”.

Noted: The paragraph further feeds on assistance from various Legislatives regulations in support of justification of the project.

Objection:

My argument is that, if the applicant(s) aim to support the community, the iHubs' infrastructure should be located within a more centralised area and/or nearer to the Hermanus business hub, or schools of the Hermanus area and not far-away in a residential area and burden learners with additional financial travel expenses in order to attend the above-said activities.

2.6 As quoted from the 6th paragraph:

“The proposal promotes sustainable land use by enabling a portion of the existing built environment to serve a broader community function without requiring any new development or construction”.

Objection:

As stated above, the project should be located within the business hub of Hermanus and enable learners to walk to the facility, if the view is to serve the broader community.

2.7 As quoted from the 7th paragraph:

“The proposed consent use for a Place of Instruction on the subject property is reasonable, contextually appropriate, and socially beneficial. It represents a low-impact, community-oriented use of the property that supports the broader educational needs of learners enrolled in a progressive, technology-driven schooling model”.

Objection:

As stated above, if the intention is to serve the community, the IHub should be housed in the Hermanus business hub (within walking distance of the learners) and not in a residential area, where residents of all ages wish to enjoy mother nature and not be stress by traffic challenges, noises etc.

3. Referring to paragraph 8 of the Application:

As quoted from Par 8;

“Access and Egress to the subject property is gained from Kersbos Street and the proposal will not affect this.”

Objection:

The impact of the additional traffic increase from Ghawarrie Street into and out of Kersbos Street, to serve these business activities of 19 Kersbos Street, will certainly develop safety risks as noted above.

Referring the various Objections points above, **consent is not given** to the Application of Erf 987, 19 Kersbos Street, Vermont.

Best regards

S E Engelbrecht

Erf 949,

38 Ghwarrie Single or c/o Ghwarrie Single and Kersbos Street, Vermont

88/89

Loretta Gillion

REKORDBEHEER 27 AUG 2025
DOCUMENT CONTROL OVERSTRAND MUNICIPALITY

Sent: Wednesday, 27 August 2025 11:11
To: Loretta Gillion
Subject: ERF 987, 19 KERSBOS STREET, VERMONT: APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF JP STEYN & K VAN SCHALKWYK
Attachments: Signed Objection re Erf 987 19 Kersbos Street Vermont Application for Consent Use.pdf

Attention: Municipal Planning Manager

To Whom it may concern,

We, the undersigned of Erf 957 Vermont wish to lodge our formal objection with regard to consent use application for Erf 957/19 Kersbos Street, Vermont on the following grounds:

- 1) This is a proposed commercial enterprise in a quiet cul de sac in a residential area.
- 2) There has been no proper public consultation, nor community involvement and discussion.
- 3) The application lacks the required technical, environmental, traffic and noise assessments and no mitigation measures have been disclosed re potential harm to neighbouring properties.
- 4) There is a concern that the influx of strange vehicles and persons may affect the security of the area due to parking issues and loitering.
- 5) There is a potential impact on the neighbourhood property values.
- 6) The wording in the application is ambiguous – “not predicted” to have a negative impact, “minimal disruption”, no traffic congestion “anticipated”.

Signed at Vermont on 27th August 2025 (See Attached) :

Tracy Hurwitz

Dennis Joubert

FILE NO. Erf 987-HVM
SCAN NO.
COLLABORATOR NO.
2852987

TP

To: loretta@overstrand.gov.za
Subject: ERF 987, 19 KERSBOS STREET, VERMONT: APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF JP STEYN & K VAN SCHALKWYK

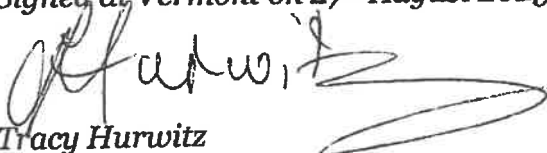
Attention: Municipal Planning Manager

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- 4) There is a concern that the influx of strange vehicles and persons may affect the security of the area due to parking issues and loitering.
- 5) There is a potential impact on the neighbourhood property values.
- 6) The wording in the application is ambiguous – “not predicted” to have a negative impact, “minimal disruption”, no traffic congestion “anticipated”.

Signed at Vermont on 27th August 2025:


Tracy Hurwitz


Dennis Joubert



Project Office

Town Planning & Project Management

Our Reference: 25/62
Your Reference: 987 HVM

22 September 2025

The Municipal Manager
Overstrand Municipality
PO Box 20
Hermanus
7200

Attention: Mr H Olivier

ERF 987, 19 KERSBOS STREET, VERMONT: APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF JP STEYN & K VAN SCHALKWYK

Your email received concerning objections to the application is addressed below:

This document responds to objections received following the public participation process for the consent use application to allow a Place of Instruction (iHubs) on Erf 987, 19 Kersbos Street, Vermont. The application proposes a low-impact, home-based educational support centre operating from a portion of the front section of the existing dwelling while retaining the primary residential use of the property.

iHubs is an online school offering a UK curriculum, providing small, supervised club activities focused on Virtual and Augmented Reality. No formal teaching or full-time schooling will take place at the property. Weekly sessions support social skills development and practical engagement for learners enrolled with iHubs.



1. Neighbourhood Character, Precedent and Protection of Residential Amenity

Objections received raise concern that approval will change the quiet, suburban character of Kersbos Street, that approval will set a precedent, and that commercialisation or intensification will follow.

- The application seeks a consent use (not a rezoning). A consent use is site-specific and assessed on its own merits under the Overstrand Municipal Land Use Scheme (OMLUS).
- Primary residential use will be retained and the proposed activities will not alter the external residential appearance of the dwelling. It is important to note that a condition of approval will limit the operation as indicated on the site plan and any expansion would require re-application.
- Activities are indoor, low-intensity and limited in frequency, additionally, conditions of approval can limit group size, operating hours and number of sessions to explicitly prevent creeping commercialisation.
- The owner has proposed no signage, no structural changes and no outdoor activities that would materially change the residential character.
- If concerns about future ownership arise, the Municipality may attach conditions that limit the consent use to the current owners or require reapplication in the event of a material change of use.
- SPLUMA and the MSDF/PSDF encourage locally accessible, low-impact community services where appropriate. The OMLUS provides for Places of Instruction as a consent use in Single Residential Zones to accommodate such uses in a controlled manner.

2. Traffic, Parking and Safety

Objections note the cul-de-sac nature of Kersbos Street, the adjacent green belt, and concerns regarding increases in vehicle movements, potential roadside parking, and student loitering.

- Sessions are short-duration (typically 1.5 hours) with a 30-minute interval between sessions to stagger arrival and departure times and reduce vehicle turnover.
- Many learners may attend consecutive sessions, which lowers the number of distinct vehicle trips compared with multiple separate appointments.
- On-site parking is available in accordance with municipal requirements. All parking associated with the activities will be accommodated on the property and no kerb-side parking will be necessary or permitted.



Figure 1: Parking and Aerial Overlay

The figure above clearly illustrates that no parking occurs on the street and that the proposal complies with general parking standards. The on-site bays are intended primarily for short-term drop-off and collection rather than for prolonged parking. The parking will be formalised if the application is approved.

- A controlled appointment system, supervised arrivals and departures, and "no loitering" conditions will minimise congregation in the street.
- Access and egress remain unchanged from Kersbos Street and no new access or traffic infrastructure is required.
- If the Municipality considers it necessary, conditions may be imposed limiting the maximum number of learners per session and the maximum number of sessions per day.

3. Operating Hours, Noise and Privacy

Concerns were raised that sessions until 19:30 will disturb evening tranquillity and that increased activity may reduce privacy. This comment was noted and an amendment is proposed.

- Planned operating hours are weekdays between 10:00 and 17:30, with no early-morning or late-night activity proposed. **The owners have taken the comments received and have requested that the amendment be made to 17:30.**
- Activities are indoor, technology-based (Virtual and Augmented Reality) and supervised. These activities do not generate amplified music or outdoor noise associated with recreation.
- Noise levels will therefore be comparable to normal household activity and the owners will adhere to municipal noise bylaws at all times.
- The owners are willing to accept a condition limiting the finishing time of sessions to 17:30 should the Municipality find this necessary to protect evening quiet.



- No outdoor teaching or recreational activities will take place on the property and all learner interaction will be supervised and contained within the building. This can also be made a condition of approval.

4. Environmental and Green-belt Concerns

Objectors are concerned about potential impacts on local fauna (tortoises, mongoose, porcupines) and the adjacent green belt.

- No construction, earthworks or vegetation clearing is proposed and no physical impact on the green belt or its flora and fauna will occur as a result of the proposal. It is also important to note that the property is not directly adjacent to a greenbelt.
- The limited number of vehicle trips associated with small-group sessions is not expected to materially affect wildlife.
- Drop-off and pick-up arrangements will be managed to avoid idling and extended waiting times adjacent to the green belt.
- No outdoor activities or play in the green-belt area will be permitted as part of the operations.
- Should any environmental concerns arise, the owners will comply with applicable environmental legislation and municipal by-laws and will cooperate with municipal environmental officers.

5. Alternative Locations

Some objectors question why iHubs is located in Vermont rather than a commercial node and suggest the proposal is inherently commercial.

- iHubs is a supplementary educational support initiative for learners enrolled in an online UK curriculum. It is not a retail or walk-in commercial enterprise.
- The operation is intentionally small-scale and home-based to provide accessible, supplementary educational support to local learners who would otherwise need to travel outside the immediate area.
- The PSDF and MSDF emphasise spatial inclusion and improved access to social and educational services, locating low-intensity support services within residential areas is consistent with these strategic aims, refer to Section 10.3 of the motivational report.
- The Overstrand Land Use Scheme contemplates Places of Instruction as a consent use within residential zones where they are compatible and low impact.

6. Future Intensification, Transferability and Municipal Oversight

Objectors express concern that approval may lead to expansion, intensification or transfer of a commercial use with a change of ownership.

- Consent use approvals are capable of being tightly conditioned. The Municipality may impose limits on group size, number of daily sessions, operating hours, and on-site staffing levels to prevent intensification.
- The Municipality may, if it considers it appropriate, can make the approval linked to the current owners so that any future change of ownership necessitates reconsideration.
- Any material departure from the approved use (including increased traffic, additional signage, structural alterations, or external activities) will require a new land-use application and public participation.
- Standard municipal enforcement mechanisms apply should conditions be breached and revocation of consent or enforcement action may follow non-compliance.



7. Community Consultation

Several objectors indicated dissatisfaction with consultation or suggested that the activity is unsuitable for Vermont.

- Statutory public participation was undertaken in accordance with the Overstrand Municipality's requirements and all comments received were recorded and are addressed in this response.
- The owners remain open to constructive engagement with neighbours to refine operational arrangements that balance the needs of learners with local amenity protection.
- A concise operations schedule and contact details for a local point of contact may be supplied to adjacent neighbours to improve transparency and allow prompt resolution of concerns.

8. Property Values

Concerns were raised that the proposal will reduce property values and undermine the desirability of the street.

There is no substantiated evidence that small-scale, well-managed home-based educational support services reduce residential property values. Numerous market studies and municipal planning reports indicate that property values are influenced primarily by broader economic trends, location, and the overall quality of the surrounding neighbourhood, rather than by discreet, low-intensity uses of this nature.

The proposal retains the residential appearance of the dwelling, imposes strict control over operating hours and attendance, and introduces no signage or external commercial features. The small groups of learners and the absence of any structural alterations ensure that the visual character, noise levels, and tranquillity of the area remain unchanged. By maintaining a well-kept property and fostering a positive, community-oriented initiative that supports youth development, the use may even contribute to neighbourhood appeal and long-term desirability.

9. Safety and Security

The proposed use presents no credible risk to the safety or security of neighbouring residents. Activities are limited to small, pre-registered groups of learners who are known to the operators and whose attendance is scheduled in advance. All sessions will be supervised at all times by responsible adults, and access to the property will remain controlled through the existing, secure entrance on Kersbos Street. No after-dark activities or overnight stays are proposed, and operating hours will be restricted to normal daytime periods.

Because the dwelling retains its primary residential use, no additional public traffic or informal gathering points will develop, and there will be no incentive for loitering or opportunistic crime. The absence of external commercial signage, amplified sound, or evening operations further reduces any potential for nuisance or anti-social behaviour.

In these circumstances the proposal maintains, and may even enhance, neighbourhood safety by providing a supervised and structured environment for youth engagement, with no evidence to suggest that a small, well-managed home-based educational centre would compromise the security of adjacent properties.



10. Place of Instruction

There were several concerns raised that the consent use for a "Place of Instruction" is not the correct land use category, as no formal teaching will occur on the site. A place of instruction is defined as follows:

"place of instruction" means a place for education at pre-school, school or post-school levels (including a day care centre, a crèche, a farm school, a nursery school, a primary school, a secondary school, a college, a lecture hall, a university, a research institute, an environmental research or other educational centre) and associated uses such as boarding hostels or a civic facility for the promotion of knowledge to the community such as a convent, a monastery, a public library, a public art gallery or museum or a place of instruction in sport or other physical discipline where the main objective is instruction (as opposed to participation by the public sector as competitors or spectators) but excludes a reformatory, industrial school, commercial conference facility, institution, health centre or in-house business training centre;

The definition is intentionally broad and clearly accommodates a variety of educational activities, not limited to traditional classroom teaching. It therefore encompasses the proposed use as a low-impact, home-based educational support centre that provides structured sessions to develop skills and promote learning, even where formal schooling is not undertaken on the premises. This interpretation aligns with the purpose of the land use scheme, which recognises that education and knowledge sharing can occur in diverse settings beyond conventional schools or colleges.

11. Monitoring, Compliance and Recommended Conditions

To provide assurance to the community and the Municipality, the following conditions of approval are proposed (recommended):

- Consent limited to the use 'Place of Instruction' for iHubs and confined to an indoor room within the existing dwelling. No external buildings or structures shall be used.
- Primary residential use to be retained and the residence to be occupied by the owners at all times.
- Maximum number of learners per session: 8 (maximum suggested, Municipality to determine actual cap).
- Maximum number of sessions per weekday: 4 (with 1.5-hour session duration and a minimum 30-minute interval between sessions).
- Operating days: Monday to Friday only. Operating hours: 10:00 to 17:30.
- All parking associated with the activities must be accommodated on-site. No kerb-side parking related to the activities shall be permitted.
- No signage advertising the activity at the property shall be displayed.
- No outdoor teaching, recreational activity or loitering shall be permitted on the property or adjacent green-belt areas.
- Activities to be supervised at all times by responsible adults and the owners shall ensure orderly arrival and departure of learners.
- The Municipality may require that the consent is limited to the current owners, or may otherwise impose transfer or review conditions if ownership changes.
- The Municipality shall retain the right to inspect and enforce compliance with conditions. Non-compliance may result in enforcement action including withdrawal of consent.



The consent use application for a small, home-based Place of Instruction at Erf 987 Vermont is consistent with the Overstrand Municipal Land Use Scheme and the policy objectives of SPLUMA, the PSDF and the MSDF. The proposal preserves the primary residential function and appearance of the property while providing limited, supervised educational support services that benefit local learners. The concerns raised by objectors have been carefully considered and practical and enforceable mitigation measures have been proposed to ensure the ongoing protection of the residential amenity of Kersbos Street.

On the basis of the foregoing, the application is respectfully submitted for favourable consideration subject to reasonable conditions to protect local amenity.

Yours faithfully,

A handwritten signature in cursive script, appearing to read "T. Jansen".

T JANSEN
(PROFESSIONAL TOWN PLANNER A/2858/2019)

**COMMENTS FROM THE PROJECT MANAGEMENT DIVISION FOR:
APPLICATION FOR CONSENT USE: ERF 987, VERMONT (4940/2025)**

Stormwater (SW)	:	Refer to conditions
Electricity	:	Eskom Area
Water	:	Refer to conditions
Sewer	:	Refer to conditions
Roads and traffic	:	Refer to conditions

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 the developer investigate and determine the limitations of the site in terms of sewer drainage, subject to the minimum requirements of *SANS 10400 – P: 2010: Drainage*;
3. 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 Principal Technologist: Hermanus for written approval;
4. that any additional and / or extended vehicle entrances will be for the owner's account;
5. that no reservation of on-street parking be allowed;
6. that stormwater discharged from higher lying properties and generated in the catchment area of the property be allowed to drain freely through the property;
7. that stormwater reticulation and connection(s) to the municipal system be provided at the owners cost, if required.



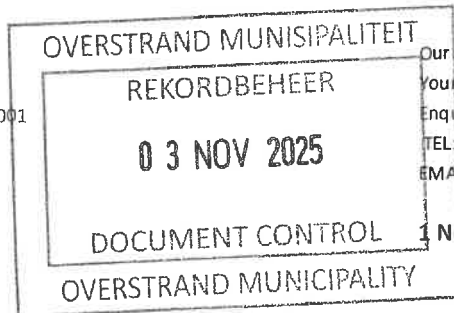
**RICARDO ANDREW
PRINCIPAL TECHNOLOGIST:
DEVELOPMENT CONTROL**

30/07/2025
DATE



Annexure G 1/3

VVXC61 Oak Avenue, Highveld,
Port Elizabeth
Private Bag X881, Pretoria, Gauteng, 0001
Techno Park, Centurion 0157,



Our reference: WWIP_WCPT3575_25

Your reference: 987 HVM

Enquiries: P. Ngqakayi

TEL: 0437056236/0813922403

EMAIL: Portian@openserve.co.za

1 November 2025

Attention: Loriaan Isaacs

Overstrand Municipality
P.O. BOX 20
Hermanus
7200

FILE NO.	ERF 987 HVM
SCAN NO.	
COLLABORATOR NO.	2894964

OPTIC FIBRE & COPPER PLANT AFFECTED

Re: Request for comment: Erf 987, 19 Kersbos Street, Vermont (consent use)

With reference to your application received 9 September 2025.

As important cables are affected, please contact our representative **Marius Makier** telephone number **081 348 2317**, I hereby inform you that Open Serve approves the proposed work indicated on your drawing in principle. This approval is valid for **6 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.

Approval is granted, subject to the following conditions.

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

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.

Telkom SA SOC Limited: Reg no 1991/005476/30. Directors: MS Moloko (Chairperson), SN Maseko (Group Chief Executive Officer), D Reyneke (Acting Group Chief Financial Officer), N Kapila*, PCS Luthuli, DD Mokgatle, KW Mzondeki, F Petersen-Cook, KA Rayner, A Samuels, SP Sibisi, H Singh, RG Tomlinson, LL Von Zeuner.

Company Secretary: AC Ceba *India

Internal Use

TP 03 NOV 2025



2/3



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.

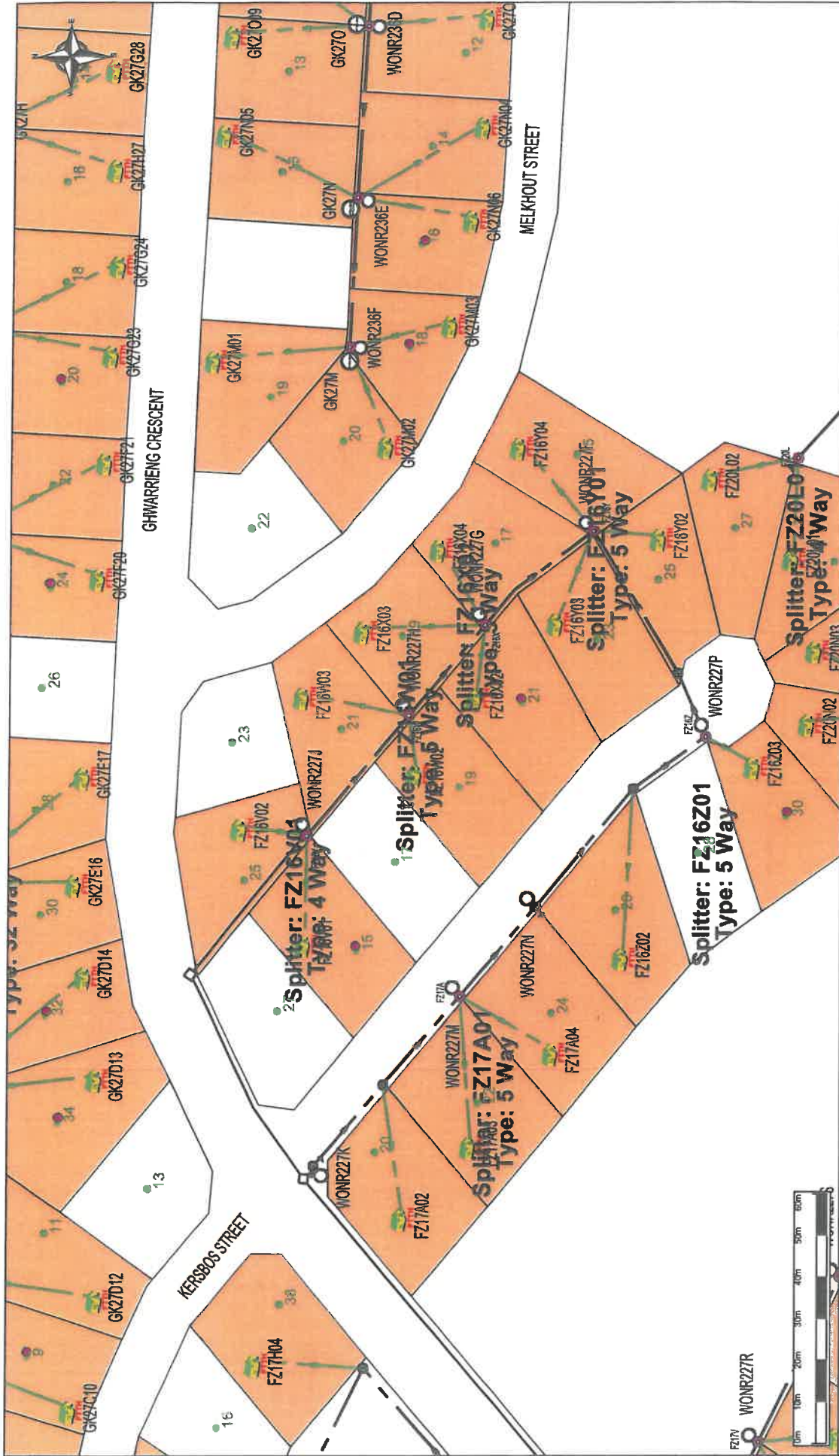
Should Open Serve infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All Open Serve rights remain reserved.

Yours faithfully

P Ngqakayi

For Selwyn Bowers
Operations Manager
Wayleave Management: Southern and Western Region



Legend

	Existing Manhole		Existing PJB		Existing Indoor DP		Existing Pole		Planned Overhead Route		Conduit Terminus (Virtual Element)
	Planned Manhole		Planned PJB		Planned Indoor DP		Planned Pole		To Be Recovered Overhead Route		
	To Be Recovered Manhole		To Be Recovered PJB		To Be Recovered DLC		To Be Recovered SDC		Existing Underground Route		
	Existing Jointing Pit		Existing SDC		Existing DP		Strut		Planned Underground Route		
	Planned Jointing Pit		Planned SDC		Planned DP		Stay		To Be Recovered Underground Route		
	To Be Recovered Jointing Pit		To Be Recovered SDC		To Be Recovered DP		Access Point (Virtual Element)		Existing Overhead Route		

FZ16Z01
WONR227R



Legend

<p>FILE REF: 987 HVM APP ID: 4940/2025 LI</p>	<h1 style="margin: 0;">Internal Memorandum</h1>																
<p>FROM: Town & Spatial Planning</p> <p>TOWN PLANNER: Henk Olivier</p> <p>DATE: 23 July 2025</p>	<p>APPLICANT: WRAP PROJECT OFFICE ON BEHALF OF JP STEYN & K VAN SCHALKWYK</p> <p>PROPERTY DETAILS: ERF 987, 19 KERSBOS STREET, VERMONT</p> <p>APPLICATION: CONSENT USE</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="background-color: #e0f0ff;">BUILDING CONTROL</td> <td>DISTRICT HEALTH</td> <td>ELECTRICAL</td> <td>ENGINEERING SERVICES</td> </tr> <tr> <td>ENVIRONMENTAL</td> <td>FIRE SERVICES</td> <td>LOCAL HERITAGE</td> <td>OPERATIONAL</td> </tr> <tr> <td>PROPERTY ADMINISTRATION</td> <td>PUBLIC LIAISON MANAGER</td> <td>TOURISM</td> <td>TRAFFIC</td> </tr> <tr> <td></td> <td>WARD COUNCILLOR</td> <td>WASTE MANAGEMENT</td> <td></td> </tr> </table>	BUILDING CONTROL	DISTRICT HEALTH	ELECTRICAL	ENGINEERING SERVICES	ENVIRONMENTAL	FIRE SERVICES	LOCAL HERITAGE	OPERATIONAL	PROPERTY ADMINISTRATION	PUBLIC LIAISON MANAGER	TOURISM	TRAFFIC		WARD COUNCILLOR	WASTE MANAGEMENT	
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<p>NOTES: Please provide your comments (with specific reference to any conditions of approval that should be imposed) in the space provided above or in a separate Memo <u>by not later than the date stipulated below</u>. If you require an extension of time for submission of comments, kindly request this in writing. Should no comments be received, it will be assumed that you have no objection to the proposal and where appropriate, the MPT will be informed accordingly.</p> <p><i>Building Control Department to confirm that all structures on the property/ies are in accordance with the approved building plans.</i></p>	<p style="text-align: center; font-weight: bold; font-size: 1.2em;">INTERNAL DEPARTMENT COMMENTS</p> <p><i>BUILDING CONTROL: NO OBJECTION TO THIS APPLICATION</i></p> <p><i>ALL BUILDINGS TO COMPLY WITH THE NBR AND ALL OTHER APPLICABLE LAW.</i></p> <p><i>A BUILDING PLAN MUST BE SUBMITTED TO BUILDING CONTROL</i></p> <p><i>SHOULD THIS APPLICATION BE SUCCESSFUL: TO SHOW COMPLIANCE: ① DISABLED TOILET ② DISABLED RAMP TO INDICATED CLASS ROOM ③ COMPLIANCE WITH NUMBER OF TOILETS REQUIRED ④ DISABLED PARKING WITH HARD SURFACE AND HARD SURFACE ACCESS TO RAMP.</i></p> <p><i>⑤ INDICATE THAT ALL GLAZING FOR THE AREA USED BE REPLACED WITH SAFETY GLASS</i></p> <p>SIGNATURE: </p> <p>DATE: 23/7/25</p>																

CLOSING DATE:
29 AUGUST 2025

Should the information be insufficient for you to make an informative comment, please list any additional documentation that you would require to make informed comments.

