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ERF 9807, 183 MAIN ROAD, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING, SUBDIVISION, RIGHT OF WAY SERVITUDE & DEPARTURE: PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF MCGRATH PROPERTY HOLDINGS (PTY) LTD

9807 HEC (4467/2023)

P Roux

05 August 2024

(028) 313 8900

Hermanus Administration

1. EXECUTIVE SUMMARY

An application was received on 4 September 2023 from Messrs PlanActive Town and Regional Planners on behalf of McGrath Property Holdings (PTY) LTD on Erf 9807, Eastcliff, Hermanus in terms of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 (By-Law) for the following:

- ❖ **Rezoning** of the property in terms of Section 16(2)(a) of the By-Law from Residential Zone I: Single Residential (SR1) to Subdivisional Area Zone (SA).
- ❖ **Subdivision** of the rezoned property in terms of Section 16(2)(d) of the By-Law, to create the following:
 - seven (7) General Residential Zone I: Town Housing (GR1) erven; and
 - one (1) Transport Zone 2: Road and Parking (TR2) erf.
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to relax the following:
 - the north-western rear building line from 3m to 2m to retain a section of an existing building;
 - the south-eastern street building line from 5m to 2m to retain a section of an existing building, and
 - the south-western lateral building line from 3m to 2m to retain a section of an existing building.
- ❖ **Exemption** of the registration of a right of way servitude in terms of Section 26(1)(h)(v) of the By-Law for the registration of a right of way servitude over Erf 9807 in favour of Erven 878 and 896, Hermanus.

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 9807, Eastcliff is zoned Residential Zone I: Single Residential is 2676m² in extent and is currently developed. The property is located in close proximity to the Hermanus CBD, and the owners of the property agreed with two adjacent property owners to do a joint residential development, as their individual properties do not comply with the required erf size of 3000m². The joint residential development will accommodate 16 freehold group housing properties to provide residential opportunities in an area where residential opportunities are scarce. The three properties being proposed for the development is Erven 878, 896 and 9807 with proposed gated access from the Main Road and egress onto Mitchell Street.

An application has been received for the rezoning, subdivision, and exemption of the registration of a right of way servitude for the subject property to accommodate the proposed residential development.

4. SUMMARY OF APPLICANT'S MOTIVATION

- ❖ There is a growing demand for housing with limited residential opportunities.
- ❖ The subject property is considered suitable for residential development, but its size is insufficient for densification as determined by the OMLUS.
- ❖ The property owner wants to address this limitation and reached an agreement with two adjacent properties to increase the developable area.
- ❖ The subject property is currently developed 2 dwellings, servants' quarters / cottage and outbuildings which will be demolished to accommodate the proposed development.
- ❖ The subject property, Erf 9807, will be subdivided and rezoned into seven (7) General Residential Zone 1 erven (with a size of ±204m² to ±406m²), and one (1) Transport Zone 2.
- ❖ It is proposed that the total development on Erven 878, 896 and 9807 will consist of 16 town housing erven which will vary between 191m² to 406m² in extent with Private Open Space and private roads occupying the rest of the development.
- ❖ No open space is proposed on the subject property however, in terms of the total development the required 10% open space will be provided on Erf 878. The refuse area will also be provided on Erf 878 with adequate access from Mitchell Street.
- ❖ Access will be gained from the Main Road and egress from Mitchell Street with dedicated resident and visitor access lanes with a setback of 18m and 13,5m respectively.
- ❖ The proposed private road within the town housing development will have a road reserve of 8m and a servitude will be registered on the property zoned Transport Zone 2: Private Parking and Road in favour of the other erven in the development which will enable residents right of way.
- ❖ In addition to the subdivision and rezoning it is proposed to relax the western and southern (perimeter) lateral building line, which is applicable to the town housing erven, from 3m to 2m and. This is to allow for optimum use of the erven and still be compatible with the residential character of the suburb.
- ❖ Relaxation of the eastern street building line from 5m to 0m to accommodate a portion of the existing building on the property. Although most of the structures on the subject property will be demolished, it is proposed that some features of the existing building to be retained due to its architectural features, such as its planter, gables and stone walls, which might be incorporated into the new town houses.

- ❖ The proposed development will be in harmony with the character of the area as residential developments in the surrounding area is a common occurrence with businesses also located in close vicinity to the erf.
- ❖ There is no restriction in the title deed prohibiting this application.
- ❖ Architectural Guidelines and the Homeowners Association's constitution will be submitted to the Overstrand Municipality after approval has been obtained.
- ❖ Adequate parking will be provided for each townhouse erven.
- ❖ The municipal services capacity will be able to accommodate the proposed development.
- ❖ In line with Overstrand Municipal Wide SDF, 2020 as the area is earmarked for urban development.
- ❖ In line with the Overstrand Growth Management Strategy, 2010 as the proposed development is in line with surrounding developments. In terms of the Overstrand Growth Management Strategy, 2010 subject property is situated in planning unit 14 which is indicated for incremental densification with a density of 10 units per hectare; however planning units 13 and 15 which are abutting the subject property are indicated as high-density areas of more than 30 units per hectare. The area is also considered a predominantly mixed-use area. The proposal to incorporate the subject property into a higher density area is not out of character due to it being located within an area where other higher density developments exist. The total development will consist of a density of 28 units per hectare.
- ❖ No Heritage Impact is motivated.
- ❖ A Basic Assessment Report was submitted to DEA&DP who indicated their support for the application.

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

Spatial Justice

The proposed rezoning and subdivision of Erf 9807, Hermanus in order to accommodate a portion of a townhouse scheme consisting of 7 units will be in line with the current development trends in the vicinity. A similar development has been approved on Erf 859 Hermanus, namely Perla Apartments in the immediate vicinity. There are no restrictive title deed conditions that prohibit the proposed application of the subject erf. The land use restrictions in terms of the Overstrand Municipal Zoning Scheme under a zoning of General Residential Zone will apply and minor building line encroachments are applied for.

Spatial Sustainability

The proposed portion of a townhouse development is in line with the current character of the area. The proposed application will have no impact on the conservation worthy areas of Hermanus. Spatially the land use and density of the proposed townhouse scheme are in line with the current residential character of the area.

Efficiency

The proposed townhouse scheme is easily accessible and conveniently located in Hermanus in close proximity of schools, the CBD, medical facilities etc.

Spatial Resilience

The proposed development is in compliance with all relevant policies and regulations.

Good Administration

Our firm is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's By-law and related provincial- and national land use legislation. All measures will be taken to ensure an efficient and streamline process within the applicable timeframes as stipulated by the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Local Newspaper	Yes	13 December 2023	09 February 2024
Notices	Yes	13 December 2023	09 February 2024
Internal Departments	Yes	13 December 2023	09 February 2024
Ward councillor	Yes	19 December 2023	09 February 2024
Total comments	TWENTY (20) LETTERS OF OBJECTION		
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
Building Control	20/12/2023	No objection. The building plan application must comply with all applicable law.
Local Heritage	20/12/2023	In order.
Fire Services	21/12/2023	No objection. Subject to compliance with the provisions of SANS 10400 A:2016, 10400-T:2020 and the By-Law relating to fire safety.

Waste Management	24/01/2024	Attached as Annexure F.
Environmental Section	05/02/2024	No objection.
Engineering Services	20/06/2024	See Annexure G.

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION.

Twenty (20) objections were received from the community regarding the proposal on Erven 9807, 878 and 896 Eastcliff. The overlapping concerns raised were grouped together and responded to by the planning consultants working on the application. Their response presented below as submitted to the municipality. The municipal town planner's response is provided there under.

Objector's Names	Summary of objections	Response from applicant
1. POSITIVE RESPONSE		
Tracy Davies, William Ian Gordon	The objector acknowledged that the proposed development is a community orientated development being a "small, charming, quaint and quiet...perfect!" development and is of high end that is welcomed in Eastcliff.	The comment is appreciated, and this is exactly what is envisaged the development to be; a small well designed charming development offering the residents an opportunity of being close to schools, business and recreational facilities.
RESPONSE FROM TOWN PLANNER		
Comments are noted. It should be noted that the comments made by the objector is not in relation to the design of the proposal but a plead for the consultants to heed the communities concerns and input and to keep the public street small, cosy, personal, retirement and kiddie friendly. The comment from the consultant is therefore not agreed with.		
2. SERVICES		
<ul style="list-style-type: none"> • Tracy Davies • Dr Nicholas Davies • Ruth Vary • Michelle Kruger • Jacqueline Rathfelder • Patrick William Hirst • Gary Combrink • Annabella Busse • Johan Malherbe • Mrs P Combrink • S Badenhorst 	<p>Water pressure, sewerage problems.</p> <p>Stormwater, water & sewerage not adequately addressed.</p> <p>Water pressure low, existing sewerage problematic will increase.</p> <p>Water pressure low, sewerage system regularly blocks- cripple situation.</p> <p>Water & sewerage- low water</p>	<p>The application was circulated to the Overstrand Municipality's Engineering Department. At their request, a capacity services report was commissioned to ensure there is sufficient water and sewage capacity to accommodate the proposed development. The report, attached as Annexure A – GLS Services Capacity Report, provides details on this matter.</p> <p>As outlined in the application, the owners may be liable for payment of a development contribution, calculated by the Overstrand Municipality, for bulk water and sewer infrastructure in accordance with Council Policy.</p> <p>The report concludes that there is sufficient capacity in the existing water reticulation system to accommodate the proposed development.</p>

<ul style="list-style-type: none"> • Fred & Marina Peens • William Ian Gordon • Ulrike Beckman • J & H Verwey • Achim Beckmann • Vivienne Howarth-Spurr • Neville Howarth • Thomas Howard Bramwell-Jones • Susan Jones 	<p>pressure, sewerage blockages- will increase with additional houses.</p> <p>Sewerage and water pressure problems- will worsen with more houses.</p> <p>Questions tests, area has low water pressure and lots of sewerage problems,</p> <p>Sewerage and water a known problem, engineering report needs to be made public, analysis required, more residents will worsen the situation.</p> <p>Fire department needs sight of proposal returning space.</p> <p>Development will have a negative impact on the water and sewer, measures required first to rectify existing water and sewer problems.</p> <p>"Already low water pressure, will deteriorate situation, experience frequent sewerage blockages. Will sewer system be upgraded. Emergency services- not sufficient space for fire truck to manoeuvre".</p> <p>Low water pressure, how will that be catered for?</p>	<p>Additionally, the existing sewer reticulation system of the Bientang pump station and rising main, as well as Hermanus PS no. 4 drainage area, has sufficient capacity to accommodate the proposed development. However, bulk collector sewers downstream of Hermanus PS no. 4 are at capacity and require upgrading.</p> <p>The minimum upgrades required to accommodate the proposed development in the existing sewer system are master plan items OHS13.1, OHS13.2, and OHS13.4. Notably, master plan item OHS13.2, the most critical upgrade, has already been implemented (awaiting as-built drawings from the Overstrand Municipality to confirm).</p> <p>As previously mentioned, the development contribution, potentially payable by the owners, will fund the necessary upgrades to the systems as indicated in the report.</p> <p>It is important to note that emergency services will have access to the property and will be able to enter any street and reverse out to be able to turn and exit the development on Mitchell Street.</p>
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	<p>additional strain on the municipality's ability to provide additional water "The whole area is either built on, paved or under tar. Where will run off rain water go? (storm water).</p> <p>and</p> <p>SEWERAGE AND WATER PRESSURE"</p>	
<p>RESPONSE FROM TOWN PLANNER</p> <p>Most of the objections relate to the water pressure being low in the suburb. The GLS report only regards the availability of water for the development while ensuring that there is sufficient capacity to meet the community's needs, and in this case, there is sufficient capacity available. The low water pressure may be due to other issues relating in the water circulation system and any concerns must be directed to the Municipality's Operational Department.</p> <p>The GLS report indicated that there is sufficient capacity in the sewer system to accommodate the proposed development. A contribution for bulk services is proposed in order to aid with the future development requirements of the town.</p> <p>The internal road width of the development is 8m which will allow a fire truck to enter the property to gain access to the erven. Further, no objection was received from the Fire Department.</p>		
<p>3. ZONING</p>		
<ul style="list-style-type: none"> • Dr Nicholas Davies • Ruth Vary • Michelle Kruger • Jacqueline Rathfelder • Patrick William Hirst • Gary Combrink • Annabella Busse 	<p>Allows trading.</p> <p>Allows for trading- lead to guest houses.</p> <p>Can be used for trading- guest houses and B&B's- resulting to noise.</p> <p>Trade could be carried out.</p>	<p>The General Residential Zone 1: Town housing (GR1) zoning applied for, allows the property to accommodate town housing, private roads, and private open spaces. This zoning designation is specifically tailored to support residential development in a townhouse format, with associated amenities and infrastructure.</p> <p>The primary focus of this zoning is to provide housing options suitable for single-family occupancy. As indicated within the motivations, the proposed units are intended solely for use as dwellings to accommodate and house a</p>

<ul style="list-style-type: none"> • Johan Malherbe • Mrs P Combrink • S Badenhorst • Fred & Marina Peens • William Ian Gordon • Ulrike Beckman • J & H Verwey 	<p>Allows for trade of any nature.</p> <p>Used for Air B&B- creating problems.</p> <p>Can be used for trading, with the possibility of more guest houses or Air B&B's.</p> <p>No respect for surrounding neighbours.</p>	<p>single family. This implies that the townhouses are designed and intended to serve as homes for individual families, emphasizing the residential aspect of the development.</p> <p>It's important to note that the proposed zoning does <u>not allow for commercial activities</u> or alternative uses beyond residential purposes. Specifically, activities such as trading, operating guesthouses, or running bed and breakfast establishments are not permitted under this zoning designation. If there is a desire to engage in such activities, separate applications would need to be submitted for a consent use, as they are not included within the scope of the current application for General Residential Zone 1 zoning.</p> <p>Overall, the intention behind the proposed zoning is to foster an upmarket residential environment conducive to family living, with a focus on townhouse development while excluding commercial activities that may disrupt the primarily residential character of the area.</p>
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RESPONSE FROM TOWN PLANNER

The rezoning to General Residential Zone 1: Town housing (GR1) does not provide for an automatic right to trade or to conduct tourism related uses. Uses such as B&B and self-catering are consent uses under the zoning applied for. The rights obtained in terms of the proposed zoning will allow for higher densities but will be limited to single family and residential uses.

4. DENSITY

<ul style="list-style-type: none"> • Dr Nicolaas Davies • Patrick William Hirst • Annabella Busse • Johan Malherbe • Mrs P Combrink • S Badenhorst • William Ian Gordon • J and H Vervey • Achim Beckmann 	<p>The consolidation of the three properties results to a proposal for 16 additional dwelling houses which is considered to be too much, as it will increase the density of Eastcliff significantly and resulting that Eastcliff will become a high-density suburb. The reduction of four or five units will be more acceptable and make a huge impact.</p> <p>The development is not aligned with</p>	<p>Most of the objections received are directly or indirectly related to the subject / concern about density (i.e. the increase in the number of units and the impact thereof).</p> <p>The objectors incorrectly create the impression that the proposed development will change the character of Eastcliff and therefore it is important that the authorised decision-makers have a clear perspective of the proposed development in terms of scale, location and surrounding land-uses.</p> <p>This proposed development is a small development in relation with the Eastcliff residential area. It must also be kept in mind that the proposed</p>
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	<p>that of the surrounding residential houses and will be a cramped development with not enough space for anything else. Too many units have been proposed to maximize the return on investment.</p> <p>Houses are too close together and there is no space for gardens and open space.</p>	<p>development is located on the fringe of the Eastcliff residential area and adjacent to the Hermanus Central Business Areas. The application area is considered to be within <u>a transitional mixed-use area</u> adjacent to a service and business area and surrounded by high density residential developments rather than a predominant single residential zoned area as pictured by the objectors.</p> <p>The proposed development which is positioned between the single residential areas of Eastcliff and the Hermanus Central Business Areas acts to soften the transition between these two areas and strengthens the gateway between them. It serves as a medium-density residential development to bridge the gap between low density residential towards Hoy's koppie and higher density residential which fringes the coast.</p> <p>This is clearly evident from the following land-use plan:</p>
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These varieties of land-uses, densities and functions contribute to such transitional mixed-use character surrounding the application area.

The land-uses in proximity of the application area involves business, service industry (Telkom adjacent to Erven 878 & 9807), a variety of housing types (single residential dwelling units, flats, guest houses, town houses and hotels) as well as different orders of road classes.

Based on a street block density analysis, the density of the street block wherein the development is proposed will be less than presently found in the adjacent street blocks.

Even-though the density of the proposed application area is 26.6 dwelling units per hectare, the density of the street block will still be less than that of

the densities of the adjacent street blocks as shown in the following sketch and table respectively on next page:



Street block	Pre-development	Post Development
East- east of Main Road	33 du/ha	
Current- between Main Rd, Stemmet, Lord Roberts and Mitchell Streets	13.1 du/ha	18du/ha
West- between Mitchell, Stemmet, Luyt and Lord Roberts Streets	19.1 du/ha	
Combined	19.1du/ha	21.4du/ha

		<p>The overall increase in the density as a result of the proposed development will only be 2.3 dwelling units more than that of the demarcated analysis area (i.e. three street blocks) and 0.14 for the Eastcliff planning area in terms of the approved policy Central Growth Strategy, 2010.</p> <p>In addition to the above, the decision-makers should also acknowledge that the Growth Management Strategy, 2010 policy document supports the increase of the current gross density of the Eastcliff residential area (Planning Unit 14) from 4.9 to 10 dwelling units per hectare, meaning that an increase of at least 128 dwellings units for the Eastcliff area is encouraged and supported.</p> <p>It should also be noted that the only area of densification within this planning unit is specifically earmarked along Main Road which includes the application area consisting of Erven 878, 896 and 9807 Eastcliff to contribute to the overall densification figure.</p> <p>Subsequently, the development proposal of 26.6 dwelling units per hectare is less than the 30 dwelling units per hectare density zones proposed for the subject area in terms of the current Overstrand Municipal Growth Management 2010 strategy and therefore fully consistent with the statutory approved density policy for the area.</p> <p>This strategy is also supported by the Overstrand Municipality Spatial Development Framework, May 2020 where it is stated that “<i>Densification as spatial planning mechanism advocated by the Municipality’s Growth Management Strategy will need to be applied in order to accommodate of the aforementioned future population</i>”</p> <p>To conclude, the proposed development is aligned with the local authority’s vision for density contained in the statutory spatial development policy documents, is integrated within an existing mixed-use character of the suburb and area and is also within sequence of development for the area. The development will also soften the transition between low density and high</p>
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		<p>density at the connection point between the Hermanus Central Business Area and the surrounding single residential fabric.</p> <p>This vital point of objection is therefore not considered relevant and applicable and should be omitted by the decision-making authority.</p>
<p>RESPONSE FROM TOWN PLANNER</p> <p>As noted by the applicant the subject property and the proposed development is situated in an area which is considered the transition area from the high density and commercialised CBD to the lower density residential suburb. The location for the development is therefore well suited as it promotes additional housing opportunities close to the town's centre, while still developing single stand erven with low bulk dwellings as per the character of the suburb (as opposed to apartments or flats which are also prominent in the area). Simply across the street from the proposed location there is a hotel and various flats. The proposed development from a spatial perspective can be supported. The proposed densification of the total development is proposed to be 28 units per hectare this proposal will be further considered in the evaluation of the application.</p>		
<p>5. MAXIMISING OF THE BUILT-UP AREA</p>		
<ul style="list-style-type: none"> • Dr Nicholas Davies 	<p>The objector claims that the proposal does not provide more opportunities for the residents in the surrounding area, and WRAP's claim that it does is wholly unsupported.</p>	<p>It is evident that the objector does not understand the statement made by the consultant.</p> <p>Aligned with the Overstrand Municipality Spatial Development Framework, it is meant that more opportunities are provided in terms of choice in housing types.</p> <p>In addition to the above, the location of this application site provides the opportunity for easy walking distance access from the proposed development to places of instruction, work, shopping, recreation, worship, transport and general social activities and thereby providing more opportunities for the said residents.</p> <p>The objector's claim is clearly and undoubtably invalid and should accordingly be rejected.</p>

RESPONSE FROM TOWN PLANNER

As noted by the applicant the subject property and the proposed development is situated in an area which is considered the transition area from the high density and commercialised CBD to the lower density residential suburb. The location for the development is therefore well suited as it promotes additional housing opportunities close to the town's centre.

6. LAND USE

<ul style="list-style-type: none"> • Dr Nicholas Davies 	<p>The objector claims that the proposed development may “well eventuate in an untidy, unhygienic, smelly dog lavatory and refuse dump attracting homeless vagrants, vermin investigation.” He further claims that “This is a health and security hazard for both residents of the proposed complex as well as Mitchell Street homes. Dumping all the refuse on the pavement on refuse collection day, while not only unsightly and unhygienic will surely see unwelcome influx of scavengers.”</p>	<p>The objection received is made up of unsubstantiated assumptions.</p> <p>The proposed development is intended for an upmarket housing complex managed by a compulsory statutory home-owners association. The objector does not understand that the development is intended to seamlessly integrate with the adjacent residential and non-residential land-uses to the existing highly valued landmark Eastcliff residential area.</p> <p>It should also be understood that the refuse area is intended to be a completely enclosed walled room, only accessible for the residents from inside the complex and for the local authority from the street side only on days when refuse is collected.</p> <p>Many similar refuse rooms serve as example in the Overstrand area where the description of the objector's concerns does not occur. Also refer to the response focused on the refuse area below for more details.</p> <p>The objections are considered invalid and accordingly ignored.</p>
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RESPONSE FROM TOWN PLANNER

The concerns raised do not have regard to the proposed standards of the refuse room and the management thereof. Bins will be neatly stored and will be managed by the homeowners with controlled access. Similar types of refuse rooms are used in other developments and the internal arrangement is that the residents only use the refuse room on waste collection days; this prohibits bad odours and ensures that the room is kept neatly. This can be added as a condition.

7. IMPACT ON MITCHELL STREET		
<ul style="list-style-type: none"> • Dr Nicholas Davies and Vivienne Howarth-Spurr 	<p>Little attention is given to the impact of the development on Mitchell Street being a peaceful, quiet, residential, low traffic cul-de-sac road used by a high number of elderly persons walking to the shops as well as families with young children. With the only the exit to the complex being on Mitchell Street where there will be a significant negative impact on the prevailing atmosphere in Mitchell Street, and where there “will be so much more traffic, both cars and service / delivery vehicles.” Trees and greenery will be lost, only green areas retained will be a refuse area bordering on Mitchell Street attracting flies and scavengers, both animal and human.</p>	<p>This point of objection is also based on unsubstantiated assumptions and an exaggerated negative picture is sketched of the proposed development by the objectors.</p> <p>The impact of the proposed development will be limited as the vehicle and pedestrian traffic generated by the 16 additional units will be spread out through the course of the day. Refer to the response focused on the traffic below for more details.</p> <p>Mitchell Street not only has a residential function but also provides access to a small business component as well as Telkom (service industry) and functions as a pedestrian passageway from the Eastcliff residential area.</p> <p>Therefore, the impression the objector creates of Mitchell Street is incorrect.</p> <p>The parking area and the road reserve of Mitchell Street is also often used for overflow parking to the Hermanus business area during peak periods.</p> <p>Although trees will have to be removed to accommodate the dwellings, the area will be landscaped to provide the optimum amount of green space, ensuring that it fits in with the character of the Eastcliff residential area.</p> <p>The refuse area as previously mentioned will be managed by the homeowners’ association to ensure that the refuse area is clean and will be locked to prevent any scavengers from access to the area. Also refer to the response focused on the refuse area below for more details.</p> <p>In the light of the above, it is clear that this point of objection has no merit and paints completely a wrong picture and should therefore be omitted.</p>

RESPONSE FROM TOWN PLANNER

The egress in Mitchell Street was proposed in order to allow for traffic flow to be split and not to allow all the traffic to impact one specific street or the other. Mitchell Street is not used for residential and pedestrian traffic alone but also for visitors to the commercial facilities opposite Woolworths. A traffic impact assessment was done, and it concluded that the additional traffic will have a low impact on the traffic flow in the area.

It should also be noted that Mitchell Street has a width of ±19m and a large portion of the street reserve is not yet developed. The street therefore has ample room to accommodate both pedestrians and vehicles at the same time, while still allowing for green verges by the road.

The refuse room will be managed by the homeowners and will have to comply with the municipality’s standards on development.

8. TRAFFIC

<ul style="list-style-type: none"> • Tracy Davies • Dr Nicholas Davies • Ruth Vary • Michelle Kruger • Jacqueline Rathfelder • Patrick William Hirst • William Ian Gordon • Annabella Busse • Johan Malherbe • Mrs P Combrink • S Badenhorst • Fred & Marina Peens • Ulrike Beckman • J & H Verwey • Achim Beckmann • Vivienne Howarth-Spurr • Neville Howarth • Susan Gordon • Thomas Howard 	<p>The objections primarily centre around concerns regarding increased traffic flow resulting from the proposed development's access points. Residents are worried that the development will create a through road from Main Road that will exacerbate existing traffic issues, particularly due to its narrow roads.</p> <p>The prospect of 32 additional cars accessing the area via Main Road is seen as unreasonable, potentially leading to traffic problems, especially for Mitchell Street.</p> <p>Residents wish to remain a low-volume street. Criticisms extend to the inadequacy of the traffic plan, foreseeing potential queues at entrances backing up onto Main Road, and concerns about internal</p>	<p>The application was circulated to the municipal engineering department, which requested that a site traffic statement (STA) be conducted to ensure that the traffic generated by the development will not have a severe impact on current traffic flow. The STA is attached as Annexure B - Site Traffic Statement.</p> <p>The STA indicated that a Main Road-only access is deemed acceptable, with the only recommendation being to increase the entry bellmouth radius off Main Road to at least 6 meters to allow for better manoeuvrability.</p> <p>The STA also indicated that to deter right-turning vehicles into the property from the northeastern Main Road approach, no-right-turn signage (R210) can be erected downstream of the Main Road / Stemmet Street intersection together with an information sign (IN1 1.2) to indicate the distance from the sign up to the Lord Roberts Street / Main Road roundabout.</p> <p>This proposal will be adhered to, and it is relayed that any of the owners heading towards Hermanus will be required to utilize the roundabout and change direction to obtain access to the development.</p> <p>This route guidance is designed to minimize the impact on traffic flow in the surrounding area. By diverting traffic away from a direct approach to the</p>
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<p>Bramwell-Jones</p>	<p>roads becoming makeshift play areas due to the lack of designated children's play areas. Residents also call for specific traffic control measures such as speed bumps to manage traffic flow along Mitchell Street and mitigate potential safety risks, particularly for elderly pedestrians.</p> <p>Become a through road, Main Road both ingress & egress.</p> <p>32 additional cars, more than existing, access & egress to be on Main Road.</p> <p>Foresee traffic problems with access, support access from Main Road end exit on Mitchell Street.</p> <p>Do not want a through road.</p> <p>Amount of traffic generated in a suburb with narrow roads is not reasonable particularly Mitchell Street.</p> <p>Question, will access be used as both access & exit?</p> <p>Result into much more traffic in Mitchell Street.</p> <p>Wants proof of traffic assessment.</p> <p>Access on Main Road problematic, propose a slip lane.</p> <p>Access from Main Road to</p>	<p>entrance gate, especially during peak traffic times or congested periods, the flow of vehicles along Main Road and nearby streets can be more effectively managed. The use of the traffic circle allows for smoother transitions and potentially reduces the risk of traffic congestion or disruptions in the vicinity of the proposed development.</p> <p>As mentioned throughout the motivations, the access will be split into two lanes for residents and visitors, with a combined stacking distance of 24 meters, each being 12 meters, which the STA indicated as more than adequate. The STA, however, recommends that the existing additional space available should also be used for stacking. The recommendations made in the traffic impact statement will be implemented.</p> <p>Some objectors are misinformed as access will only be obtained from the Main Road and egress will be onto Mitchell Street. The existing access on Main Road will be closed and a new 8m wide double lane access will be established, with 4m on each of the two properties on main road (Erven 896 & 9807). Each townhouse erf will have two parking bays, which could include a single or double garage, carport, or open parking.</p> <p>The proposed development will be an access controlled enclosed private development and the concern that the internal roads will be used for thoroughfare from the Main Road is unjustified. The reason being that it will be a private road only accessible through access-controlled gates by the residents of the development and or their guests. It should be noted that the proposed road across the existing Erf 878 will be a one-way road, which will also ensure that the exit to Mitchell Street is the only exit.</p> <p>The vision for the internal roads of the development aims to question the ideology of road vs pavement/car vs pedestrian by making use of shared surface spaces. The shared surface spaces remove the boundary/raised curb and create a space where preference isn't given to vehicles. This design principle results in vehicles that naturally drive slower creating a safer urban environment. This also provides additional space for residents to use</p>
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	<p>development will cause significant problems in traffic. Guard house will contribute to problems waiting to get into the development.</p> <p>Stacking distances. Create slip lane as at Negester.</p> <p>Want traffic impact assessment. Mitchell Street must remain a low volume street- increased traffic not desirable.</p> <p>Will not support the re-opening of Lord Roberts Street.</p> <p>No guarantee that exit will be used as an entrance. Link between main & Mitchell Streets opposed. Does not clarify access from east to property will work.</p> <p>Cause traffic jams.</p> <p>So much more traffic- cars & delivery vehicles. "Traffic plan grossly inadequate & ill-considered - potential queues at entrance backing into Main Road.</p> <p>Internal roads will become play area due to lack of children's play area.</p>	<p>in addition to the 601m² open space provided.</p> <p>A refuse area will be located near the exit gate for easy access by municipal refuse removal trucks. The impact on traffic flow during refuse removal days is expected to be minimal due to lower traffic flow on Mitchell Street and the existing road shoulder where the truck can pull into.</p> <p>Mitchell street is considered wide enough to accommodate both traffic and pedestrians. The STA also indicated that no improvements will be required to accommodate the development. It should be reiterated that no proposal was made to re-open Mitchell Street to Lord Roberts Street, which is considered as one of the main distributors in Hermanus and is not being proposed to be altered.</p> <p>The exit into Mitchell Street will be controlled and designed to minimize adverse effects on pedestrians. Low exit speeds and wide sidewalks aim to maintain pedestrian safety and convenience. The proposed Main Road widening was taken into account in the design.</p> <p>In essence, this route recommendation serves to optimize traffic movement and enhance safety for both residents of the townhouses and other road users in the area. It demonstrates a proactive approach to traffic management within the development plan.</p> <p>Overall, the plan emphasizes traffic management, access control, and infrastructure provision to ensure the smooth functioning of the proposed townhouse development while minimizing its impact on existing traffic and pedestrian flow in the area.</p>
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	Traffic in Mitchell Street will increase massively- elderly walking to WW"	
<p>RESPONSE FROM TOWN PLANNER</p> <p>The responses from the consultants are agreed with. The main highlights are:</p> <ul style="list-style-type: none"> • A new entrance will be created with sufficient stacking distance and two entrance lanes (one for guests and one for residents). • No right turn entrance will be allowed when heading to Hermanus and the roundabout must be used, signage will be implemented. • Mitchell Street has a width of ±19m and a large portion of the street reserve is not yet developed. The street therefore has ample room to accommodate both pedestrians and vehicles at the same time. • Road widening was taken into account with the design of the development. • The location of the refuse room is beneficial to the serviceability and accessibility for municipal services. • Parking is provided at each dwelling. • A traffic impact assessment was done, and it concluded that the additional traffic will not have a negative impact on the traffic flow in the area. 		
<p>9. PARKING</p>		
<ul style="list-style-type: none"> • Tracy Davies • Dr Nicholas Davies • Ruth Vary • Jacqueline Rathfelder • Patrick William Hirst • S Badenhorst • Fred & Marina Peens • William Ian Gordon • Ulrike Beckman • J & H Verwey • Vivienne Howarth-Spurr • Neville Howarth 	<p>The objections focus on inadequate parking provisions for visitors, emergency services, and delivery vehicles. Residents express concerns about the lack of designated parking spaces, fearing visitors will overflow onto Mitchell Street, exacerbating traffic issues. Additionally, there's worry about the functionality of access points, particularly on Main Road, where limited stacking space could lead to significant traffic problems. Suggestions include creating open spaces with trees for visitor parking to ease congestion and avoid using</p>	<p>The comments have been noted. The municipality's engineering department requested a 12m stacking distance, which is double as there are two lanes to enter.</p> <p>The majority of the units will have double garages, which will allow guests to park in front of it, if necessary. The communal open space will also accommodate guest parking spaces covered in permeable grass blocks, allowing grass to grow, and increasing the greenery in the development.</p> <p>The development's roads are wide enough to accommodate smaller delivery vehicles and emergency vehicles if necessary. Larger trucks will not be allowed into the development, similar to other residential erven in the area, where large trucks such as furniture- or delivery trucks are required to park outside the complex and use a smaller vehicle to make the delivery inside the complex.</p>

	<p>Mitchell Street.</p> <p>Questions are raised about where cars will park, emphasizing the need for adequate provisions to ensure smooth traffic flow. Residents call for comprehensive solutions to address parking shortages and alleviate associated traffic and safety concerns.</p>	<p>It should be noted that the turning circles will be sufficient to allow for effective changes in direction.</p> <p>The objections / concerns of the objectors have been addressed and therefore not considered valid.</p>					
<p>RESPONSE FROM TOWN PLANNER</p> <p>Each property will have a double garage or double-parking area, in terms of the zoning proposed garages must be set back by 5m from the internal road in order to manage parking on the property and to allow visitors to park on the property.</p> <p>The internal road will also have an 8m width which will allow service, delivery and emergency vehicles to enter the property where necessary, large vehicles will be parked outside which is the norm for private developments.</p>							
<p>10. REFUSE</p>							
<ul style="list-style-type: none"> • Ruth Vary • Jacqueline Rathfelder • Fred & Marina Peens • Ulrike Beckman • Neville Howarth 	<p>Residents are concerned about the handling of refuse, noting that the current approach fails to adequately address the issue of vagrants and health hazards.</p> <p>Additionally, residents reject the idea of a communal refuse area. They emphasize that a communal area would be inconvenient, unhygienic, and could attract scavengers.</p>	<p>It is important to note that the refuse room will be developed according to the requirements as set out by the Overstrand Municipality Land Use Scheme. It is important to note that a group housing development needs to be equipped with a refuse room to comply with the regulations.</p> <p>Additional regulations are:</p> <table border="1" data-bbox="1106 1134 2101 1407"> <tr> <td data-bbox="1106 1134 1391 1374"> <p>a) a boundary wall height of minimum 2,1 m;</p> </td> <td data-bbox="1391 1134 2101 1374"> <p>This is being proposed and will be complied with as it will increase the screening capabilities. From the outside only a standard boundary wall will be visible, with the refuse room located behind it.</p> <p>The wheely bins are only ±1m in height.</p> </td> </tr> <tr> <td data-bbox="1106 1374 1391 1407"> <p>b) a door with a</p> </td> <td data-bbox="1391 1374 2101 1407"> <p>This is being proposed and will be complied with.</p> </td> </tr> </table>		<p>a) a boundary wall height of minimum 2,1 m;</p>	<p>This is being proposed and will be complied with as it will increase the screening capabilities. From the outside only a standard boundary wall will be visible, with the refuse room located behind it.</p> <p>The wheely bins are only ±1m in height.</p>	<p>b) a door with a</p>	<p>This is being proposed and will be complied with.</p>
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<p>b) a door with a</p>	<p>This is being proposed and will be complied with.</p>						

		width of 1,2 m;	The door is proposed to be a solid door which will screen the wheelie bins from the outside.
		c) the door must be solid;	Refer to above.
		d) the area must have a tap and floor level gully;	<p>This is being proposed and will be complied with. The management of the development will be done by the compulsory homeowners' association inclusive of the refuse room's maintenance.</p> <p>The refuse room will be well maintained and cleaned on a regular basis to ensure the area is clean and sanitary.</p>
		e) the gully must drain to the sewer and not the stormwater system or road;	This is being proposed and will be complied with.
		f) stormwater generated outside of the refuse area may not drain into the gully; and	This is noted and will not occur.
		g) no hazardous waste may enter the main sewer system.	This is noted and will not occur.
	<p>The management of refuse on-site will follow standard residential protocols with an added option for residents. They will have the opportunity to collect their refuse at their respective units and deposit it only on designated refuse collection days at the refuse room/area. Moreover, residents will also have the flexibility to dispose of their refuse at any time during the week within the</p>		

		<p>refuse room.</p> <p>It's essential to emphasise that the refuse area will undergo regular cleaning to uphold sanitary standards. It's crucial for objectors to understand that the cleanliness of the refuse room directly impacts the overall success and perception of the development.</p> <p>Importantly, the proposal does not anticipate an increase in scavenging/vagrant activity, as the refuse room will be securely locked and only accessible on designated refuse collection days.</p> <p>As previously mentioned, many similar refuse rooms serve as example in the Overstrand area where the description of the objector's concerns do not happen.</p> <p>Therefore, this point of objection can be rejected.</p>
<p>RESPONSE FROM TOWN PLANNER</p> <p>The response provided by the applicant is agreed with as it highlights the parameters and management required in the development and implementation of the refuse room.</p>		
<p>11. HEIGHT</p>		
<ul style="list-style-type: none"> • Dr Nicholas Davies 	<p>The objector is concerned as there is ambiguity regarding whether the proposed development will consist of single or double-storey structures.</p>	<p>The applications included 3D renders of the proposed dwelling units, which serve as artistic architectural representations of the development and would not be the final result of the design process. These renders depict two-storey dwellings which is the end goal for the development. The architectural language of the proposed two-storey dwellings aims at fragmenting the forms creating a play of shadows and light, softening its interface and contribution to the urban fabric.</p> <p>The application submitted on Erf 896 indicated that the proposal is for two-storey residential townhouses.</p> <p>The applications included development parameters that need to be adhered</p>


		to. Therein, it was also stated that two storeys are being proposed. Therefore, this point of objection is not valid and should be ignored by the deciding authority.
RESPONSE FROM TOWN PLANNER		
The response provided by the applicant is noted. The design of the dwellings will have to comply with the relevant land use parameters pertaining to height. The location of the dwellings from the boundary will be evaluated, to ensure that the dwellings do not pose a privacy issue.		
12. LAYOUT		
<ul style="list-style-type: none"> Fred & Marina Peens 	The objector proposed that the Erf 878 should not be part of the development.	<p>The comment is noted, but it should be reiterated that the design of the layout has been carefully considered not only to be as efficient as possible, but also to maximize usability and aesthetics.</p> <p>Erf 878 plays a crucial role as it allows egress to Mitchell Street that will assist traffic flow in the Main Road.</p>
RESPONSE FROM TOWN PLANNER		
The response provided by the applicant is agreed with, Erf 878 adds to the functioning of the development. Further, additional amenities are provided on Erf 878 such as the larger open erf and the refuse room, while allowing for egress into Mitchell Street.		
13. CONSTRUCTION		
<ul style="list-style-type: none"> Patrick William Hirst William Ian Gordon Ulrike Beckman J & H Verwey Vivienne Howarth-Spurr Neville Howarth Thomas Howard Bramwell-Jones 	<p>Present challenges in terms of dirt noise, dust & high traffic & security risk is anticipated.</p> <p>Torrid time during construction, additional security, road maintenance Residents to be informed in due time when works start- no parking in front of properties- operating hours and truck sizes restricted- roads repair after construction- provide additional</p>	<p>The comments are noted. The National Building Regulations will be followed to ensure no unnecessary nuisance is caused should the development be approved. According to these regulations construction is allowed from 06:00 to 18:00 on weekdays, 06:00 to 17h00 on Saturdays, and not at all on Sundays or public holidays.</p> <p>The owners of the properties will remain responsible to ensure demolition and construction does not generate excessive noise or dust. This will be done to preserve the life, safety and health of any person in the surrounding area.</p>

	<p>speed humps and also pedestrian path.</p> <p>Mitchell Street exist will be used as an entrance during construction time resulting to noise, dirt, dust and damage to the road and creating high security risk</p> <p>Mitchell Street will be converted into a construction site full of lorries, diggers, cement mixers, workers transport, toilets & canteens, formal and informal plus storage area storage area for building material</p> <p>Construction vehicles will be a hazard which was not designed for heavy vehicles- condition that Mitchell St be resurfaced after construction and add speed humps and the sides planted with mature trees in keeping with the rest of Mitchell Street</p>	<p>Security is always a major concern in South Africa and the owners will employ reputable construction companies to build on these newly created properties, reducing the safety concerns. There were concerns raised that the construction phase would cause damage to the public road. The municipality will be aware of the construction as inspections and site visits will be required and if they find that any infrastructure was damaged, the developers will be held liable for the cost of the repair of such infrastructure. Additionally, it is usual practice for contractors to include the cost estimates for repairing any damages as part of their overall project estimates.</p> <p>The development of the property will adhere to all relevant regulations as is the case with construction on any property within the Overstrand area. The developers will be sensitive to neighbours as they will be developing within an established neighbourhood.</p>
<p>RESPONSE FROM TOWN PLANNER</p>		
<p>The response provided by the applicant is agreed with, further, site management is crucial during the construction period. When building plans are approved and construction has commenced any complaints regarding safety and dust pollution (during the construction phase) can be provided to the Building Control Department.</p>		
<p>14. SAFETY AND SECURITY</p>		
<p>Ruth Vary</p>	<p>The construction of this project will become a massive security risk for every person in Eastcliff in every way which is of enormous concern to all.</p>	<p>The point of objection is based on generalised assumptions with no facts.</p> <p>The proposed development is planned for an up-market development and is subsequently planned to be constructed by reputable contractors.</p>

		Therefore, this point of objection should be omitted.
<p>RESPONSE FROM TOWN PLANNER</p> <p>This objection is not agreed with, if this was the case then no development would be allowed in Hermanus.</p>		
<p>15. LEGAL</p>		
<ul style="list-style-type: none"> • Michelle Kruger • Ulrike Beckman • Achim Beckmann 	<p>Comments were received that Mr. and Mrs. Ramlakan are no longer owners of the property.</p> <p>They express dissatisfaction with not being informed as affected owners and emphasize their request for a title condition that would prevent the new road from becoming a through road between Main Road and Mitchell Streets.</p>	<p>Erf 896 has been sold recently and a new power of attorney and title deed were submitted to the municipality when the new owners took transfer of the property.</p> <p>It should be noted that the public participation was conducted as per the standard municipal regulations and by-laws. The emails were sent out by the municipality who decided who needed to be notified.</p> <p>In addition, there were site notices erected for the entire month of December and January. The objectors were however notified and did submit comments for consideration which proves that they were fully informed of the process.</p> <p>There will be no need to record that there will be no entrance from Mitchell Street as the road design and design of the gates will ensure this does not occur.</p>
<p>RESPONSE FROM TOWN PLANNER</p> <p>Potentially affected parties were notified via emails, a site notice was placed at the premises and an advertisement was placed in the local newspaper. It is considered that sufficient notification was provided.</p>		

16. PROPERTY VALUES		
<ul style="list-style-type: none"> • Dr Nicholas Davies • Michelle Kruger • Gary Combrink • Annabella Busse • Johan Malherbe • Mrs P Combrink 	<p>Residents fear that the proposed townhouse development will diminish property values and negatively impact the residential character of the neighbourhood.</p> <p>They argue that such a development could disrupt the area's established ambiance, leading to a decline in property values and desirability for homeowners. Additionally, there are concerns that the introduction of townhouses may destroy the sense of community that currently exists within the neighbourhood.</p>	<p>The comments have been noted and acknowledged. It's crucial to distinguish between unsubstantiated remarks and statements based on facts. The underlying objective of the proposal is to introduce additional housing options and attract new residents to one of Hermanus' most sought after neighbourhoods. The properties are situated within the Densification Zone, which presents an ideal opportunity for a unique development that aligns with the municipality's legislation and forward planning policies.</p> <p>While objectors have raised concerns about potential impacts on property values, it's important to recognize that these concerns are largely based on assumptions rather than concrete evidence. The points raised why the property values may be affected are addressed throughout this response to the objections, such as traffic, construction, privacy etc.</p> <p>The architectural vision for the development aims to retain and build upon the existing ambiance of the area. This is achieved by proposing to incorporate historical elements of existing structures into the development and taking inspiration from the larger residential context.</p> <p>This will be a carefully considered, exclusive, designer development which will add value and be of social benefit to the sought after context of Eastcliff. The development will be marketed, designed, and built to be tailor made to its place and context and will be of immediate and future benefit as such, even as soon as in its marketing phase. It will be implementing renewal, upgrading of existing structures, adaptive heritage re-use inclusion and carefully designed landscaping strategies significantly improving the ambiance of what is currently a derelict fenced property, with old buildings in need of renewal / replacement and empty inaccessible erven. Prospective new owners in such a development will certainly contribute to the community of Eastcliff.</p> <p>Therefore, statements suggesting that the proposed development of this nature could adversely impact property values in the surrounding area lack</p>

		<p>any real substance. It's important to approach this proposal with an understanding of its potential positive contributions.</p> <p>This point of objection must also be read with paragraph 2 under the heading of density.</p>
<p>RESPONSE FROM TOWN PLANNER</p> <p>There are three town housing developments in Mitchell Street already, the concern that property values will be negatively impacted, and the residential character be disrupted is unwarranted.</p> <p>The scale of the dwellings proposed is further in line with the single residential character and would therefore not lead to the feel of the street scape to be lost.</p> <p>The objectors further neglected to compare the proposed development to the existing Telkom property in Mitchell Street which has a design and feel which is in contrast to that of the residential nature and this development would act as a buffer to the Telkom site.</p>		
<p>17. ENVIRONMENT</p>		
<ul style="list-style-type: none"> • Tracy Davies • Dr Nicholas Davies • Ruth Vary • Michelle Kruger • Patrick William Hirst • Fred & Marina Peens • Ulrike Beckman • J & H Verwey • Achim Beckmann • Vivienne Howarth-Spurr • Neville Howarth 	<p>Owl and Earth warming.</p> <p>Design not eco-friendly.</p> <p>Two Acacia trees on Erf 878 - accommodates bird & habitat.</p> <p>Tree to be removed.</p> <p>Accuse planners of not being cognisant of environmentally friendly suburb with quiet, clean streets, many trees, open spaces and environmentally conscious residents.</p> <p>"Should be more green areas, cause a heat cell, trees, plants & grass</p>	<p>The development plan for Erf 878 Hermanus involves several key aspects regarding the utilization of the site and the integration of new townhouse erven while considering environmental and aesthetic factors:</p> <p><u>Tree Removal and Private Open Space:</u> The likelihood of removing established trees is acknowledged as necessary for servicing the site and accommodating the proposed townhouse erven. However, a substantial portion of the area, approximately 601m², will be designated as private open space. This space will not only serve as a recreational area but will also be landscaped and have new trees planted to attract birds to the area, thus restoring some natural habitat lost during construction.</p> <p><u>Landscaping and Sidewalks:</u> The development plan includes landscaping of sidewalks, indicating a commitment to aesthetic enhancement throughout the development. The landscaping strategy for the development involves creating a green strip along the Main Road to Mitchell Street access leading to the proposed landscaped private open space. Additionally, this approach</p>

	<p>suggested.</p> <p>Concerned about security, noise, trucks & dirt".</p> <p>Provision for open space is too small, little provision for trees and garden, not in feeling with Eastcliff.</p> <p>"Recreational area will not be used accordingly, not in the spirit of the OMLUS, reduce density, heating, more space for bigger trees and plants required.</p> <p>No enviro sustainability, not aligned with climate change, no mitigation, to be aligned with Eastcliff Atmosphere. Trees & gardens on Mitchell Street of dev required.</p> <p>Not environmentally friendly, no space for trees or gardens between houses, what about stormwater.</p> <p>Sealing of the land- not in line with climate protection measures.</p> <p>Oppose consolidated green area- every property needs own green area for trees and garden to allow airflow and sunlight between buildings.</p> <p>Will lose trees and greenery.</p>	<p>prioritizes integrating landscaping within the development. Furthermore, each townhouse erf will have a coverage of 65%, ensuring ample space for garden purposes, which contributes to a greener environment. Concerns regarding the environmental impact of the development, particularly in terms of earth warming and heat generation, are addressed. The proposed 16 townhouse erven, private roads, and private open spaces are deemed to have negligible effects in this regard.</p> <p><u>Comparison with Existing Built Character:</u> The built character of existing single residential and townhouse erven is noted to feature a high percentage of hard surfaces, as illustrated on the aerial photograph below.</p> <p>The proposed landscaped gardens, sidewalks, and private open spaces are intended to harmonize well with the provision of open spaces established in single residential erven, thus maintaining continuity in the area's visual appeal.</p> <p>The architectural design of the proposed dwellings is described as highly compatible with the existing built character of the area, suggesting a cohesive aesthetic vision for the development.</p> <p>The layout and positioning of the private open space has been strategically planned. It serves as a buffer between the Telkom Exchange and the proposed townhouses on Erf 878, potentially mitigating any negative effects of proximity to such infrastructure. Additionally, consolidating the open space into one larger area rather than creating smaller pockets between townhouse erven enhances its functionality and aesthetic appeal.</p>	
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	<p>Open space in most unattractive position. Each house should have its own garden / green area of reasonable size for normal healthy family use plus with dedicated open recreational area.</p>	
<p>RESPONSE FROM TOWN PLANNER</p>		
<p>The objection regarding the environment is noted. The proposed project will have sufficient greenery on each property with the addition of the private open space. The greenery provided are similar to those provided at the other town housing developments in Mitchell Street and will ensure storm water issues are effectively dealt with. The developer will also be responsible to ensure that a storm water plan is drafted and implemented.</p> <p>The objector did not discuss the impact of the development on the owls which are presumed to be nesting in one of the trees. It is illegal to remove a tree in which a bird species is nesting and therefore specific conditions will be imposed relating to the owls. The following conditions are suggested:</p> <ol style="list-style-type: none"> 1. that the developer appoints a specialist to study the area and identify which tree the owls are nesting, whether the owls are currently nesting, and if required apply for the necessary permit for the removal of the owls under the relevant law; and 2. that the specialist also determines whether the tree is indigenous prior to removal. 		
<p>18. POTENTIAL ILLEGAL USES AND SOCIAL ACTIVITIES</p>		
<ul style="list-style-type: none"> • Tracy Davies • Dr Nicholas Davies • Ruth Vary 	<p>Party, holiday digs, drinkers.</p> <p>Not respecting neighbourhood / atmosphere.</p> <p>Parties, noise visitors.</p>	<p>A townhouse development is proposed consisting of 16 townhouse erven. These erven may only be used for residential purposes of which the definition reads as follows:</p> <p><i>“town housing and town housing scheme mean a row or group of linked, attached or detached dwelling units which are designed and built as a harmonious architectural entity of which every dwelling unit has a ground floor; such dwelling units may be cadastral subdivided or be sold individually in some other manner;”</i></p>

	<p>A dwelling unit is defined as follows:</p> <p><i>“dwelling unit means a unit containing one or more inter-leading rooms with adequate sanitary facilities and a kitchen, used for the accommodation and housing of a single family, and may be included in or separate from the main building on the property;”</i></p> <p>Taking the above use into consideration and the fact that an upmarket townhouse scheme is planned, it is proposed that it will be a quiet and peaceful residential development without any misuse of alcohol, parties and related noise.</p> <p>The townhouses are explicitly designated for residential use only. This means they cannot be utilized for any other purposes apart from residential living. This restriction likely prevents activities such as commercial ventures or other non-residential uses within the townhouse premises. Another restriction is that the townhouses cannot be rented out on a short-term basis to transient guests. This prohibition likely aims to maintain a stable residential community and prevent the area from becoming a transient or tourist accommodation hub.</p> <p>The application for the townhouse scheme specifies that it does not include any uses that would require additional consent under the zoning regulations of the General Residential Zone 1. This indicates that the proposed development complies with the permitted uses outlined in the zoning regulations without needing further approval for additional activities.</p> <p>Overall, the statement emphasises the intended residential nature of the townhouse scheme, outlining specific restrictions to ensure it aligns with the desired character of the area and complies with zoning regulations.</p>
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RESPONSE FROM TOWN PLANNER

The response by the applicant is agreed with. The concerns raised is not reflective of what is being proposed in the application which is a town house development with single erven with dwelling houses/units made for accommodate a single family. No application is made for any other land uses such as "tourist accommodation".

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 was 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

The proposed application would not contribute to any spatial injustice and the development of town housing will be open to the free market and anyone will be able to purchase the unit at market related prices.

Spatial Sustainability

The application is within the urban edge and will not impact on agricultural land or environmentally sensitive areas. It will also help to alleviate urban sprawl by way of infill planning. Green spaces are provided which will aid in the management of storm water and heat soak.

Efficiency

The property is surrounded by an existing road network and services infrastructure and will help with the maximum utilization of such infrastructure and upgrade thereof. The proposed properties are also ideally situated to ensure that residents do not have to travel far distances to have access to commercial and community facilities.

Spatial Resilience

The approval of this development will ensure additional rates will be obtained by the municipality to maintain existing infrastructure, thereby lowering the financial pressure on surrounding property owners and the municipality. It will also provide for more housing opportunities in an area which is demarcated for growth.

Good Administration

Good procedure was followed and with a good public participation process.

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

In terms of the Overstrand Growth Management Strategy, 2010 the subject property is situated in planning unit 14 which is indicated for incremental densification with a density of 10 units per hectare. The application is to allow for a town housing development which will allow for a density of 28 units per hectare. Therefore, it should be noted that the planning units 13 and 15 which are abutting the subject property are indicated as high-density areas of more than 30 units per hectare. The area is also considered a predominantly mixed-use area. The subject properties are therefore considered to be ideally located to act as a transition between the high-density commercial nodes of Hermanus CBD to the single low-density areas in the Eastcliff suburb. The proposal to incorporate the subject property into a higher density area and is therefore not out of character due to it being located within an area where other higher density developments exist.

In terms of the Overstrand SDF, 2020 the area is indicated for urban development and is located within the urban edge. The SDF states that densification is one option to promote growth in this region while accommodating population growth.

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 sufficient bulk capacity exists to accommodate the development. The application is supported by the Engineering Services Department subject to the payment of a bulk service levy and service agreement where applicable.

The Site Traffic Assessment Report concluded that the proposed additional traffic will not have a negative impact on the pedestrian and vehicular movement in the area.

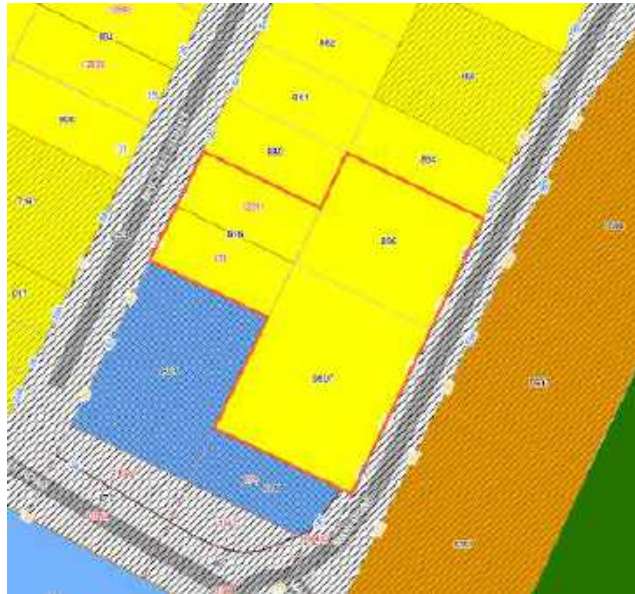
10.7 Outcomes of investigations/applications i.t.o other legislation

N/A

10.8 Existing and proposed zoning comparisons and considerations

The subject property is currently zoned Residential Zone 1: Single Residential and it is proposed to rezone it to General Residential Zone 1: Town Housing. The area is developed with various different land uses and zoning which include the following:

- Residential Zone 1: Single Residential
- General Residential Zone 1: Town Housing
- General Residential Zone 3: Flats Bulk Zone 2
- Business Zone 3: Local Business



11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

N/A

12. THE DESIRABILITY OF THE PROPOSAL

The application proposes the following:

- ❖ **Rezoning** of the property in terms of Section 16(2)(a) of the By-Law from Residential Zone I: Single Residential (SR1) to Subdivisional Area Zone (SA).
- ❖ **Subdivision** of the rezoned property in terms of Section 16(2)(d) of the By-Law, to create the following:
 - seven (7) General Residential Zone I: Town Housing (GR1) erven; and
 - one (1) Transport Zone 2: Road and Parking (TR2) erf.
- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to relax the following:
 - the north-western rear building line from 3m to 2m to retain a section of an existing building;
 - the south-eastern street building line from 5m to 2m to retain a section of an existing building, and

- the south-western lateral building line from 3m to 2m to retain a section of an existing building.
- ❖ **Exemption** of the registration of a right of way servitude in terms of Section 26(1)(h)(v) of the By-Law for the registration of a right of way servitude over Erven 878 and 9807, Hermanus.

As discussed in the background of this report, Erf 9807, Eastcliff is zoned Residential Zone I: Single Residential, is 2676m² in extent and is currently developed. The property is located in close proximity to the Hermanus CBD, and the owners of the property agreed with two adjacent property owners to do a joint residential development, as their individual properties do not comply with the required erf size of 3000m². The joint residential development will accommodate 16 freehold group housing properties to provide residential opportunities in an area where residential opportunities are scarce. The three properties being proposed for the development are Erven 878, 896 and 9807 with proposed gated access from the Main Road and egress onto Mitchell Street.

As part of the development Erf 9807 will be subdivided and rezoned into seven (7) General Residential Zone 1 erven (with a size of $\pm 204\text{m}^2$ to $\pm 406\text{m}^2$), and one (1) Transport Zone 2. It is proposed that the total development on Erven 878, 896 and 9807 will consist of 16 town housing erven which will vary between 191m² to 406m² in extent with Private Open Space and private roads occupying the rest of the development.

No open space is proposed on the subject property however, in terms of the total development the required 10% open space will be provided on Erf 878. The aforementioned being stated the residential erven will have garden areas within the applicable building lines.

A centralised refuse room will be provided on Erf 878 with adequate access from Mitchell Street.

Access will be gained from the Main Road and egress from Mitchell Street with dedicated resident and visitor access lanes with a setback of 18m and 13,5m respectively. The proposed private road within the town housing development will have a road reserve of 8m and a servitude will be registered on the property zoned Transport Zone 2: Private Parking and Road in favour of the other erven in the development which will enable residents right of way.

As discussed in this report, in terms of the Overstrand Growth Management Strategy, 2010 the subject property is situated in planning unit 14 which is indicated for incremental densification with a density of 10 units per hectare, the application is to allow for a town housing development which will allow for a density of 28 units per hectare. Therefore, it should be noted that the planning units 13 and 15 which are abutting the subject property are indicated as high-density areas of more than 30 units per hectare. The area is also considered a predominantly mixed-use area. The subject properties are therefore considered to be ideally located to act as a transition between the high-density commercial nodes of Hermanus CBD to the single low-density areas in the Eastcliff suburb. The proposal is to incorporate the subject property into a higher density area is therefore not out of character due to it being located within an area where other higher density developments exist and considering that the development will be a brown field development.

It is clear from the report and comments from other municipal departments that there are sufficient services and road infrastructure to accommodate this proposed development.

Access to the development will be from Main Road and egress will be provided via Mitchell Street. During construction it is sensible that both Main Road and Mitchell Street will be used to deposit building materials, this ensures that Main Road is not congested.

The comments of the objectors were adequately addressed by the applicant and municipal town planner under Section 7 of this report. Although the comments of the objectors regarding the road and safety concerns are noted, the STA (Site Traffic Assessment) and Municipal Engineering Branch and Operational Branch support the application in its existing format. Only the point which relates to the departure applications is to be discussed below.

The objection regarding the proposed departures was mainly focused on Erven 878 and 896 which face residential erven. As discussed in the responses to the comments it is the objector's point of view that there is an observation and benefit in retaining the 3m building line as depicted in the land use parameters. This first is it mitigates privacy concerns from first floor levels of the new dwellings and secondly it allows for bigger garden areas at each unit. In terms of the proposed application both these two points raised by the objector's are points which require further evaluation and discussion.

Distinction must be made between the characteristics of the surrounding single residential and proposed town housing erven. Both the surrounding single residential and proposed town housing erven will have a right to develop up to 8m high buildings; however single residential erven are to be constructed up to 2m away from the common (lateral and rear) boundary, while town housing erven have a 3m building line. The reason for the distinction is due to the density of proposed town housing erven. When a single residential property is developed it can be developed with one or two dwellings and coverage of 50%, however, town housing can be developed with much more units on the same boundary and coverage of 65%. As an example, consider proposals for Erven 878 and 896 which will be developed against Erven 880 and 864 respectively. Erven 880 and 864 have large erven with one to two units on them; currently these units are single storey with windows and private recreational areas facing southward and eastward. If the proposal is approved Erven 878 and 896 will each be with town housing developments which can consist of up to 65% coverage, this will allow for more bulk facing towards the residential erven. In this case five properties (and dwelling units) will be developed facing Erf 880, and two dwellings of 65% coverage facing Erf 864, each dwelling unit will also have its own family and occupants which could have an impact on the privacy and amenity of the residential erven. Considering this the character is changed from what could be reasonably considered to be allowed uses/development of single residential property to a town house erf. To mitigate the issue there are certain considerations to be made. The first would be to only allow single storey dwellings 2m from the boundaries the second would be to not allow the proposed departure.

Considering the way Erven 880 and 864 are developed in relation to the proposed development (with single storey structures closer than 2m from the boundaries and private spaces facing Erven 878 and 896), it is proposed that the departures applicable to the development on Erven 878 and 896 is not supported. The benefit of this will allow for a greater buffer area between the rezoned erven and the single residential areas while allowing for more green areas which will aid in storm water management.

It is noted that on Erf 8907 a similar departure was requested for the western- and southern building lines. Erf 8907 abuts two commercial zoned erven which do not have a residential character, while portion 7 (as indicated on the proposed subdivision plan of Erf 9807) will face toward the private open space which is to be developed on Erf 878, and therefore it is considered that the proposed relaxation can be supported applicable to Erf 9807 common boundaries.

The application for Erf 8907 also included the relaxation of the 5m street building line to 0m to retain the existing structure on the property which is considered to have a historical and aesthetic value on the proposed portion 3 (as indicated on the proposed subdivision plan of Erf 9807). Three aspects should be noted about the existing structure:

1. façade of the structure is not developed on the boundary of the property but setback by 1,8m from the street boundary;
2. in June 2024 permit was granted to demolish the all the structures on Erf 9807 (including the existing façade); and
3. the façade is located in the allocated road widening of main road.

The permit provided by Overstrand Municipality for the demolition of all the structures on the property is noteworthy as it also included the approval from Heritage Western Cape, therefore the reasons for the retention of the façade is questioned. If it was of such a high historical and aesthetic significance, then HWC would not have approved the demolition of it. In addition to this the historical building plans clearly indicate that the existing façade is located in the 3.148m road widening area and the retention of the structure now will be of little benefit in the future. Considering the above the retention of the structure and the departure to relax the 5m street building line is not supported.

It is noted that another application is made to retain the existing structure on the proposed portion 1 (as indicated on the proposed subdivision plan of Erf 9807). This is considered not be an application as it will relate to the internal road as proposed in the subdivision and rezoning of Erf 9807.

Considering the above, the application is considered desirable and is supported, subject to the conditions as listed in the recommendation.

13. RECOMMENDATION

1. that the objections be noted;
2. that the application in terms of Section 16(2)(a) of the Overstrand Municipal Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 9807, Hermanus to **rezone** the said property from Residential Zone I: Single Residential (SR1) to Subdivisional Area Zone (SA) and the subsequent **subdivision** in terms of Section 16(2)(d) of the By-Law, read with Section 22, of the rezoned property to create the following:
 - seven (7) General Residential Zone I: Town Housing (GR1) erven; and
 - one (1) Transport Zone 2: Road and Parking (TR2) portion;

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

3. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 9807, Hermanus for **departure** to relax the following:
 - the north-western rear building line from 3m to 2m, and
 - the south-western lateral building line from 3m to 2m to accommodate the proposed dwellings;

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

4. that the application in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) on Erf 9807, Hermanus for **departure** to relax the south eastern street building line from 5m to 0m to accommodate existing structure, **not be approved**, in terms of the provisions of Section 61 of the By-Law,
5. that the application in terms of Section 26(1)(h)(v) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) for the **exemption** of the registration of a right of way servitude over Erf 896, Hermanus in favour of Erven 878 and 9807, Hermanus, **be approved**, in terms of the provisions of Section 61 of the By-Law;
6. that the recommendation under points 2. and 3. and 5. is subject to the following conditions:
 - (a) that Development be in line with Subdivision Plan Drawing No her9807s9.drw dated *June 2013*;
 - (b) that the garages on the properties be set back 5m from the internal street boundary;

- (c) that the areas within the building lines be used for the planting of grass, unless otherwise required in terms of a storm water management plan;
- (d) that prior to the submission of building plans, the developer appoints a specialist to study the area and identify which tree the owls are nesting, whether the owls are currently nesting, whether the tree is indigenous and if required apply for the necessary permit for the removal of the owls under the relevant law and such information be provided to the municipality for record keeping;
- (e) that prior to the submission of building plans, a singular Architectural Design Guideline (for the development on erven 878, 896 and 9807) in line with the Zoning Scheme parameters and the departure relaxation as dealt with in Point 3 and 4, be submitted to the Town and Spatial Department;
- (f) that prior to the submission of building plans, a right of way servitude be registered in favour of Erven 878 and 896 on the section of the internal road on Erf 9807;
- (g) that the recommendation of the Site Traffic Assessment by DL Consulting be implemented by the developer;
- (h) that all conditions imposed by Waste Management and Engineering Services (attached as Annexures F and G), be complied with;
- (i) that a Homeowners' Association be established with compulsory membership for all subsequent property owners within the development of erven 878, 896 and 9807;
- (j) that the Constitution of the Homeowners' Association be submitted for approval by the municipality (which reserves the right to impose conditions in this regard), and that the following aspects inter alia be addressed in this document:
 - the approval of building plans by an "estate architect" prior to submission thereof to the Municipality, and
 - that the Constitution clarifies at what stage that the responsibility would be transferred from the developer to the Homeowners' Association to deal with approval of plans;
- (k) that all other development parameters as prescribed in the relevant Zoning Scheme, be complied with; and
- (l) that erven 878, 896 and 9807 be notarial tied with regards to services, roads, use of the open space and refuse room;
- (m) that all services (including roads, water and sewer circulation, refuse room and electrical connection(s)) be completed on erven 878, 896 and 9807 prior to the registration of the first property; and
- (n) that this approval does not absolve the owner/applicant from compliance with any other relevant legislation.

7. that the applicant and objectors be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2015 with regard to the above decision.

14. REASONS FOR RECOMMENDATION

- ❖ The application is desirable as it will allow for new dwelling units near the CBD while conforming to the characteristics of the area.
- ❖ The proposal for a development with General Residential Zone I is ideally located to act as a transition between the high-density commercial node of Hermanus CBD to the single low-density areas in the Eastcliff suburb erven and is therefore considered supported in line with the Overstrand Municipality Spatial Growth Management Strategy, 2010 (Guideline document) and Overstrand Municipal Wide SDF, 2020.
- ❖ All relevant municipal departments and external departments/institutions support the application.
- ❖ Concerns/objections raised about the possible impact on the character of the area and property values are unfounded as this proposed development will be in line with the character of surrounding developments, which has a mixture of group housing, single residential and commercial erven.
- ❖ The 5m building will not be relaxed as the existing structure is deemed to be demolished as per the approved permit and due to the existing structure being located within the road widening area.
- ❖ Concerns/objections raised about the impact of additional traffic in Mitchell Street does not prove the development to be undesirable as per the Site Traffic Assessment Report. The Operational and Engineering Services Departments support the application.
- ❖ Sufficient services are available, while the issues regarding low water pressure is noted, it is not relevant to the application and public should revert their concerns to the Operational Department.
- ❖ The application will have no Heritage impact as a permit was obtained to clear the site.
- ❖ The application is in line with the general principles of SPLUMA and LUPA as this development will be spatially sustainable as it will not lead to urban sprawl or developed on agricultural land or environmentally sensitive areas. In terms of efficiency, it will utilize existing road networks and services.
- ❖ The developer will be responsible for acquiring the services of a specialist to identify the location of the owls and to ensure that they are not nesting at the time of removal of the tree.

15. ANNEXURES

- Annexure A: Locality Plan
- Annexure B: Motivation Report
- Annexure C: Subdivision Plan, Rezoning Plan and Site Development Plan
- Annexure D: Objections received
- Annexure E: Comment on objections received
- Annexure F: Comment: Waste Management
- Annexure G: Services Report
- Annexure H: Site Traffic Assessment

SIGNATURES**AUTHOR:**Name: **PETRUS ROUX**SACPLAN Reg No: **A/2246/2015**

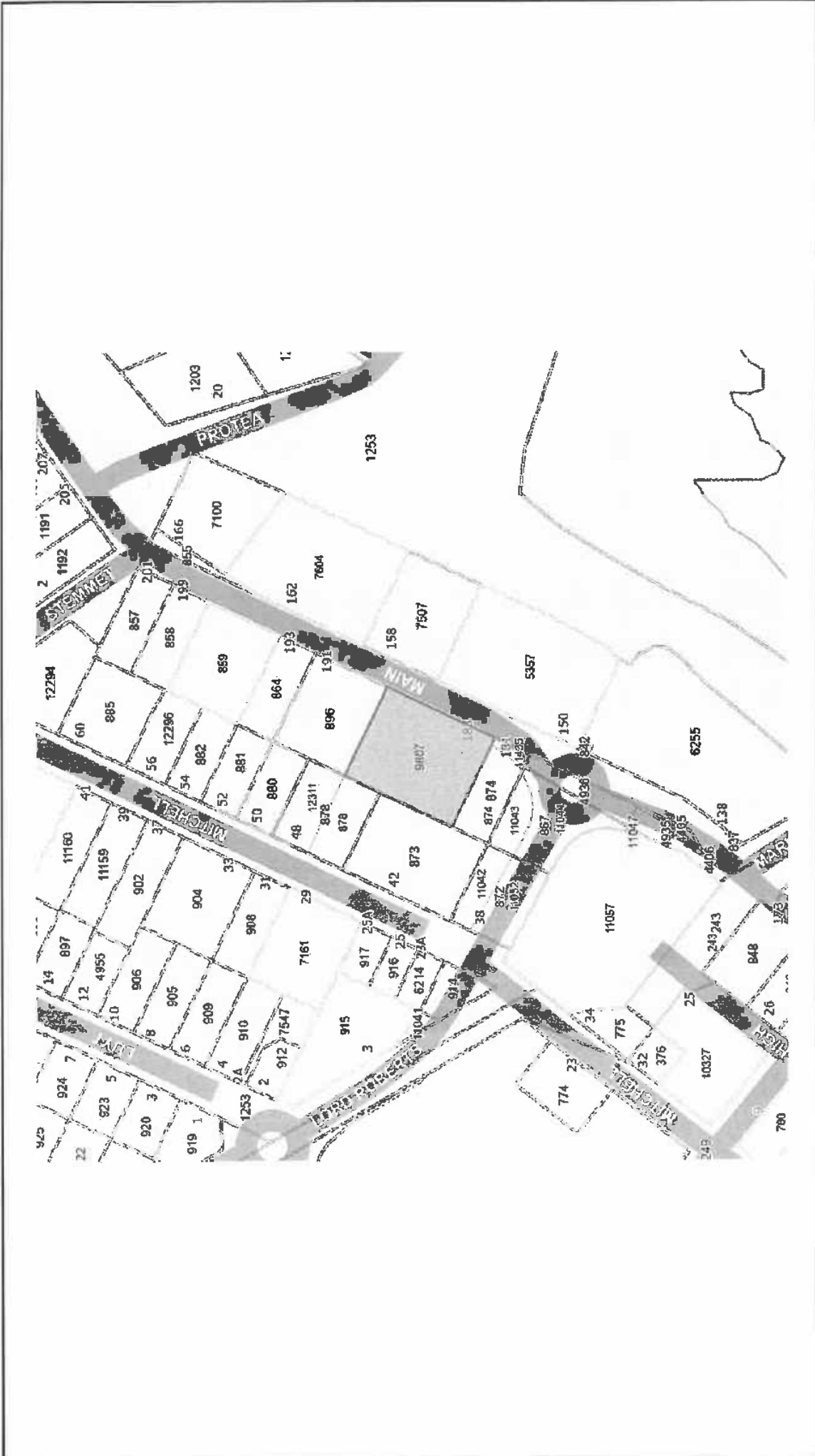
Signature: _____

Date: _____

REGISTERED PLANNERName: **S VAN DER MERWE**SACPLAN Reg No: **A/1850/2014**

Signature: _____

Date: _____



Scale: NTS
 Drawing Nr: HER9807L.dwg
 Date: 07/2023

Plan Description:
LOCALITY MAP

Property Description:
**ERF 9807
 HERMANUS**

All distances approximate
 and subject to survey.
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PLAN Stads- en Streeksbeplanners
 Town & Regional Planners

**PROPOSED REZONING,
SUBDIVISION, RIGHT OF WAY
SERVITUDE AND BUILDING LINE
DEPARTURES**

**ERF 9807 HERMANUS BEING PART
OF A DEVELOPMENT INCLUDING
ERVEN 878 & 895 HERMANUS**

**DIVISION: CALEDON
OVERSTRAND MUNICIPALITY**

1. BACKGROUND

The owner of Erf 9807 Hermanus, Mr. Mike McGrath on behalf of McGrath Property Holdings (Pty)Ltd, has instructed the company Plan Active Town Planners to apply for the rezoning and subdivision of Erf 9807 Hermanus in order to accommodate a Townhouse Scheme. In terms of the Overstrand Municipal Land Use Scheme Regulations, 2020 the minimum erf size required for a townhouse scheme development is 3000m². Erf 9807 Hermanus is 2676m² in extent and does not comply with the Scheme Regulations' minimum erf size requirement.

The two adjoining erf owners of erven 878 & 895 Hermanus also have the intention of developing their properties but also do not comply with the minimum erf size requirement being 3000m² in extent. After negotiations they have decided to do a joint development of the 3 erven namely erven 878, 895 & 9807 Hermanus that will be developed as 1 townhousing scheme. The owners of erven 878 and 896 Hermanus will be represented by Interactive Town & Regional Planning and WRAP Project Office Town Planning & Project Management respectively. The townhousing scheme in total will consist of 16 townhouse erven, private roads and a private open space and will be 6007m² in extent. Erf 9807 Hermanus will contribute 7 of the 16 townhouse erven.



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Motivation report

The 3 applications will be submitted by the 3 consultants simultaneously cross-referencing each other.

We had meetings with the Overstrand Municipality's Town Planning Department and Engineering Department regarding the layout of the proposed townhouse scheme, including erven 878 & 896 Hermanus of which their input was used to finalise the proposed layout.

The Title Deed applicable to Erf 9807 Hermanus contains no restrictions that prohibit the rezoning, subdivision, proposed servitude and departures from the building lines of the subject erf to accommodate a portion of the proposed Townhouse Scheme.

Erf 9807 Hermanus is 2676m² in extent and is held by Title Deed number T6107/2018.

2. APPLICATION DETAILS

Application is made in terms of / for:

- Rezoning to Subdivisional area as contemplated in Chapter 4, Section 22(2) of the Overstrand Municipality's Bylaw on Municipal Land Use Planning, 2020. "No application for subdivision involving a change of zoning may be considered by the Municipality, unless the land concerned is zoned for a subdivisional area."
- Chapter 4, Section 16(2)(a) of the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020, for the rezoning of Erf 9807 Hermanus from Residential Zone 1 to General Residential Zone 1.
- Chapter 4, Section 16(2)(d) of the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020, for the subdivision of Erf 9807 Hermanus.
- Chapter 4, Section 16(2)(b) of the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020, for building line departures of Erf 9807 Hermanus.



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Motivation report

- Chapter 4, Section 26(1)(g)(v) of the Overstrand Municipality's By-law on Municipal Land Use Planning 2020, for the creation of a right of way servitude that is exempted in terms of this section.

3. DESIRABILITY

3.1 PROPERTY DESCRIPTION

The subject property is located at 183 Main Road, Hermanus. Please refer to the enclosed locality plan and the abstract below.



Erf 9807 Hermanus is 2676m² in extent and it is situated in a mixed-use area consisting of businesses, single residential erven, townhouses and a hotel.

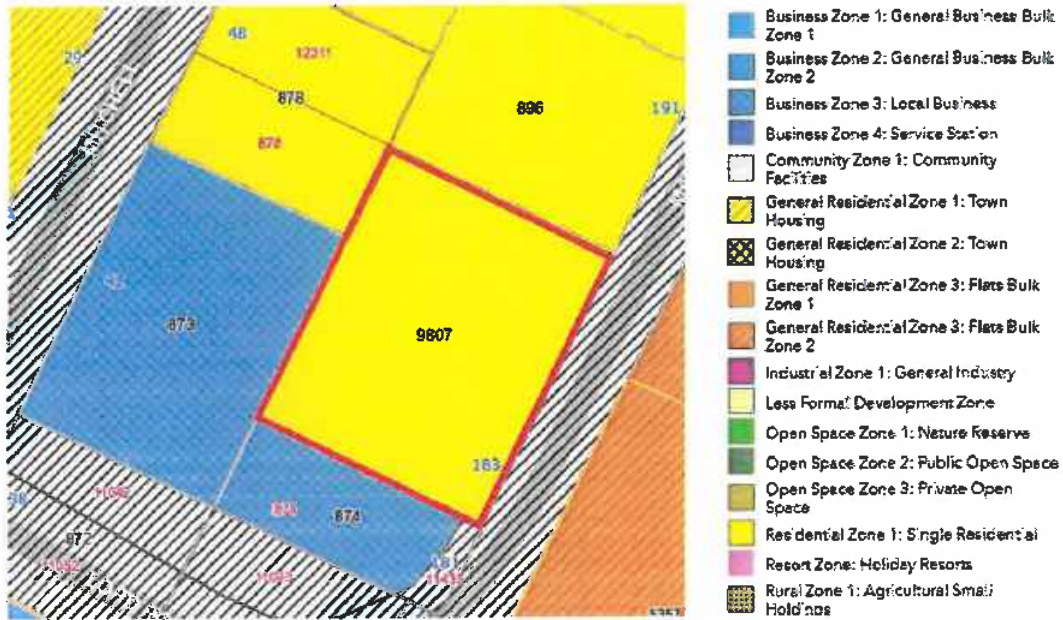
3.2 ZONING

Erf 9807 Hermanus is zoned Residential Zone 1 and is currently developed. Surrounding properties are zoned for business purposes, single residential erven and general residential erven as indicated below:



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Motivation report



3.3 LAND USE

Erf 9807 Hermanus formerly consisted of erven 863 & 865 Hermanus that were consolidated. Subsequently 2 dwellings, servants' quarters / cottage and outbuildings are established on the subject erf. An application for rezoning was obtained for 8 townhouses in 2001 but were never developed. Land uses that surround erf 9807 Hermanus are predominantly businesses, single residential erven, group housing developments, apartments and the Marine Hotel. The detail of the land uses is as follows:

- The Telkom Exchange: Erf 873 Hermanus;



Motivation report

- Woolworths and a number of line shops: Erf 11057 Hermanus;



- The Hermanus Sectional Title Apartments: Erf 5357 Hermanus;



- Marine Terrace Sectional Title Apartments: Erf 7604 Hermanus;



Motivation report

- Various small local businesses: Erf 874 Hermanus



- Brokerage Firm: Erf 857 Hermanus



- Perla apartments: Erf 859 Hermanus



- Port Del Mar Guesthouse: Erf 12295 Hermanus



It is therefore evident that erf 9807 Hermanus is within a mixed land use area.

3.4 PROPOSAL

- Rezoning to Subdivisional area as contemplated in Chapter 4, Section 22(2) of the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020. "No application for subdivision involving a change of zoning may be considered by the Municipality, unless the land concerned is zoned for a subdivisional area."
- Chapter 4, Section 16(2)(a) of the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020, for the rezoning of Erf 9807 Hermanus from Residential Zone 1 to General Residential Zone 1.
- Chapter 4, Section 16(2)(d) of the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020, for the subdivision of Erf 9807 Hermanus.
- Chapter 4, Section 16(2)(b) of the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020, for building line departures of Erf 9807 Hermanus.
- Chapter 4, Section 26(1)(g)(v) of the Overstrand Municipality's By-law on Municipal Land Use Planning 2020, for the creation of a right of way servitude that is exempted in terms of this section.

It is the intention of the owner of erf 9807 Hermanus to establish a Townhouse Scheme on Erf 9807 Hermanus that will consist of 7 townhouse erven and a portion of private road. Erf 9807 Hermanus will be part of a single, combined townhouse scheme consisting of the development of erven 9807, 878 & 896 Hermanus. The proposed



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Motivation report

Townhouse Scheme will, in total, consist of 16 townhouse erven, private roads and a single private open space. Please refer to **Annexure A** depicting the proposed development.

The detail of the application applicable to Erf 9807 Hermanus can be described as follows:

3.4.1 Proposed Rezoning, Subdivision and a Right of Way Servitude

Erf 9807 Hermanus is 2676m² in extent and is one of the 5 larger erven in this block located between Main Road, Lord Roberts Street, Mitchell Street and Stemmet Street, Hermanus. Erven in the vicinity of Erf 9807 Hermanus vary in size between ±773m² and ±2676m² in extent. The owner intends to rezone Erf 9807 Hermanus from Residential Zone 1 to Subdivisional Area in order to accommodate a portion of a Townhouse Scheme with a General Residential Zone 1 zoning. Please refer to the enclosed subdivision plan. **Annexure B**

7 Townhouse erven are proposed that vary in size from ±204m² to ±406m² in extent, with an average erf size of ±309m². A private road is also proposed that consists of an internal road with an 8 meter road reserve width and a portion of the access road from Main Road. The remaining extent of the proposed access road is being provided for by the owner of Erf 896 Hermanus. The total width of the combined proposed access road from Main Road will also have a road reserve width of 8m. The proposed access from Main Road will be to gain access to all the proposed townhouse erven on all 3 sites, that will function as a single, combined townhouse development.

No private open space will be provided on the subject erf, Erf 9807 Hermanus and on Erf 896 Hermanus. It is proposed that a single private open space be provided on Erf 876 Hermanus in return of proportionally sized erven calculated at 10% of the size of each erf. Erf 9807 Hermanus is 2676m² and therefore 268m² private open space is required.

Erf 876 Hermanus requires ±155m² private open space and Erf 876 Hermanus requires ±178m² private open space. In total an area of ±601m² private open space is required and being provided for on Erf 876 Hermanus. In return for the 10% private open space provided on Erf 876 Hermanus, proposed Erf 7 that is ±268m² in extent,



Motivation report

will be transferred to the owner of Erf 876 Hermanus. Please refer to the enclosed Servitude Plan. **Annexure C.**

The proposed refuse area, a garden store and toilet facilities will also be provided for on the proposed private open space area located on Erf 876 Hermanus. The refuse area will be accessible from Mitchell Street. please refer to the abstract below from the proposed site development plan. The density of the proposed development on the subject erf is ±26 unit per hectare.



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Motivation report

The zoning, land use and size of each proposed erf, being part of Erf 9807 Hermanus can be tabled as follows:

Erf Number	Proposed Zoning	Proposed Land Use	Size (±m ²)	%
1	General Residential Zone 1	Townhouse	406	15
2	General Residential Zone 1	Townhouse	389	15
3	General Residential Zone 1	Townhouse	363	14
4	General Residential Zone 1	Townhouse	320	12
5	General Residential Zone 1	Townhouse	204	8
6	General Residential Zone 1	Townhouse	211	8
7	General Residential Zone 1	Townhouse	268	10
8	Transport Zone 2	Private Road	575	19

With reference to the table above the zoning of 7 erven will be General Residential Zone 1, and 1 Transport Zone 2 erf.

The erven numbered 1 to 7 will be used as townhouse erven and vary in size from ±406m² to ±204m² in extent with an average erf size of ±309m².

The townhouse development will be accessed via a single access from Main Road, Hermanus with an exit via erven 896 & 876 Hermanus to Mitchell Street. The electronically controlled access gate and guardhouse will be located ±18m from the street boundary line of Erf 9807 Hermanus as indicated on the proposed site development plan. (**Annexure A**) With reference to our correspondence with the Department of Transport and the Engineering Department a 12m setback is required.

Provision is made for a dedicated resident's access lane and a visitors' lane. The setback for the residents' lane is ±18m and 13.5m for the visitors' lane. We therefore comply with the required setback distance from the erf street boundary on Main Road. The proposed setback being ±13.5m and ±18m from the gate from the erf boundary will ensure that a proper stacking distance is provided for at least 2 to 3 vehicles entering the townhouse development. The proposed private road that will be zoned to Transport Zone 2, proposed Erf 8, has a road reserve of 8m.

In order to guarantee access to the proposed townhouse erven on erven 876, 896 and 9807 Hermanus, it is required that we apply for an approval for a right of way servitude



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that is exempted in terms of Chapter 4, Section 26(1)(g)(v) of the Overstrand Municipality's By-law on Municipal Land Use Planning 2020. The right of way servitude follows the exact outline of the proposed private road proposed on erf 9807 Hermanus and will be in favour of the townhouse erven to be situated on erven 876 & 896 Hermanus. Please refer to the enclosed Servitude Plan. **Annexure C.**

The owners of erven 876 & 896 Hermanus will also apply for right of way servitudes on the same boundaries of the proposed private roads in favour Erf 9807 Hermanus and themselves respectively.

It is also proposed by the owner of Erf 876 Hermanus that a servitude area be created over the $\pm 601\text{m}^2$ private open space proposed on 876 Hermanus in terms of Chapter 4, Section 16(2)(d) of the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020. A portion of the proposed private open space on Erf 876 Hermanus will be used to accommodate the refuse yard, garden store and toilet facility that will also have to be accessible by the future owners of the townhouse erven proposed on erven 9807 & 896 Hermanus. The exact outline of the proposed private open space will be used to determine the servitude area. Please refer to the enclosed Servitude Plan. **Annexure C.**

The proposed townhouse scheme will be of a high standard that will suit the current built character of the area. Architectural guidelines and the Homeowners Association's constitution will be submitted to the Overstrand Municipality after approval has been obtained for the proposed rezoning and subdivision of Erf 9807 Hermanus and before construction work commences. Below are rendered drawings providing visual insight of what is envisaged for the proposed townhouse scheme.





View of the proposed entrance from Main Road



Internal street view of the proposed units



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Motivation report



Internal street view of the proposed units at the end of a cul-de-sac



Internal street view of the proposed units and private open space towards the exit of the development at Mitchell Street

3.4.2 Proposed Building line Departures

Building line departures for Erf 9807 Hermanus are proposed for:

- the north-western rear boundary;
- the south-eastern street boundary;
- and the south-western lateral boundary;

from 3m to 2m alongside the north western rear boundary and the southwestern lateral boundary as indicated on the proposed subdivision plan. The proposed building line



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Motivation report

departures are proposed in order to construct the future townhouses and garages as far back as possible to the periphery of the property that are in line with even that have a zoning of Residential Zone 1.

It is also required that we apply for a building line relaxation from 3m to 2m alongside the southwestern lateral boundary in order to possibly retain a section of an existing building. The existing buildings to possibly be retained are indicated in grey on the subdivision plan. The impact would be similar to a single residential erf on which a main dwelling and second dwelling is constructed 2m from a lateral and rear boundary line.

A 5m building line applies to the street boundary due to possible future road widenings, we are applying for a building line relaxation from 5m to 0m, specifically for proposed Erf 3. We have indicated portions of the existing buildings in grey that will possibly be retained due to the Architectural features, especially the planter and gables and stone walls of the residential building/s that might be incorporated into the new townhouses. A portion of the existing building, a planter and external wall located on proposed Erf 3 were constructed right up to the boundary line and in order to incorporate a portion of these structures into a new dwelling, a building line departure would be required. Therefore, a building line departure is applied for from 5m to 0m for portions of the building located on proposed Erf 3 indicated in grey on the subdivision plan.

The north-western building line applicable to proposed Erf 7, that abuts the private open space, will automatically change from 3m to 1m due to the fact that this erf would in the future become an internal erf to which internal building lines would apply in terms of the General Residential Zone 1 zoning. The building lines that will be applicable are:

(e) **Building lines within the town housing development**

The following building lines apply within a town housing site:

- (i) The street building lines on internal roads are 1,0 m provided that garages must be set back at least 5,0 m from the road kerb;
- (ii) The rear building line is 1,0 m, provided that Council may require a greater rear building line for safety or health considerations, in which case it is 3,0 m;
- (iii) A building may be constructed at 0 m on one internal side boundary and 0 m on the internal rear boundary, provided that the building does not occupy more than 50% of such internal side or rear boundary; and



Motivation report

- (iv) The combined side space between buildings on adjacent land units may not be less than 2,0 m;
- (v) The general building line exemptions of 16.1 apply.

Once the 3 subject erven are developed and the private roads and open space have been transferred to the one, combined Homeowners Association, will the development be a single townhouse development. The proposed right of way servitudes over the private roads and servitude area over the private open space will then have no further use and will be cancelled.

3.5 ACCESS AND INTERNAL ROADS

Erf 9807 Hermanus currently gains access from Main Road. This access will be closed and relocated to the north-eastern corner of the subject erf. 50% of the proposed access road will be established on Erf 9807 Hermanus and the remaining extent of the proposed access road including a guardhouse will be situated on Erf 896 Hermanus. The road reserve of the proposed access from Main Road will be 8m in width and will be used solely for accessing the proposed townhouse scheme that will be established on erven 9807, 896 and 878 Hermanus consisting of 16 townhouse erven in total.

2 Access lanes are proposed of which 1 lane will be used for residents accessing the development and the 2nd lane will be used as a dedicated visitor's lane. With reference to our correspondence with the Department of Transport and the Overstrand Municipality Engineering Department we were advised that a 12m stacking distance to the entrance gate from Main Road would suffice. We were also advised that the boundary wall on Main Road should be shifted north-westwards in order to create a proper sight distance in both directions exiting the site into Main Road. Please refer to the above mentioned correspondence that we have attached as **Annexure D**.

It was however decided to only access the site from Main Road and that a combined exit be provided into Mitchell Street via a one way private road over Erf 878 Hermanus. The proposed access gate will be located ± 18 m from the Main Road boundary. The stacking distance for the resident's lane is therefore also ± 18 m and a 13.5m stacking distance is proposed for the visitors' lane. The reason for the shorter visitors' lane is to make provision for moving space of the proposed electronically controlled access gate



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Motivation report

and guardhouse. The provision of vehicle stacking space would minimise the possibility of vehicular congestion on Main Road.

The internal roads will be private roads and provision has been made for 8m road reserves throughout the proposed townhouse development. As mentioned above, the development will make use of an exit situated in Mitchell Street in order to have the least impact on the traffic flow in Main Road. The exit gate will also be electronically controlled. Only 7 townhouses on Erf 9807 Hermanus are proposed, but access will be provided for a total of 16 townhouse units. It is our opinion that the impact on the current traffic flow in the area will be mitigated by the above measures.

The demarcated area for a refuse yard is located in close proximity of the exit gate of the proposed development in order to be easily accessible for municipal refuse removal trucks without entering the proposed townhouse scheme. Mitchell Street has a lower traffic flow and therefore during refuse removal days the impact on traffic will be minimal.

2 Parking bays will be located on each individual townhouse erf in the form of a single garage, double garage, carport, open parking or a combination thereof.

Please note that the proposed entrance, exit, private road, and refuse yard will be utilised by a total of 16 townhouse erven located on erven 878, 896 and erf 9807 Hermanus. Access to these services, by the owners of the proposed townhouses will be formalised by means of a right of way servitude over the proposed private roads and a servitude area over the private open space, until all the erven have been transferred to the respective owners and the Home Owners Association as indicated on the proposed Servitude Plan.

For further detail pertaining to the internal roads please refer Section 6.4 of the enclosed services report. **Annexure E.**



3.6 HOMEOWNERS ASSOCIATION

A Homeowners Association will be established in term of Section 31 of the By-Law on Municipal Land Use Planning of 2020 for the townhouse development proposed on erven 9807, 878 & 896 Hermanus. Once an approval has been obtained for the proposed rezoning, subdivision, right of way servitude, servitude area and building line departures a proposed constitution and architectural guidelines will be submitted to the Overstrand Municipality.

3.7 SERVICES

Douw Louwrens (B.Eng (Civil)) prepared a Civil Engineering Services Report for the proposed development of erven 9807, 896 & 878 Hermanus. The conclusion of Mr. Louwrens's Services report is as follows:

- That the application entails the rezoning and subdivision of erven 9807, 896 & 878 Hermanus from Single residential (SR1) to 16 Townhousing erven ranging from 190m² to 406m² in extent;
- That the proposed internal water reticulation system will consist of a uPVC water reticulation system to be connected to the 110mm diameter water pipe along Main Road;
- That the development will place an additional demand of 4.3kl/day on the municipal water supply system. It is however expected that the water supply system can accommodate the proposed development and no upgrades are proposed;
- That the proposed internal sewerage reticulation system will consist of a uPVC piped system and a new 160mm diameter link sewer line to run along the internal road of the property from Mitchell Street to Main Road.
- That the development will contribute to an additional flow of 3.8kl/day to be added to the municipal sewer network. It is however expected that the sewer and pump system can accommodate the proposed development and no upgrades are proposed;



Motivation report

- That the development of the site will contribute to a slight increase in the total peak runoff from the area for the 1:20 to the 1:100-year RI storm events. No stormwater quantity – (attenuation) or quality control measures are proposed;
- That an adequately sized refuse room will be located on the north-western boundary of the site along Mitchell Street. Adequate space exists along the unsurfaced shoulder of Mitchell Street for refuse removal vehicles to stop and collect refuse.

For the detail pertaining to the geotechnical information; water reticulation, sewer reticulation, stormwater reticulation, internal roads and solid waste please refer to a copy of the services report that we have attached as **Annexure E**.

With reference to the abovementioned services report it is our opinion that there are sufficient services capacities to accommodate the proposed 7 townhouses on Erf 9807 Hermanus and the proposed 9 townhouses proposed on erven 896 & 878 Hermanus that totals to 16 townhouses.

3.8 TITLE DEED

Title Deed T6107/2018 has no restrictions that need to be removed in order for this application for rezoning, subdivision, right of way servitude and building line relaxations to accommodate 7 townhouse erven and a private road to be approved.

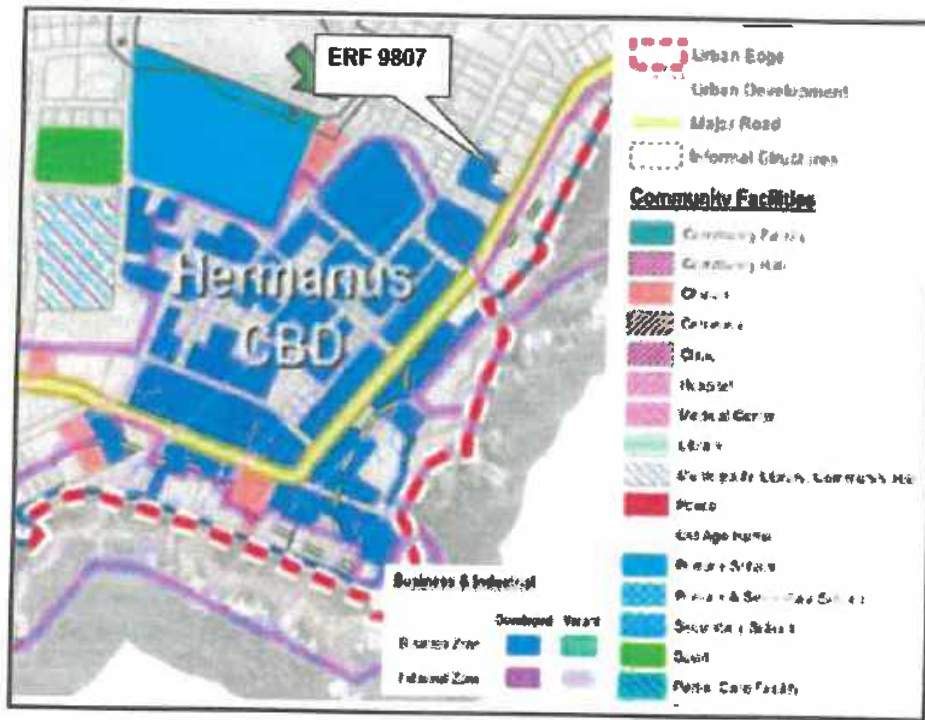
3.9 FORWARD PLANNING

Overstrand Municipal Wide Spatial Development Framework (2020).

In terms of the Overstrand Wide Spatial Development Framework the subject property is earmarked for urban development purposes. Please refer to the abstract below from the Overstrand Wide Spatial Development Framework.



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Overstrand Growth Management Strategy (2010)

With reference to the Overstrand Growth Management Strategy the subject erf falls within Planning Unit 14 that is located on the eastern side of the Hermanus CBD and includes the Eastcliff high income residential area. Incremental development through subdivision to allow for second and third dwelling units respectively is proposed for approximately 20% of the area/dwellings in this planning unit. The Overstrand Growth Management Strategy is a guideline for future development and should the character of and area also be taken into account.

Erven within the same developed block consist of businesses, guesthouse accommodation and single residential erven. The proposal for this property, Erf 9807 Hermanus, as being part of a townhouse scheme is in line with recent developments within the same urban block namely the Perla Apartments. Perla Apartments consists of 5 apartments and is developed at a density of 28 units per hectares. Erf 9807 Hermanus that is located in close proximity to the Hermanus CBD, adjacent to a business premise. The density of the proposed development is 26 units per hectare that is lower than the Perla Apartments located further from the CBD in the same urban block.



Taking the above into consideration we are therefore of the opinion that the proposal is in line with the **Overstrand Wide Spatial Development Framework (2020)**, the **Overstrand Growth Management Strategy (2010)** that is a guideline document and the developed character of the area. The proposal can therefore be supported.

3.10 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

3.10.1 HERITAGE VALUE

Erf 9807 Hermanus is not situated within the Heritage Overlay Zone as determined by the Overstrand Municipality Growth Management Strategy (2010). The property is not earmarked for heritage conservation purposes in terms of the Overstrand Heritage Survey Report (2009).

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

Erf 9807 Hermanus is located in an area classified as the LCZ (category A3) as seen in the abstract below from the Overstrand Municipal GIS System. The proposal does not have any impact on the aforementioned area.



Motivation report

In light of the above mentioned it is evident that the proposed townhouse development will not have a negative impact on the heritage value of the subject property or the greater area of Eastcliff, Hermanus.

The buildings located on the subject property are older than 60 years but have no heritage significance. An approval was obtained for the demolition of all the structures established on Erf 9807 Hermanus from Western Cape Heritage and the Overstrand Municipality Building Control Office. Please refer to **Annexure F**.

Depending on the structural integrity of one of the existing dwellings and gables as previously mentioned some of these features might be retained and incorporated in the new townhouse development.

3.9.2 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed development of Erf 9807 Hermanus as part of a townhouse complex does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

3.11 PLANNING PRINCIPLES

The planning principles of spatial justice, spatial sustainability, efficiency and spatial resilience of this application can be described as follows:

Spatial Justice: The proposed rezoning and subdivision of Erf 9807 Hermanus in order to accommodate a portion of a townhouse scheme consisting of 7 units will be in line with the current development trends in the vicinity. A similar development has been approved on Erf 859 Hermanus, namely Perla Apartments in the immediate vicinity. There are no restrictive Title Deed conditions that prohibit the proposed application of the subject erf. The land use restrictions in terms of the Overstrand Municipal Zoning Scheme under a zoning of General Residential Zone 1 will apply and minor building line encroachments are applied for.



Spatial sustainability: The proposed portion of a townhouse development is in line with the current character of the area. The proposed application will have no impact on the conservation worthy areas of Hermanus. Spatially the land use and density of the proposed townhouse scheme are in line with the current residential character of the area.

Efficiency: The proposed townhouse scheme is easily accessible and conveniently located in Hermanus in close proximity of schools, the CBD, medical facilities etc.

Spatial Resilience: Spatial resilience is not applicable to this application.

Good administration: Our firm is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's By-law and related Provincial and National land use legislation. All measures will be taken to ensure an efficient and streamline process within the applicable timeframes as stipulated by the Overstrand Municipality's By-law on Municipal Land Use Planning, 2020.

4. **RECOMMENDATION**

When this application is evaluated, it is important to take note of the following:

- The proposed rezoning and subdivision of Erf 9807 Hermanus fall within the existing land use tendencies in the area;
- The proposal is compatible with the existing established developments in the area;
- The impact on services will be manageable and bulk services levies will be paid for the upgrading of services to accommodate the additional strain on municipal bulk services;
- The proposed rezoning, subdivision, right of way servitude and building line departures will not have a negative impact on the current character and land values of the surrounding erven.



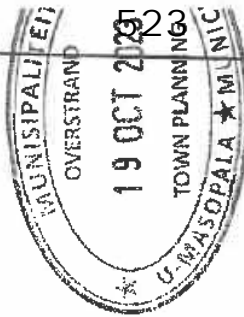
Motivation report

- There is an enormous demand for smaller residential units within a townhouse scheme with controlled access providing security in the Hermanus area. Densification is also promoted within existing coastal towns to prevent urban sprawl and the application is in-line therewith.

With regards to the above mentioned it would be appreciated if the Overstrand Municipality would consider the application favourably for the rezoning, subdivision, right of way servitude and building line departures of Erf 9807 Hermanus in order to accommodate a portion of a townhouse development consisting of 7 townhouse units and a private road. The townhouse development will consist of the combined development of erven 9807, 896 & 878 Hermanus and a total of 16 townhouse are proposed.



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Proposed electronically controlled access gate

Line indicating 12m stacking distance from erf boundary

Proposed entrance only, for the development of erven 878, 896 & 9807 Hermanus. The entrance will have a dedicated owners and visitors lane. 12m stacking distance was requested for the development and stacking distance of 419m is provided, up to the electronically controlled access gate.

Portion of an existing building to possibly be retained.

ERF 9807 HERMANUS

Erf No	Proposed Zoning	Proposed Land Use	Size (sqm)	%
1	General Residential Zone 1	Townhouse Erf	406	15%
2	General Residential Zone 1	Townhouse Erf	389	15%
3	General Residential Zone 1	Townhouse Erf	363	14%
4	General Residential Zone 1	Townhouse Erf	320	12%
5	General Residential Zone 1	Townhouse Erf	204	8%
6	General Residential Zone 1	Townhouse Erf	288	10%
7	General Residential Zone 1	Townhouse Erf	516	19%
8	Transport Zone 2	Private Road	2076	100%
Total				

Size (sqm)
Average size of proposed townhouse erven
Minimum townhouse erf size
Maximum townhouse erf size

KEY:

- Existing Erf Boundary
- Proposed Subdivision Lines
- Building Lines
- Proposed Building Line Departure 2m

Property Description: **ERF 9807 HERMANUS**

Plan Description: **PROPOSED SUBDIVISION PLAN**

Scale: 1:500

Drawing Nr: HER9807AS/01

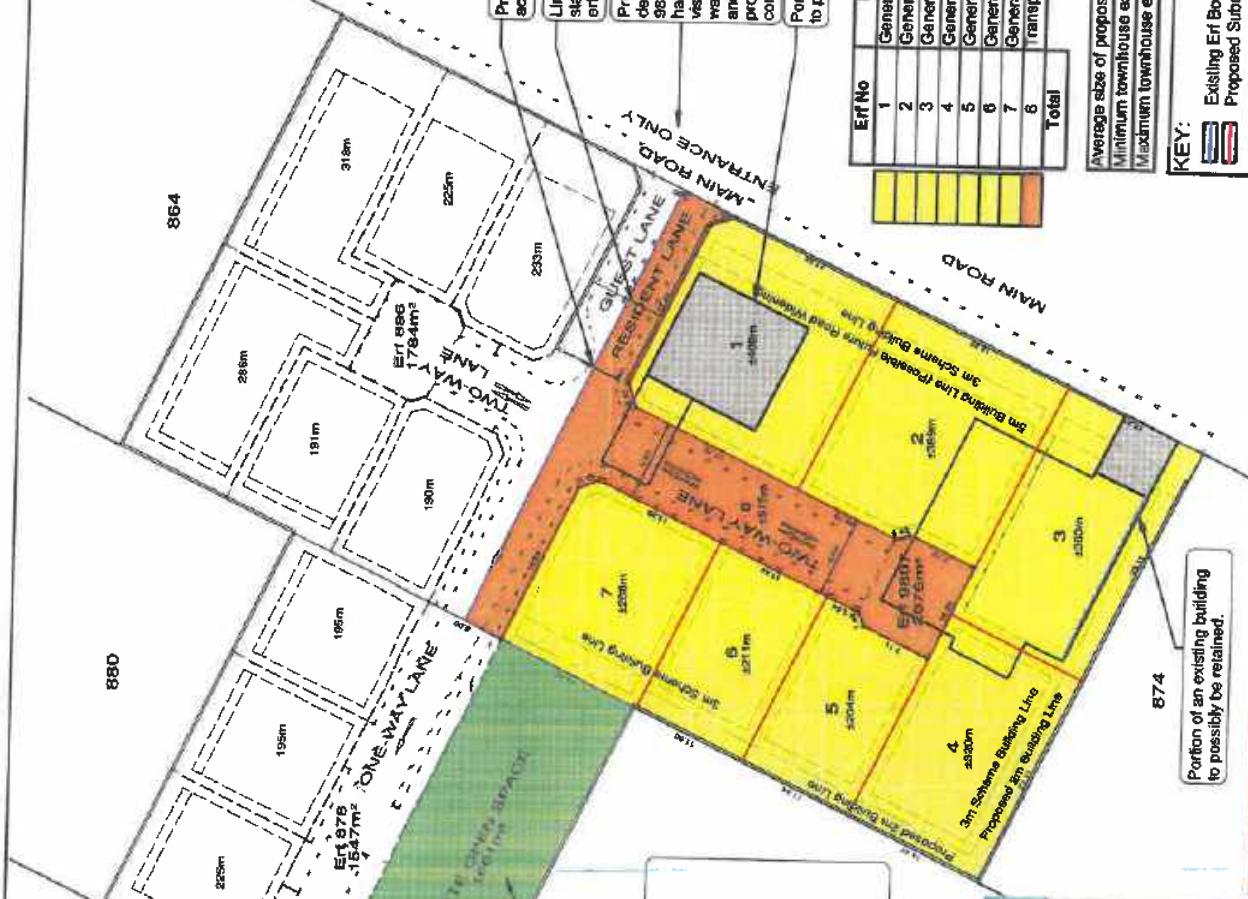
Date: 06/2023

All distances approximate and subject to survey.

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Proposed exit for the development of erven 878, 896 & 9807 Hermanus via an access controlled security gate



Proposed refuse area that would cater for the development of erven 878, 896 & 9807 Hermanus

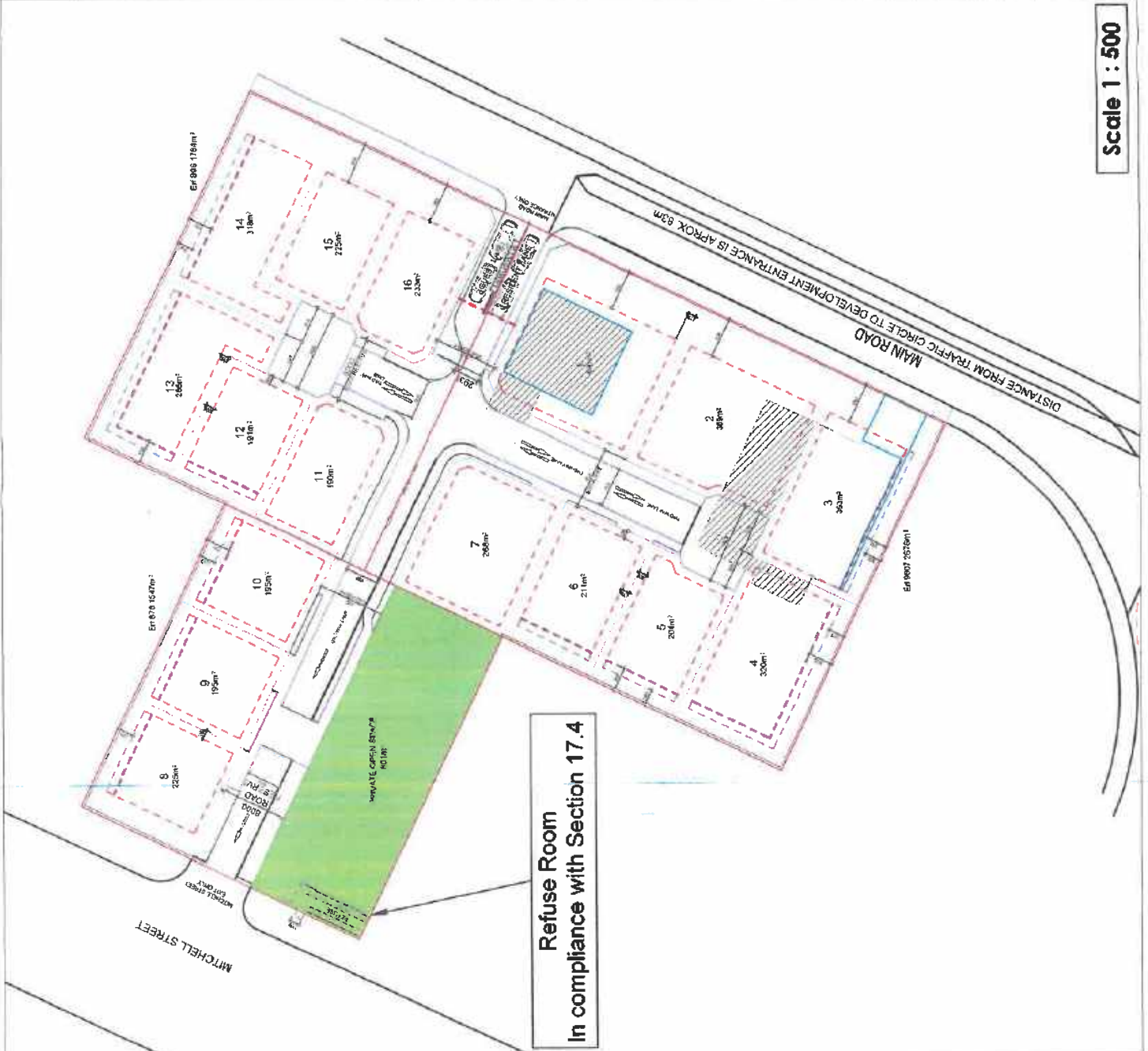
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1 Private open space calculated at 10% of the area of erven 878, 896 & 9807 Hermanus will be provided on Erf 878 Hermanus in order to comply with the provision of open space. Proposed Erf 7, that is 1258sqm in extent will be transferred to the owner of Erf 878 Hermanus in exchange for its share in the Private Open Space provided. A servitude will be registered over the Private Open Space in favour of erven 896 & 9807 Hermanus. Once all the erven are transferred and the development of erven 878, 896 & 9807 Hermanus as one development is complete, will the servitude area be removed. The same would apply for right of way servitudes with reference to internal roads over the 3 respective erven. Please refer to the servitude plan for detail pertaining to the servitude area and right of way servitude.



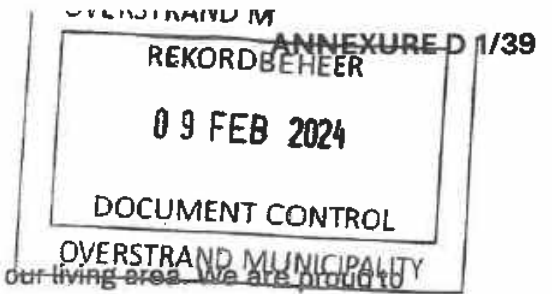
Portion of an existing building to possibly be retained.

<p>8. Combined Site Development Plan Erven 878, 896 & 9807 - Hermanus</p> <p>Erf 878 - Hermanus 1547m²</p> <p>Erf 896 - Hermanus 1784m²</p> <p>Erf 9807 - Hermanus 2676m²</p> <p>Total Development Extent 6007m² / 0,6007ha</p> <p>16 Proposed Dwelling Units</p> <p>Development Density - 26,64 Du / Ha</p> <p>Road Reserve - 8m Road Surface (two way) - 5m Road Surface (one way) - 4m</p>	
<p>Plan prepared by: Thian Jansen Based on plans provided by Neal Szymon Architects 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 Dikla Dv Street Hermanus, 7200</p>	 <p>Project Office Town Planning & Project Management</p>



Scale 1 : 500

<p>Erf 9807 - Hermanus</p> <table border="1"> <tr><th>Proposed Development</th><th>Area</th></tr> <tr><td>1</td><td>406m²</td></tr> <tr><td>2</td><td>389m²</td></tr> <tr><td>3</td><td>363m²</td></tr> <tr><td>4</td><td>320m²</td></tr> <tr><td>5</td><td>204m²</td></tr> <tr><td>6</td><td>211m²</td></tr> <tr><td>7</td><td>268m²</td></tr> <tr><td>ROAD</td><td>515m²</td></tr> </table>	Proposed Development	Area	1	406m ²	2	389m ²	3	363m ²	4	320m ²	5	204m ²	6	211m ²	7	268m ²	ROAD	515m ²	<p>Erf 878 - Hermanus</p> <table border="1"> <tr><th>Proposed Development</th><th>Area</th></tr> <tr><td>8</td><td>225m²</td></tr> <tr><td>9</td><td>195m²</td></tr> <tr><td>10</td><td>195m²</td></tr> <tr><td>P.O.S</td><td>601m²</td></tr> <tr><td>ROAD</td><td>331m²</td></tr> </table>	Proposed Development	Area	8	225m ²	9	195m ²	10	195m ²	P.O.S	601m ²	ROAD	331m ²	<p>Erf 896 - Hermanus</p> <table border="1"> <tr><th>Proposed Development</th><th>Area</th></tr> <tr><td>11</td><td>190m²</td></tr> <tr><td>12</td><td>191m²</td></tr> <tr><td>13</td><td>286m²</td></tr> <tr><td>14</td><td>318m²</td></tr> <tr><td>15</td><td>225m²</td></tr> <tr><td>16</td><td>233m²</td></tr> <tr><td>ROAD</td><td>341m²</td></tr> </table>	Proposed Development	Area	11	190m ²	12	191m ²	13	286m ²	14	318m ²	15	225m ²	16	233m ²	ROAD	341m ²
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To Whom It May Concern

TP. N. (Heark
(H. Olivier)

Thank you for giving residents the chance to process changes to our living area. We are proud to live close by to the auspicious Marine Hotel. We enjoy the idea that the Marine hotel and its reputation will somehow keep our neighbourhood and its properties in good standing.

Concerns re current plans sent, objections to proposal and areas to address:

Please keep Hermanus as natural and eco-friendly as possible. Two beautiful owls often spotted in that huge tree on the quadruple stand. Please put as few houses as possible with as few human beings as possible on this land. Sustainability and balance so important for us all.

Please be aware of low water pressure in our area. Also major sewage problems.

Please be aware of traffic. The street is one where children play and we would not want increased traffic flow to change the ethos of Mithcell street whilst appreciating the growth and development will of course happen.

Party people versus residents who work: Please consider in the kinds of accommodation whether the clientele will support hard working hermanus locals who go to bed early and would struggle with holiday digs, big parties of drinkers etc.

Dustbins: Please be aware of many people walking the street if used in any more commercial way.

Heat; please keep enough land to protect overall temperatures as we all impact each other in preserving green alongside concrete. We all moved here for the green, that will no doubt be why your residents are coming.

Thank you so much for the community oriented consideration of everybody's shared experience of the street in your planning. We wish you a happy, safe and sustainable build with the integration of community ideas to keep the street small, cosy, personal, retirement and kiddie friendly. Small, charming, quaint and quiet... perfect!

Yours truly

FILE NO.	818 878
	HFC ✓
SCAN NO.	Tracy
COLLABORATOR NO.	1995286

TP

Tracy Davies
37 Mitchell street,
Eastcliff.

TP. N. Theobald
(1.1 Oliver)



9th February 2024

To Whom it May Concern
Overstrand Town Planning

RE: OBJECTION New Residential Development – Erf 9807, 896 & 878

Regarding the proposed residential development mentioned above, please note that I hereby formally lodge my objection to this development as it is currently proposed. My objection is based on the following:

1. The proposal does not indicate whether units will be single or double story.
2. **Densification:** The proposal, if carried out as is, will directly increase the density of residential dwellings.
3. **Change of zoning:** The development aims to change zoning to General Residential.
 - a. This then allows for trading which is wholly incongruent with the current residential zoning – Single Residential – of Mitchell Street.
 - b. Short term Renting of units become possible with the attaching consequence of an influx of non-resident holiday makers who have no investment in looking after the area, not respecting the neighborly atmosphere which currently prevails in Mitchell Street. This is not an imaginary scenario. It has empirically backed research to support it.
4. **Departure from standard perimeter building line for townhouses:** The proposal includes a request for a 2m perimeter building line which is in direct violation of current legislation which states a 3m perimeter building line for townhouse complexes. There is no motivation of any quality to support this request and the developer's claim that this change of perimeter building line will have minimal negative impact on the surrounding area undermines the very reasoning which resulted in the implementation of the legislated 3m building line for townhouse complexes.
5. **The proposal refers to maximizing of built up space:** This proposal does not provide more opportunities for the residents in the surrounding area, and WRAP's claim that it does is wholly unsupported.
6. **Use of erf 878:** The proposal suggests this area will be used for recreation, braai facilities, a communal garden store and a communal refuse area. While seemingly unproblematic on paper, on the ground this may well eventuate in an untidy, unhygienic, smelly dog lavatory and refuse dump attracting homeless vagrants, vermin infestation. This is a health and security hazard for both residents of the proposed complex as well as Mitchell Street homes. Dumping all the refuse on the pavement on refuse collection day, while not only unsightly and unhygienic will surely see an unwelcome influx of scavengers.
7. **Individual Units' Garbage Control:** This has not been adequately addressed in the proposal.
8. **Eco-friendly:** It is 2024 and along with the rest of the thinking world, the protection of the environment should be a priority. The proposal is devoid of any consideration, explicit or implicit, of eco-friendly design. A contemporary, thoughtful proposal should include concrete suggestions for the inclusion of the planting of large trees, the relative absence of concreted, bricked or otherwise sealed ground and appropriate space between units to allow for airflow and the natural distribution of heat.

FILE NO.	878 ✓
	1180
SCAN NO.	Davies
COLLABORATOR NO.	1995302

TP

9. **Drainage:** The proposal does not adequately address storm water drainage. DL Consulting report makes no mention of the projected number residents considered in compiling their report.
10. **Water pressure:** The proposal does not adequately address the well known problem of low water pressure in the Eastcliff area. The significant densification and concomitant water usage has the potential to negatively impact current, already low, water pressure.
11. **Sewerage:** The proposal does not adequately address sewerage infra-structure.
12. **Mitchell Street:** The proposal gives scant attention to the impact of the development on Mitchell Street which is currently a quiet, low traffic density cul de sac used daily by a high number of elderly persons walking to the shops or taking a constitutional, as well as by a number of families with young children. With the only exit to the complex being onto Mitchell Street there will be a significant negative impact on the prevailing atmosphere in Mitchell Street. The value of Mitchell Street properties will decrease. Further thought should be given to including both entrance and exit on Main Rd.
13. **No Thoroughfare from Main Rd onto Mitchell St:** Under no circumstances should the proposal include a thoroughfare between Main Rd and Mitchell St, including no private road linking the two streets
14. **Traffic:** The current proposal overlooks the potential for significant traffic problems (delays, accidents, human injury) with the entrance in Main Rd situated so close to the traffic circle. Traffic is already heavy on Main Rd and the increased traffic as a result of the development (deliveries, residents, garden services etc) will be significant. A guard house further interfering with the free flow of traffic compounds the problem.

Thank you for prioritizing the concerns and investments of those already supporting the Hermanus economy. I trust that this objection, along with any others you receive will be afforded the necessary attention and thoughtfulness they deserve.

Sincerely



Dr Nicholas Davies
37 Mitchell Street
Eastcliff

Proposed New Residential Development on Erf numbers 878, 896 and 9807,

To Whom it may concern

I am the owner and long-time resident of 31 Mitchell St... Erf 908 (bought in 1985)
I am deeply disturbed, shocked and strongly oppose many aspects of this proposed development

1) Reducing building lines from 3m-2m is completely unacceptable.

There are very strict building lines for all the properties in Eastcliff, including the existing town houses in Eastcliff. The prime reason for wanting lines reduced is to allow the property developers to build 16 double storey 2-3-bedroom apartments. Far too many.... Just another high-density commercial area. None of which is in keeping with the quiet, green and treed residential area of Eastcliff.

2) Re zoning from single to general residential.

The proposed 16 high density "homes" are likely to become commercially lettable apartments. Allowing holiday makers with families of up to 6 people per apartment. This will have a very negative impact on the surrounding properties in every way, parties, noise, visitors etc. This totally unacceptable

3) Sewage and Water:

Our existing water pressure is very low and our water supply is already constrained. Our existing sewage system is very problematic. 16 more houses will create massive problems

4) Proposed Communal Refuse Area.

An appalling idea... Each home should have their own refuse area on their own property and be responsible for putting it out on collection days. Communal refuse areas are unsightly and encourage dirt, dumping, smells and vermin

5) Environmental impact

This is a huge concern for me and many others

Eastcliff is one of the oldest suburbs in Hermanus and is known for its magnificent trees, gardens and wide quiet streets. It is a very sought-after residential area. The wonderful trees and gardens provide food and habitat to numerous species of birdlife, and other wildlife. There are 2 beautiful old Acacia trees in erf 878. Habitat to many bird species including breeding owls. These are to be cut down !! Once again significant disregard from developersdestruction of wildlife habitat... removal of indigenous trees, replacing with concrete paving, and tightly packed double storey apartments with minimal garden space.... Yet another commercial project in the WRONG area

6) Exit in Mitchell Street: This is totally unacceptable, up 32 additional cars in our small street!! Not including visitors ! The exit will simply become another through road creating more traffic than the whole of the existing residences in Mitchell Street. Plots facing the Main Road should enter and exit to Main Rd. And the 4 plots on Mitchell St should enter and exit on Mitchell St

7) Parking will be very problematic.

There will be inevitable visitors and commercial vehicles entering the properties daily Where are they to park in this densely built up gated property?

8) Security and Safety..

The construction of this project will become a massive security risk for every person in Eastcliff in every way... This is of enormous concern a to all of us

Conclusion: This proposed property development is totally out of keeping with the essence of existing homes and properties in Eastcliff. . Eastcliff is a beautiful, green, leafy area...In Mitchell St. children can still ride their bicycles and walk in the street. Residents can stroll, chat and admire the gardens and observe the wonderful birdlife. We all know each other. We look out for each other .We can walk safely here.. And all this will be lost for commercial and financial gain... We need to protect our heritage and not destroy what has taken decades to build... This area is not suitable for commercial and dense housing estate projects .

Ruth Vary
31 Mitchell St
Eastcliff
Hermanus
7200

Alida Conradie

From: Michelle Sutcliffe
Sent: Friday, 09 February 2024 09:35
To: Alida Conradie
Subject: Municipal notices: 191/2023, 192/2023, 191/2022



Good morning Alida

This email is in response to the development of ERFs 896, 9807 and 878.

I, Michelle Kruger (Sutcliffe), am the owner of 193 Main Road, Eastcliff, ERF864. My contact number is 0768054457.

I am against this development for the following reasons:

The developers' motivation for reducing the building line from 3m to 2m enables them to make more efficient use of their land, does not at all take into consideration how it will affect my land and property. They want to build double storey homes that are going to look right into my property leaving me with no privacy in my own private space. The windows of the houses face directly into my front and back garden, directly onto my front deck and into my lounge and bedroom windows. An extra meter makes a huge difference.

They plan to put the green space on ERF 878, why not put that alongside my property?

There is a tree on the roadside of my property where they want to build their boundary wall, are they planning on removing it or are they going to build their wall around it?

Their motivation goes on and on about the views their double storey homes are going to have, the views from my property will be completely destroyed.

They state that their development is going to increase the value of surrounding properties, it is going to ruin the value of mine. My property will have absolutely no privacy, increased noise pollution and increased traffic congestion, how does any of that increase the value of my property?

They want to build 16 houses in that small space, housing, to their estimation, 48 residents. How on earth does that add any benefit to the area? 16 houses, 48 residents, more or less 32 cars trying to enter that property on the main road, how can the municipality even think that that will work? We already have traffic congestion problems along the main road past my property.

Notice number 191/2023, states the owners and developers of ERF 896, are Mr and Mrs Ramlakan. To my knowledge they are no longer the owners of the property so how can this notice even be valid? How can their motivation be considered when they are no longer involved in the development?

I therefore oppose the suggested development.

Yours sincerely
Michelle Kruger

*TP. D. Theaak
(H. Oliva)*

FILE NO.	51 878
	DEC
SCAN NO.	
	12
COLLABORATOR NO.	
	1994701

TP-A Thearb 8/39
(Holivier)

Alida Conradie

From: Jacquie Rathfelder
Sent: Wednesday, 07 February 2024 17:17
To: Alida Conradie
Subject: New Residential Development Erf 9807, 89 and 878

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
08 FEB 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

To Whom it may concern

I as owner of No 52 and No 50 Mitchell Street, Very strongly oppose to the above development for the following reasons.

Sewage and Water: Our water pressure is currently very low, and our sewage system blocks regularly. An additional 16 houses will cripple this situation.

Reducing building lines to two meters: This is completely unacceptable. I will no doubt have double storey houses looking straight into my property especially now that the developer has already cut every boundary tree down. Two meters is against the law, we have all had to obey building lines for our properties in the past this must not change?

Single to General Rezoning: There is a distinct lack of control for guest houses and Airbnb's in Eastcliff. I currently have No 54 Mitchell street who has converted his house to accommodate 16 guests, there is a complex of 6 houses in front of my house, all Airbnb as well as a ten bedroom guest house at No 60 Mitchell Street. Holiday times are a noise, nightmare, so to add 16 houses probably all rented out will be impossible. Guests who Airbnb do not care about noise levels or respect our town or the residents therein.

Proposed Refuse Area: Each home should have their own refuse area like every home in Mitchell Street, to have one communal refuse area will encourage vermin and odours.

Parking In the Development: Distinct lack of parking for cars, emergency services and delivery vehicles, the OM are generally very strict about this why is this different?

Exit in Mitchell Street: This is unacceptable, approximately 32 additional cars in our small street. This is adding more cars than the whole of the existing residence in Mitchell Street. The plots on Main Road must enter and exit to Main Rd, not Mitchell

Conclusion: The addition of 16 houses in this development is far too many, for sewage, water pressure, refuse area, lack of greenery, traffic in Mitchell Street and noise levels.

After close scrutiny of this proposed development unfortunately it sounds like a money making project with no respect for current residents in Mitchell Street. We are not a high density suburb, it is a green leafy area why must this development alter the lives of all the Mitchell Street residents just because developers want to make large profits.

OM must protect our beautiful town and disallow projects that want to cram too many houses in a small space, breaking building line rules and having a total disregard for open/green space.

Property Owner of No 52 and No 50 Mitchell Street (Neighbouring plot)
Jacqueline Rathfelder

FILE NO. Erf 878-HEC
SCAN NO. 15
COLLABORATOR NO.
1994046

TP
- 8 FEB 2024

05 FEB 2024

Alida Conradie

DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

From: paddy hirst
Sent: Sunday, 04 February 2024 19:08
To: Alida Conradie
Subject: Objection email - New residential development at Eastcliff, Hermanus - ERF: 9807, 896 and 878

TP-A Theart
(H Olivier)

Dear Alida,

My wife and I would like to object to some aspects of the proposed development as above. Our property is Unit 4, Tanglewood, 27 Mitchell Street right opposite ERF 878

- 1) In our opinion Eastcliff should not become a high density suburb. This proposed development significantly increases the **densification** of Eastcliff. Sixteen houses are too much and the existing rule of a 3 metre building line for townhouses should not be reduced.
- 2) We strongly object to the application for **Re-zoning** from "single" to "general" residential which allows for the proposed houses to be used for trading. The consequences of which would inevitably lead to more guest houses and air bnb's. We know historically that many of these tenants care little for their immediate environment or their neighbours.
- 3) We are very concerned about the plans for the **communal refuse area**. Not only are we all too familiar with the smell that emanates from the Mitchell street side of the Woolworths building but it would also be a health hazard attracting flies, rodents and scavengers. Every house on Mitchell street controls their own garbage – a plan should be devised for the same principle in this development.
- 4) The **water and sewage** situation in Mitchell street residences is already stretched - with low water pressure. We have sewage pipes coming through our properties from Luyt street and have frequent blockages at the manhole opposite Telcom. The addition of 16 more residences in close proximity is only going to aggravate the water and sewage systems in this area.
- 5) **Traffic**. Unless the Main road is widened we can foresee huge traffic problems around access to the new development. It makes sense to have the "entrance" on the Main road and the "exit" on Mitchell street – what we definitely do not want is any kind of "entrance" on Mitchell street. Also, Mitchell street is a quiet close which adds value to our properties and it's a big reason why we purchased here in the first place. We do not ever want to see it become a through road.
- 6) **Parking** facilities in the development appear to be seriously inadequate - especially for visitors, contractors or delivery vehicles.
- 7) **Construction** activities will present many challenges - and residents in Mitchell street can expect excessive noise and dust and high traffic situations. The added security risk is also going to require a lot more vigilance.
- 8) Finally, one of the most attractive aspects that draw people to Eastcliff is that it is **environmentally friendly** with quiet, clean streets, many trees and shaded areas, open spaces and environmentally conscious residents. The concern is that the planners of this new development are not being sufficiently cognizant of this fact in their pursuit of a high density solution.

Kind regards,

Patrick William Hirst

05 FEB 2024

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
05 FEB 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO. Erf 878-HEC ✓
SCAN NO. HEC 878
COLLABORATOR NO. 1991749

TP

Alida Conradie

From: Gary Combrink
Sent: Wednesday, 31 January 2024 10:00
To: Alida Conradie
Subject: Objection to new Proposed Residential Development on erven 9807 and 896 Main Road and 878 Mitchell Street , Eastcliff Hermanus

31 January 2024

Dear Town Planning Department of Hermanus

Objection to new Proposed Residential Development on erven 9807 and 896 Main Road and 878 Mitchell Street, Eastcliff Hermanus.

Please kindly register me as an I&AP objector to the proposed new development on the three above mentioned erven for just some of the following ~

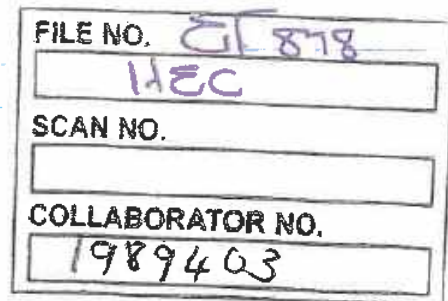
The densities proposed here are not in line with surrounding residential houses , the amount of traffic that will be generated in a suburb with narrow roads is simply not reasonable particularly down Mitchell Street (and subsequently turning into Stemmet Street) and the impact of a townhouse development in the suburb may well negatively impact the value of our residential houses.

Kindly acknowledge this objection by return email

Yours sincerely
G Combrink
Resident and owner in Eastcliff



*TP. D. /heal
(H. Olivia)*



31 JAN 2024

TP

Alida Conradie

From: Perlemoen Old Harbour
Sent: Tuesday, 30 January 2024 18:46
To: Alida Conradie

Overstrand Municipality
The Town Planner
Planning Department
alida@overstrand.gov.za



30 January 2024

Dear Town Planning Department of Hermanus

Objection to new Proposed Residential Development on erven 9807 and 896 Main Road and 878 Mitchell Street, Eastcliff Hermanus.

Please kindly register me as an I&AP objector to the proposed new development on the three above mentioned erven for just some of the following ~

The densities proposed here are not in line with surrounding residential houses , the amount of traffic that will be generated in a suburb with narrow roads is simply not reasonable particularly down Mitchell Street (and subsequently turning into Stemmet Street) and the impact of a townhouse development in the suburb may well negatively impact the value of our residential houses.

Kindly acknowledge this objection by return email

Yours sincerely
Annabella Busse
Resident and owner in Eastcliff

*TP. A. Hoak
(H. Oliva)*

FILE NO. *OF 878*
HEC
SCAN NO.
COLLABORATOR NO.
1989398

31 JAN 2024

TP

Alida Conradie

From: 6 Stemmet Lodge
Sent: Tuesday, 30 January 2024 18:45
To: Alida Conradie
Subject: Obejection

Overstrand Municipality
The Town Planner
Planning Department
alida@overstrand.gov.za

*T.P. n. Alida
(11. Alida)*



30 January 2024

Dear Town Planning Department of Hermanus

Objection to new Proposed Residential Development on erven 9807 and 896 Main Road and 878 Mitchell Street, Eastcliff Hermanus.

Please kindly register me as an I&AP objector to the proposed new development on the three above mentioned erven for just some of the following ~

The densities proposed here are not in line with surrounding residential houses , the amount of traffic that will be generated in a suburb with narrow roads is simply not reasonable particularly down Mitchell Street (and subsequently turning into Stemmet Street) and the impact of a townhouse development in the suburb may well negatively impact the value of our residential houses.

Kindly acknowledge this objection by return email

Yours sincerely
Johan Malherbe
Guesthouse Owner
6 Stemmet Lodge, Hermanus

FILE NO. *SL 878*
HEC
SCAN NO.
COLLABORATOR NO.
1989540

31 JAN 2024

JP

Alida Conradie

From: Tuesday, 30 January 2024 14:27
Sent: Alida Conradie
To: Objection to proposed development In Eastcliff
Subject:

Overstrand Municipality
The Town Planner
Planning Department
alida@overstrand.gov.za

TP - D. Theak
(H. Olivier)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
31 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

By email

30 January 2024

Dear Town Planning Department of Hermanus

Objection to new Proposed Residential Development on erven 9807 and 896 Main Road and 878 Mitchell Street, Eastcliff Hermanus.

Please kindly register me as an I&AP objector to the proposed new development on the three above mentioned erven for just some of the following ~

The densities proposed here are not in line with surrounding residential houses , the amount of traffic that will be generated in a suburb with narrow roads is simply not reasonable particularly down Mitchell Street (and subsequently turning into Stemmet Street) and the impact of a townhouse development in the suburb may well negatively impact the value of our residential houses.

Kindly acknowledge this objection by return email

Yours sincerely
Mrs P Combrink
Resident and owner in Eastcliff

FILE NO. 878
HEC
SCAN NO.
COLLABORATOR NO. 1989445

31 JAN 2024

TP

Alida Conradie

From: Sandra Badenhorst
Sent: Monday, 29 January 2024 15:20
To: Alida Conradie
Subject: Proposed Development: Erf 878, 896 & 987 Eastcliff Hermanus

Good afternoon

I am a resident at 29 Mitchellstreet and would like to oppose some parts of proposed development.

1. Number of houses: I think 16 houses are way to many for the piece of land. They will be cramped in with not enough space for anything else.
2. Communal Refuse area : When I walk out of my front door I will look straight into the refuse area. That is not acceptable. Why cant every house have their own refuse.
3. Water and sewage: We have sewage problems at 31 Mitchell street where the municipality tried to solve the problem. The sewage system will have to be upgraded. Water pressure is already low in Eastcliff and with 16 more houses it will worsen.
4. Exit: The exit is also right in front of Tanglewood complex exits which consists of 4 houses. Will the exit in Mitchellstreet only be used as an exit or also as an entrance in busy times.
5. Re-zoning: With the proposed rezoning houses can be used for trading. Tenants of guest houses and BnBs do not care about noises they cause and their neighbours.

I love Hermanus and Mitchellstreet even more!!!
 S Badenhorst
 29 Mitchellstreet

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
30 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

*TP - A/theak
(H. Olivier)*

FILE NO. <i>EF 878</i>
<i>HEC</i>
SCAN NO.
COLLABORATOR NO.
<i>1988097</i>

30 JAN 2024

TP

Alida Conradie

FILE NO.	CH 878 15/39
	HEC
SCAN NO.	
COLLABORATOR NO.	1986520

OVERSTRAND MUNISIPALITEIT	
From:	Fred
Sent:	REKORDBEHEER
To:	Saturday, 27 January 2024 12:34
Cc:	Alida Conradie
Subject:	Fred
	New Residential Development consisting of erf 9807, 896 and 878.
DOCUMENT CONTROL	
OVERSTRAND MUNICIPALITY	

TP- D. Theak
(H. Olivia)

Dear Alida,

Thank you to respond to the above subject as a potentially affected owner in Mitchell street.

I am well aware that the Western Cape, and in particular Hermanus is under extreme pressure to develop and grow new housing projects.

I believe that the existing owners and municipality should work together in a responsible way to keep Hermanus safe and beautiful for the future.

With respect, some of my concerns and objections:

The three erwen should never be allowed to become one large erf.

I do not object for the two Main St., erwen to become one with their own entry and exit. The Mitchell Street erf should not be part of the total development also with its own entry and exit.

I notice the application is for a rezoning of the three properties to change from a single residential to a general residential that means that trade could be carried out of whatever nature to whoever buys or owns a property on the new development. I object to that taking place.

There is also an application for a permanent departure from the perimeter building line of 3 m.

The 2 m building line is for single residential buildings. If the developers want to build town houses, the building line should be 3 m for the perimeter. I object to the application for the 2 m building line.

There should be more green areas between the units. As I see it now the area is totally covered and this can cause a heat cell with consequences. Trees, plants and grass will bring the development into balance.

Did the municipality do water and sewage tests and reports? If so, may we have access to the detail. Our area has low waterpressure and a lot of sewage problems especially towards the Woolworths side.

From the information I received it is clear that there will be no parking for visitors. That is a concern. It means that visitors will park on the Mitchell street side and walk in from there. Another concern is the only exit of the new development is on Mitchell Street. Mitchell Street is a cul-de-sac, and this will lead to much more traffic in a quiet street at the moment.

I also notice that the garbage bins will be on the Mitchell Street side. All 16 in a row. That is unacceptable. Each unit should have its own garbage space. I propose that half of the bins be set out on Main Road and the other half on Mitchell Street to curb the congestion on Mitchell Street side.

Can you please provide us with evidence that a traffic assessment has been carried out by the municipality and may we have access to the report?

The entry to the new development on Main Street can be problematic, especially during the festive season and coming from the Stanford side. We propose a slip lane to be part of the traffic solution.

TP

As I pointed out in the beginning, the municipality will have to help us during the building operation as we expect a lot of movement. We will have to cope with security, noise, trucks, and dirt. The developer should also be part of the solution to any problems we may encounter.

I hope that this development can proceed in an amicable way, not only to increase the value of our properties, but also make it an even happier space to live in.

Kind regards,
Fred and Marina Peens.
60 Mitchell street.

William Ian Gordon
25a Mitchell Street
Eastcliff 7200

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
26 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

20th January 2024

Town and Spatial Planning Department
Overstrand Municipality
P O Box 20
Hermanus 7200

TP- n./theart
(A. Alida)

FILE NO.	878
SCAN NO.	HEIC
COLLABORATOR NO.	1986394

**Objections to Residential Development on Erfs
9807, 896 and 878**

Dear Alida

Whilst the development of high end residential units in Eastcliff is welcomed there are certain aspects of this complex that are not acceptable

As is often the case too many units have been included on the site to maximize return on investment.

The provision for open area is far too small . Far from providing recreational space it is not fit for purpose. It is also designed to accommodate the refuse area and a communal garden store.

The far away refuse area will be inconvenient for residents. In hot weather it will be smelly and attract flies as is the case with the Woolworths refuse area
The development has little provision for trees and garden. There is just too much concrete in too small an area not allowing for storm water run off. Hardly in keeping with the quiet garden feel of Eastcliff.

Each household should surely manage their own refuse on sight and put it out for collection as do all residents in the suburb.

The application for rezoning from single residential to general Residential allows for trade of any nature. This could result in lots of tenants moving in who have scant regard for loyalty to and caring for the local community. This would be a sad development for Eastcliff

The perimeter relaxation from 3 to 2 meters just makes for a more congested concrete complex . There is minimal space between units and the reduced perimeter application is all in keeping with the selfish plan for more town houses to maximize square meters to boost sales but with no concern for the aesthetics of the development.

Not only must the developers stick to the town house perimeter rule of 3 meters but the number of units must be reduced. This will allow for not only more recreational area but will increase the space between units where there is no garden area or space for trees

Sewerage and water services are known to be a problem in our area The engineering report needs to be made public. A proper analysis needs to be undertaken With more residents the situation will only worsen.

Low water pressure is common in Eastcliff. What will be done about this issue and what water plans are in place to cope with our already stretched water resources?

Access to and exit from the development raises many questions. Access to the development will

cause a significant problem on the main road. The stacking of only 2 cars in the entrance appears inadequate. Trying to get into the complex from Voelklip side could be a nightmare. We can talk about introducing a slip lane on the main road but at the end of the day a proper traffic impact assessment is necessary to identify problems and solutions

Visitor parking and provision for contactors etc is confined to the driveway of each property. This will certainly be insufficient. An additional dedicated visitor parking area is essential. We don't need the overflow of visitors ending up parking in Mitchell Street. We already have to deal with Woolworth's customers parking in front of our houses.

The only exit from the complex is on to Mitchell Street We live in a low traffic street. We have bought because of this and the easy access to town. The traffic impact study will tell us how much the situation will change and whether measures are required to manage the additional flow of cars

The Fire Department must also have sight of the plans and be happy there is adequate turning space for their vehicles in this congested area.

Finally we will have to endure a torrid time in our quiet street with the building work. There will be additional security issues and no doubt our road will need repair at the end. The Developer and the Municipality must make provision for this.

Summary

Thank you for your attention to my objections and concerns above. I trust that the planning committee

will carefully consider these in the community's best
interest

Sincerely

William Ian Gordon

ULRIKE BECKMANN 39 MITCHELL STR. HERMANUS/EASTCLIFF

ERSTRAND MUNISIPALITEIT Hermanus, 23.01.2024

ERSTRAND MUNISIPALITEIT
REKORDBEHEER
24 JAN 2024
DOCUMENT CONTROL
ERSTRAND MUNICIPALITY

TP- N. Theaib
(M. Olivier)

To
The Overstrand Municipality
alida@overstrand.gov.za

FILE NO. <u>EF 878</u>
<u>HEC</u>
SCAN NO.
COLLABORATOR NO. <u>1984552</u>

RE : Property Development Application
ERF 9807, 896, 878
Main Road/Mitchell Street Hermanus/Eastcliff

Dear Sirs,

My name is Ulrike Beckmann, I am a German citizen and the registered owner of 39 Mitchell Street (Erf 11160) as well as a registered co-owner of 33 Mitchell Street (Erf 904, together with the couple Vivienne and Neville Howarth).

First of all, I would like to complain that I did not receive an e-mail as a "affected owner", which I definitely am !

This letter/e-mail serves as a formal expression of my objection to the planned property development on Erf 9807, 896 and 878.

While I am understanding the need for urban development in Hermanus as well as the need for densification, there are various aspects of the planned new residential project, which need more consideration/revision and should integrate the concerns of affected owners as well as other residents and property owners in Eastcliff.

21 JAN 2024

R

1. The proposal of an efficient land use has - understandably - been based on the wish of the developers to maximize the available sqm for the proposed town houses and thus allow them to maximize the economic viability/gain.

They comply with the so-called OMLUS by dedicating a sufficiently sized portion of ERF 878 as "open space", showing its use as recreational space and for communal activities.

But the density which will be created by building the townhouses as indicated, will cause mitigating feelings of the future residents (which the planners worry about in their proposal). It doesn't help to dedicate a certain required area of 10% (which is not a significant portion !) of the consolidated properties and believe that this will reduce those feelings. May I say, as a German architect trained in town planning, that the way this "recreational" area is planned, it won't be used for the planned purpose : It will be used for walking the dogs out in the morning/evening, nobody will feel responsible for it, nobody will identify with it, as it is not individually owned ! The fact that the complete communal refuse area is planned to be placed there (!) as well as a garden shed, shows that this is definitely not a place to enjoy. I understand this area as an alibi area to comply with OMLUS, but it does not work in the spirit of what OMLUS stands for !

I suggest to reconsider this. I think it would be much better to reduce the amount of planned town houses and allow for more space between them, allow for individually owned/shared garden areas : This way, one can also deal with the heating up of a very densely built up space, there will be more sunlight in winter and cooling breezes in summer and there will be place for bigger trees and plants (not just climbers and small garden plants).

2. I object the permanent departure from the perimeter building line of 3 m to 2 m :

Should the densification go forward as planned, the 3 m perimeter building line has to stay in place, specifically when the houses will be built as double storey buildings and the proposal is for a maximum height of 8 m with 16 planned units !

It was assumed by the planners that the reduction of the building lines will have minimal impact/negative effect on the surrounding properties. The opposite is the case !

The adjacent properties from the Mitchell Street side and opposite the Mitchell Street side are single residential and are single storey. To allow densely built up town houses of 8 m height to be built closer to those single storey buildings will certainly call for an outcry of these property owners.

By changing from single residential to general residential to allow for the building of town houses, it can be assumed that not necessarily the owners of those town houses will be living there, but in many cases rather tenants, or worse : the houses will be "airbnb'd". Tenants in general don't identify with the place and area they are staying in (exceptions of course exist). We have had very bad experiences in Mitchell Street and in Main Road where those tenants exercised a "couldn't care less-mentality," with us having to call the police/HPP/ADT. Should the application from single residential to general residential be allowed, I strongly insist on keeping the distance between the single residential properties and the general residential properties to what has proved to be right by building regulations.

The planners argue that the creation of this new residential development "can foster a sense of community and social cohesion (...) it can lead to increased social interactions (...)".

They don't realize that with the town houses most probably being let to tenants or worse being airbnb'd, there won't be anything happening like that. We ARE a closely knit community and neighbourhood here in the street. A town house complex behind gates and walls with people one hardly gets to see or know, is not contributing to what we have got .. and have grown fond of and proud of !

3. I object strongly the planned communal refuse area right behind the wall in Mitchell Street ! It is convenient for the planners to shove the refuse area away from the future residents. But that is bad planning :

It is very inconvenient for the inhabitants to carry their refuse from their house e.g. in Main Road all the way to the dedicated area, specifically when we experience strong winds and rains !

Everything which is inconvenient will not work out in the end. And the effort to throw the refuse into the provided bins in a disciplined way to avoid rubbish lying around, won't contribute to a success of that area either ! What happens is that people pile up things, leave bags standing when they don't find space immediately. In general, people are disgusted when having to enter an area dedicated to communal dirt and bad smell, thus one tries to just drop and go.

This area will attract vermin and rodents if it doesn't get cleaned and sanitized continuously. This is undesirable and a health issue for the future residents as well as for us in Mitchell Street !!

Furthermore, the position for the refuse will make Mitchell Street unattractive for the many people walking from Eastcliff to "town". Eastcliff is a much enjoyed area with lush gardens and trees, where walking on the street is safe and comfortable. Nobody wants to walk past a bad smelling area with flies and other insects. Bad enough to walk past Woolworth's refuse area ! And the number of scavengers which are already attracted by the bins and refuse bags along Mitchell Street on Fridays, will

certainly increase by such an amount of bins necessary for what, 50 new inhabitants ??

I suggest that every household keeps their own bin on their own premise and is responsible for it. The residents of houses on the Main Road bring their bins out along the Main Road, the residents to the Mitchell Street side along our street. The refuse should be kept safely on each single property until it is time for refuse collection.

4. The developers have not been working towards an environmentally friendly design and don't respect the surrounding single residential properties and the lush garden- and tree environment in Eastcliff. There is no environmental sustainability visible to me.

The application for an efficient land use, high density and minimal distance between the double storey houses complies maybe with the Overstrand's Growth Management Strategy, but contradicts all aspects of what the whole world is trying to achieve in the face of climate change !

Nowadays you need to prove that you don't build in a way which will result in heating up an area, that the stormwater can be soaking away on the premises, that bigger trees are planted between the buildings to provide better air conditions. Here is no mentioning of water retention, of garden areas, of less sealing of ground, rainwater collection, of sustainability, energy saving measures, noise reduction, how to deal with insufficient open space etc etc. Solar panels are mentioned, but that is a MUST with wanting to sell houses of a higher end standard...and ESKOM's ongoing power cuts.

Apart from that, I would like to see the planned new town house development to contribute to the Eastcliff atmosphere by being more lush and green and open. It is very desirable for new

residents to live in our area, so why not contribute to our area the same way ?

I suggest to give this serious thoughts. Many of us affected or less affected landowners in Mitchell Street bought their respective properties because of the special atmosphere in our area and street and have undertaken efforts to create gardens, plant trees, hedges etc, also on the Mitchell Street side, outside our properties.

There should definitely be trees planted and gardens installed outside on the Mitchell Street side of the new development !

5. Availability of services

I would like to know for how many future residents the calculations by DL Consulting were carried out : We are experiencing low water pressure in Eastcliff and when there are another 50 ?? people using water in our area, this will definitely have an impact on all of us ! Furthermore, the Hermanus municipality's water resources are already stretched, so how does that reflect in DL Consulting's report ? Before proceeding with the development, measures must be implemented to address and rectify this water pressure and water availability issue.

Most of our properties in this part of Mitchell Street had to allow for sewage pipes and stormwater pipes running from Luyt Street down to Mitchell Street over our properties.

The situation is serious already, with the rather newly installed manhole on the north western side of the TELKOM/OPEN SERVE area and also at the bottom of various properties regularly overflowing ! I would like to know how the suggested sewage for the new development can fit with the Mitchell Street/Luyt Street sewage. There are problems which need in-depth inspection and they need to be solved !

6. Traffic

Has the road widening plan for the Main Road been abandoned ?

I am of the opinion that the access to the new development will cause a SIGNIFICANT problem for the traffic in the Main Road, only approx. 80 m from the Marine Hotel circle. With all of the expected future residents, their visitors, the deliveries, repair services etc, it will be very difficult to enter coming from the Eastcliff Spar side.

The guard house/gate will contribute to the problem, as the people wanting to get into the new development cannot get through fast enough. The stacking distance suggested by the planners allows for 12 m (2 cars) for the residents' lane and 18 m (2 bigger vehicles) for the visitors' side.

I suggest to create a slip lane, like at NEGESTER and I would like to see a traffic impact assessment being carried out to identify possible problems to avoid future accidents.

Furthermore, I am sincerely concerned and object against the way the visitor parking has been dealt with in the plan. With everyone having visited PRESTWICK, we all know how difficult it is to find parking there.

The area in front of the garage that was allocated to each dwelling might accommodate the residents and one visitor car. But what about all of the cars delivering things and the service cars, what if there is a party planned with various visitors ? Not a good idea.

I suggest that the area on ERF 878, along the TELKOM/OPEN SERVE building, be used for visitors' parking, interplanted with trees. This will accommodate the new residents'/tenants' (!) overflow parking. If we have to deal with the additional parking in Mitchell Street, it will cause unpleasant situations : We already have to deal with people parking their cars in Mitchell Street to go shopping at Woolworth/Checkers etc and there are 2

guesthouses in the street as well as one property which is often let to tenants, whose cars often park along the street.

I experience cars standing right in front of my entrance gate and then have to get my visitors in through the garage. The space in front of my property does not belong to me, but is needed for deliveries and garden service etc. The co-owned property 33 Mitchell Street is a Surveyor General subdivided erf and will need space for 2 buildings with their respective garages, entrances, deliveries/services/visitors.

Up until now, Mitchell Street is a low traffic street and I want to keep it that way ! Most of the property owners have bought and built here for that reason. Children can still play in the street, a lot of people are walking from Eastcliff to "town", there are joggers and people in wheelchairs and golf carts. It is an area very desirable for aging people as well as for families with children.

It cannot be that with a big amount of additional cars now planned to exit on the Mitchell Street side from the new development, our much loved safety, low traffic area, quietness, is all NIL and means nothing. We are paying our monthly rates and taxes since years and certainly have a right to be protected from plans which are not taking our wishes into consideration.

The increased traffic situation is not desirable and needs careful re-evaluation.

I want to also stress that I will express my strongest opposition to any possible future re-opening of Mitchell Street to Lord Roberts Street at any time in the future !

7. Building time

The amount of dirt, noise and increased traffic with big trucks, digger loaders etc during the demolition and building time will impact our properties heavily.

Thus, I demand that the residents of Mitchell Street are being informed in due time WHEN the works will start and how much building time is needed.

NO PARKING OF ANY TRUCKS AND VEHICLES IN FRONT OF OUR PROPERTIES should be allowed, the size of delivery and construction vehicles should be limited (no heavy trailers), the operating hours must be strictly controlled to the regular working hours of 8 am to 5 pm, no overtime works, no works on weekends and public holidays.

After construction time, this part of Mitchell Street will need reconstruction, which I herewith ask the municipality to hold the developer responsible for. The shoulders of the street are already in dire need to be taken care of, the amount of traffic to come will require an adequate road. It might be a good idea to create pedestrian paths for all the people walking on the street at present. Additional speed bumps should be placed on the road to slow down the traffic.

In the light of the above concerns, I request that the municipality and planning committee review the proposed development and question various assumptions. It is essential that the well being of existing residents as well as future residents are being considered and prioritized to maintain a peaceful co-existence and sustainability of our area.

Please send a confirmation of reception of my comments, my concerns, requirements and suggestions.

Sincerely



555
(H. Olivier)

REKORDBEHEER	30/39
24 JAN 2024	
DOCUMENT CONTROL	
OVERSTRAND MUNICIPALITY	

Alida Conradie

From: Johan Verwey
Sent: Wednesday, 24 January 2024 10:39
To: Alida Conradie
Subject: Proposed Development : Erf 878, 896 & 9870 - Eastcliff, Hermanus

We, as residents of 27 Mitchell Street, Eastcliff, strongly oppose some parts of the above-mentioned proposed development, for the following reasons:

1. Reduction of building lines: They are trying to maximize the built up space and it will have a negative impact on the surrounding properties. They must adhere to the existing rule of 3m building line for town houses.
2. The number of houses (16) are way too many – reducing it by 4 or 5 will make a big impact. Eastcliff is not a high density suburb and we want to keep it that way. The houses are too close together and there is no space for gardens or open areas.
3. Re-zoning: The application is to change from 'single' residential to 'general' residential – which means the proposed houses can be used for trading. We strongly oppose the possibility of more guest houses or air BnB's. Tenants do not care about their surroundings and neighbours.
4. Communal refuse area: We strongly oppose the position of the refuse area. If there are fewer houses and more space in between the houses, there will be no need for a communal refuse area and each house can store/control their own garbage – as everyone else in Mitchell Street.
5. The development is definitely not environmentally friendly. There is no space for trees or gardens between the houses in the proposed development. The areas between the houses are too small and will most probably be paved – where will the storm water go?
6. Water and sewage: We already have low water pressure in Eastcliff and with 16 houses, the situation will only deteriorate. We have sewage pipes coming through our properties from Luyt Street and we have frequent blockages at the municipal manhole in front of Telkom. There is also a sewage problem in front of 29 Mitchell Street, where there is a leak in the municipal system. OM tried to solve the problem by installing a new manhole in front of the erf 878, but it is still an ongoing problem. Is OM going to upgrade the existing sewer system?
7. Parking: There is no parking in the development allowed for visitors, deliveries or contractors.
8. Emergency vehicles: In case of a fire, there is no sufficient space for a fire truck to maneuver.
9. Entrance/Exit: There is no guarantee that the proposed 'exit' in Mitchell Street, will not be used as an 'entrance', especially in high traffic situations.
10. It is inevitable that the Mitchell Street 'exit' will be used as an 'entrance' during construction time. The property owners in Mitchell Street will be massively affected by noise, dirt, dust and damage to the road – not to mention the high security risk.

Property owners: J Verwey & H Verwey
 1 Tanglewood Close
 Mitchell Street

FILE NO.	878
	HEC
SCAN NO.	HEC-878
COLLABORATOR NO.	1985291

TP

ACHIM BECKMANN Walther-Rathenau Str 21 Köln 50996

Hermanus, 22. January 2024

TP. n. /heark
(H. Olivier)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
23 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

To

The Overstrand Municipality

alida@overstrand.gov.za

RE : Property Development Application

Erf 9807, 896, 878

Main Road - Mitchell Street, Hermanus 7200

FILE NO.	EF 878
	HEC
SCAN NO.	
COLLABORATOR NO.	1984400

Dear Sirs,

My name is Achim Beckmann, married to Ulrike Beckmann (the registered owner of 39 Mitchell Street/Erf 11160 and registered co-owner of 33 Mitchell Street/Erf 904) and herewith comment to the above planned property development :

1. I oppose the consolidation of the 3 properties. Only the consolidation makes such a dense town house complex with 16 units possible.
The maximizing of buildings of up to 8 m height does not conform with the character of Eastcliff.
2. I oppose the road stretching from Main Road to Mitchell Street. The plans don't sufficiently clarify, how the entry from the Eastcliff Spar side of Main Road towards the Marine Hotel circle will be possible without causing major traffic jams and possibly accidents. A slip way seems to be a solution.
3. It must be certified by title deed that the newly created road can never be allowed to be used as a thorough fare road, usable from Main Road to Mitchell Street both sides. Furthermore, the

23 JAN 2024

one way road has to be certified as a non-negotiable one way road with electrified gates and guard house.

4. I oppose the major sealing of the property grounds by tar, pavers and stones. This is not in line with climate protection measures.
5. I oppose the creation of a consolidated "green" ground : Every house/property needs its own green belt for trees and garden as a requirement and to allow for airflow and sunlight between the buildings.

I am interested in an amicable solution, but reserve my rights to point out legal claims.

Please send me an acknowledgement and confirmation of my letter having been received by you.

Yours sincerely

A handwritten signature in black ink, appearing to be a stylized name, possibly 'A. B.', written over the typed text 'Yours sincerely'.

Alida Conradie

From: Neville Howarth
Sent: Tuesday, 23 January 2024 10:30
To: Alida Conradie
Subject: New Residential Development erfs 9807, 896 and 878

I would like to object to the above proposed development.

Our section of Mitchell Street is a quiet residential cut-de-sac. Building a 16 house development spanning Main Road and Mitchell Street but exiting only onto Mitchell Street is grossly unfair and will change the lives of Mitchell Street residents for the worse.

There will be so much more traffic, both cars and service/delivery vehicles. We will lose trees and greenery. The only green area retained will be a refuse area bordering on Mitchell Street attracting flies and scavengers, both animal and human.

During demolition and building Mitchell Street will be converted into a construction site full of lorries, diggers, cement mixers, worker transport, toilets and canteens, formal and informal.

Plus a storage area for the mountains of sand, bricks and other building materials required for this concrete jungle.

Do we really want high density housing on Mitchell Street?

I do hope sanity prevails and this development is not allowed to take over our peaceful, essentially Hermanus, residential road.

Your consideration of all of the above would be appreciated.

Vivienne Howarth-Spurr
33 Mitchell Street

*TP. n. / sheet
(H. Olivier)*

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
23 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO. <i>81 878</i>
<i>13EC</i>
SCAN NO.
<i>08</i>
COLLABORATOR NO.
<i>1984-398</i>

23 JAN 2024

Y

Alida Conradie

From: Neville Howarth
Sent: Monday, 22 January 2024 12:56
To: Alida Conradie
Subject: New Residential Development - era 9807, 896 and 878

To whom it may concern:

I would like to comment and register my objection to a number of items regarding the proposed development:

1. I see no valid reason for a departure from the 3m perimeter building line to just 2m. On the contrary, this would be most unfair to neighbours as well as reduce the chance of trees and greenery between dwellings.
2. The suggested communal, open space has been placed in the most unattractive position (presumably because it would be difficult to sell a house there). As it is planned on the development to house the communal refuse area for all 16 houses (plus communal garden storage unit) on this open space, it would be most unsuitable and even insanitary for use as a children's play area or family recreational area. Each house should have its own garden/green area of a reasonable size for normal, healthy, family use ideally plus a further dedicated, open, recreational green area.
3. The traffic plan seems grossly inadequate and ill-considered with potential queues at the entrance backing up onto Main Road, inadequate parking for visitors and delivery/service/transport vehicles and limited turning and manoeuvring space (for fire engines for example). With no garden space for children to play in adjacent to their houses, the road will be their dangerous playground.
4. With the only exit from the development going onto Mitchell Street (which is currently a quiet cup-de-sac), volumes of Mitchell Street traffic are going to increase massively. This is a serious concern in particular for the elderly residents, many of whom regularly walk to Woolworths at the end of the road. Construction vehicles will no doubt also be a hazard on this road which was not designed for heavy traffic. If this development does go ahead, it should be conditional before occupation that the Mitchell Street road is re-surfaced with speed bumps and the sides planted with mature trees in keeping with the rest of Mitchell Street.
5. There is currently pressure (or in the case of water, low pressure!) on the essential services in this immediate area. How will the extra load be catered for?

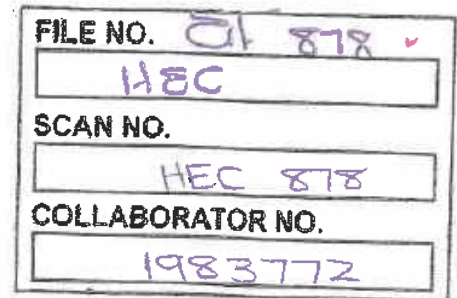
Overall, this planned development has been designed to maximise density and profit by bending or breaking rules with no regard for the green and pleasant residential area around.

I trust my objections will be fully taken into account.

*TP n./theat
(H. Olivia)*

Thank you.

Neville Howarth
 33 Mitchell Street
 Eastcliff
 Hermanus



22 JAN 2024

TP

49 Mitchell Street
Eastcliff
Hermanus
7200

TO: The Overstrand Municipality
alida@overstrand.gov.za

19th January 2014

TP-N/heat
(M. Olivier)

Dear Sirs,

RE: New Residential Development consisting of erf 9807, 896 and 878, Eastcliff, Hermanus.

My name is Thomas Howard Bramwell-Jones having South African ID No – 460123 5038081.

I am one of the registered owners of ERF 888, Eastcliff, Hermanus being 49 Mitchell Street.

My attention has been drawn to the Proposed New Residential Development consisting of Erven 9807, 896 and 878 in Eastcliff. The properties stretch between the Main Road and Mitchell Street.

For some reason neither the Planning Companies working for this project nor the Overstrand Municipality has thought fit to advise me of this development and so afford me the opportunity to submit my comments timeously. This presumably as my property does not abut the above-mentioned erven and it was considered my property is not affected by the development. This is not acceptable since every property in Mitchell Street will be affected. The planned entry to the proposed development is off the Main Road and the exit from the development is into Mitchell Street – a low traffic street and therefor a popular pedestrian route to the town centre.

My initial concerns therefor are –

- During the initial stages of the development the demolition of existing structures and removal of the resulting rubble will require the use of heavy dump trucks resulting in noise, dust and increased traffic. I therefor demand that due consideration be given to the Mitchell Street residents that the operating hours be strictly controlled to normal working hours of 8am to 5pm week days only - i.e., no movement on weekends and public holidays.
- During the construction stage of the development there will again be heavy traffic with trucks delivering sand, cement, bricks, reinforcing material, roofing material etc. Again, the operating hours should be strictly controlled to normal working hours of 8am to 5pm with no movement on weekends and public holidays. Further, the size of delivery vehicles should be limited to the extent no heavy trailers be allowed.
- I believe that the Overstrand Municipality should hold the property developers liable for any damage to the street and insist on a deposit to be held to cover any damages arising.
- On completion of the development, that I understand is to consist of no fewer than 16 freehold residential houses, there will inevitably be a substantial increase in the traffic flow



FILE NO.	878
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SCAN NO.	
COLLABORATOR NO.	1953535

in Mitchell Street. The potential is for two vehicles per unit, add visitors to the residents both private, commercial deliveries and trades people and it will be appreciated that this development will have a major traffic impact on Mitchell Street and indeed on the value of the properties located therein. Further traffic control measures need to be put in place including at least two speed bumps, pavements (sidewalks) to ensure the safety of pedestrians and, I believe traffic lights at the intersection of Stemmet Street and the Main Road. I should like to stress the strongest possible opposition to any thought that Mitchell Street be re-opened to Lord Roberts Street at any time in the future.

My concerns regarding traffic flow along Mitchell Street have led me to consider the problems that must also arise on the Main Road access. During the recent December holiday season, I noted the traffic congestion moving towards town at the circle at the intersection of Lord Roberts Street and the Main Road (The Marine Hotel Circle). As is the norm, access to the development will have two lanes – one for residents and one for visitors. Never-the-less the driveway of 12 meters only permits stacking of two cars in a row. It is evident that provision must be made for a slip lane on the western side of the Main Road. Vehicles coming into town from the direction of the Eastcliff Spar must not be allowed to turn right into the development but continue through to and round the circle and back along Main Road and so turn left into the development. Hence the need for the slip lane so that normal traffic flow may proceed.

Following on from the above, I urge the Municipality not to abandon their plans - nor their rights - to widen the Main Road. The strong opposition to the Province's proposed by-pass road that resulted in those plans being taken off the table means that the Municipality should jealously guard and preserve its road reserves on Main Road. Ultimately widening the traffic circles at Checkers and the Marine Hotel is likely to be more economical than expropriating properties proposed on the various SRK proposed by-pass plans.

INFRASTRUCTURE

The development of 16 freehold properties will undoubtedly put additional strain on the Municipality's ability to provide additional water. The water pressure in Eastcliff is the lowest in all of Hermanus. The additional demand created by this development will only complicate matters. I should like to know what steps are being taken to accommodate the additional demand.

By the same token I should like the Municipality's assurance that the additional sewage resulting from this development will not result in unsightly overflows into either the Main Road or Mitchell Street. The developers and contractors should be responsible for paying for the bigger pipes needed to permit the approval of the development.

Solid waste from each household is to be placed in a demarcated area. There is no indication how this is to be managed. Only recyclables such as tin, glass and paper should be placed in special purpose bins provided. "Wet waste" should be retained by each household and their black bags only placed out in the street for Friday morning collection. If household "wet

waste" is allowed to be stored in the communal refuse area the smell of decaying matter will be intolerable to neighbours and passing pedestrians. It will also serve as a breeding ground for flies and attract rodents. Fortunately, that part of Eastcliff is not subject to baboon invasion but it will sure attract scavengers in the form of 'bin pickers'.

A further point of concern is that the Application is for the PERMANENT DEPARTURE FROM THE BUILDING LINE OF 3M (which is obligatory for Town Houses) to 2m. Overstrand Municipality must enforce the rule since the 2m building line is for single residential buildings.

Over the past few years (notwithstanding the effects of the Covid-19 epidemic) the rate of economic growth in the Overstrand Municipality has been phenomenal. This is particularly well illustrated in the demand for high-end properties within Hermanus. I understand, and indeed support, the Overstrand Municipality's need to generate additional income through encouraging higher density property development. However, the desire by the developer to maximize the available sqm for the town houses also runs the risk of detracting from the aesthetics of the development through overcrowding and limiting open space to the required minimum of 10%. The big area on Erf 878 and designated as a communal recreation / garden is a mere sop to OMLUS. There is a shortage of space for visitor parking and the area is just as likely to be used for that purpose.

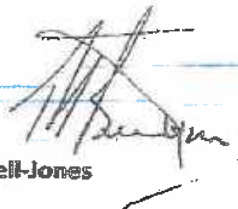
There are a number of very large units planned (up to 466sqm) and will undoubtedly fit the category of being "high end". Why then compromise the exclusive nature of the development by overcrowding. The reduction in the number of units from 16 to 14 (ideally 12) would permit smaller units to be merged or enlarged and provide more ("breathing") space between units for trees and garden. The loss of 'profit' due to the reduction in number of units should easily be recovered over the sale of the remaining units in a more desirable development. The Overstrand Municipality will still gain from the greater densification but with slightly less pressure on the infrastructure and traffic.

I should be pleased to receive an acknowledgement and confirmation at least that my comments, requirements and suggestions have been noted.

Thank you.

Yours faithfully

Thomas H Bramwell-Jones



Alida Conradie

OVERSTRAND MUNICIPALITY
REKORDBEHEER
18 JAN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

From: Sue Gordon
Sent: Thursday, 18 January 2024 09:38
To: Alida Conradie
Subject: NEW RESIDENTIAL DEVELOPMENT ERF 9807,896 AND 878

*TP. n (Heart
 C. / Olivia)*

I refer : NewResidential Development on 9807,896 and 878

I, Mrs Susan Gordon, of ERF 917, 25A Mitchell street, would like to put forward arguments for changes to the planned development as proposed.

First the obvious impression is that the development purports to be "town houses" - but in reality will be more like a huge solid block of apartments - with no space for trees or green open space. the 10% allocated is insufficient and in a poor position. This is not in keeping with Eastcliff - especially Mitchell Street, and quite opposite the reason we bought in the street.

This leads on to several points of objection:-

- The open space provided is totally impractical. it will not be big enough to be used by residents. Small children cannot be left alone there as they will be out of sight of their homes.
- The whole area is either built on, paved or under tar. Where will run off rain water go?
 Where will trees or greenery be planted to soften the development?

Where will cars park?

Even if the home owner is expected to park in his garage or driveway, NO allocation of space has been made for visitors. This will create log-jams and congestion and bad temper/relations between neighbours!
 Additionally, any vehicle attending to servicing a home will be blocking the right of passage!

-TRAFFIC - ENTRY AND EXIT

The entry off Main road is going to cause build up of traffic, especially from Voelklip side. The entrance is too close to the circle at Hotel to put in traffic light . The allowance made at the entrance of the estate will only allow for two cars to queue(visitors) which will prove to be insufficient and a hazard to traffic on main road.

Has provision been made for possible road widening on Main road THE EXIT - We foresee visitors wanting to park on Mitchell Street outside the development. That will mean a pedestrian gate necessary and perhaps security risk for the estate?

AESTHETICS If the development plans to plant trees to disguise Telkom building, WE, as residents of Mitchell street, would request they continue the planting on pavement area in front of Telkom along Mitchell, which is already used by the community to park when shopping. We already battle to park for ourselves or visitors in front of our own homes. ?

-Proposed BIN STORAGE AREA is NOT suitable. Refuse bins should be stored on each property as in our homes, and only put out once per week on collection day.

-SEWERAGE AND WATER PRESSURE

WE would like to see the complete engineering report by DL Consulting. We need reassurance of sufficient provision for run off of sewerage .We have already had a problem with spillage/overflow in peak season and know of similar problems with our neighbours.

-Water pressure is poor at times already. There is still another double plot to be built on in Mitchell across from this development

BUILDING LINE AND REZONING

FILE NO.
ERF 878 HEC
SCAN NO.
COLLABORATOR NO.
1982601

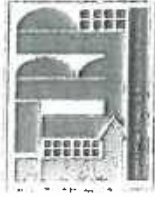
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We see no reason to change the building line to 2 m from 3m which just means that the aesthetic value of the estate is sacrificed for greed with developers wanting greater density of units. Double storey units close to the boundary is very unfair for directly affected neighbours and increases noise level, lack of privacy, and ultimately property value!

- we also do not like the change to GENERAL RESIDENTIAL, as technically this means the owner of the unit is allowed to trade. Even if this means short term let, this is NOT in keeping with a residential estate.

Overall the general complaint is NOT against town house development, but a strong complaint of density. All objections can be overcome with more attention being paid to practicality, aesthetics, and good neighbourliness.

AS with all property owners, we do not expect development in our area to devalue our investment and trust we will be dealt with fairly.



Date: 02 May 2024

For Attention: The Municipal Manager

ERVEN 878, 896 AND 9807, MITCHELL STREET, EASTCLIFF HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR REZONING, SUBDIVISION, EXEMPTION OF REGISTRATION OF A RIGHT OF WAY SERVITUDE AND DEPARTURE: RESPONSE TO OBJECTIONS

Your letter dated 16 February 2024, refers.

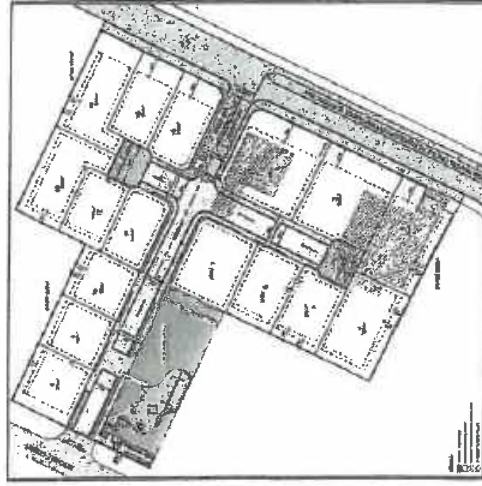
1. **Background**

This response has been done as a collaboration by the three respective consultants on behalf of their clients, the owners of erven 878, 896 and 9807 Hermanus.

The **development objectives** are to subdivide and rezone erven 878, 896 & 9807 Hermanus to accommodate 16 Townhouse erven, right of way servitudes, a combined private open space, a refuse area and internal roads.

An entrance will be located on Main Road and the exit will be on Mitchell Street.

This application also includes a building line departure to reduce the building line from 3m to 2m on the perimeter of the subject application site.





As part of the development a home-owners association will be established.

Provision is made for a right of way servitudes over the subject properties in favour of one another to allow for vehicular and pedestrian access to roads, the private open space and refuse area. Once the development has been approved, the roads and open space will be transferred to the proposed home-owners association where-after these servitudes will then be cancelled.

For the Municipal Planning Tribunal, the following matters need to be kept in mind when considering the application proposal against the objections received:

The main objections are the concern that the character of the suburb of Eastcliff will be affected because of the proposed increase in density.

2. Methodology of Response

In response to the objections and/ or comments received, a summary of comments and objections are compiled, followed by a thematic summary of the comments and objections with responses to each of the summarised thematic points of objection / comments. Finally, a conclusion is provided and a recommendation.

3. Summary of Comments/Objection and Response to Comments/Objection

A summary of the comments and objections of each of the objectors are tabled here-below:

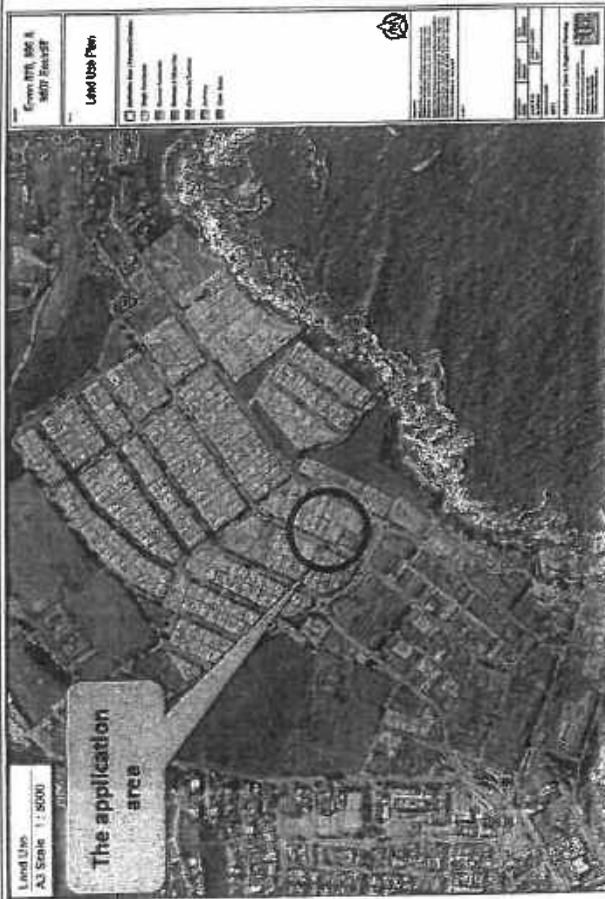
Objector's Names	Summary of Objections	Response
1. POSITIVE RESPONSE Tracy Davies, William Ian Gordon	The objector acknowledged that the proposed development is a community orientated development being a "Small, charming, quaint and quiet...perfect!" development and is of high end that is welcomed in Eastcliff.	The comment is appreciated, and this is exactly what is envisaged the development to be; a small well designed charming development offering the residents an opportunity of being close to schools, business and recreational facilities.
2. SERVICES		
Tracy Davies	Water pressure, sewerage problems	The application was circulated to the Overstrand Municipality's engineering department. At their request, a capacity services report was commissioned to ensure there is sufficient water and sewage capacity to accommodate the proposed development. The report, attached as Annexure A – GLS Services Capacity Report , provides details on this matter.
Dr Nicholas Davies	Stormwater, water & sewerage not adequately addressed	As outlined in the application, the owners may be liable for payment of a Development Contribution, calculated by the Overstrand Municipality, for bulk water and sewer infrastructure in accordance with Council Policy.
Ruth Vary	Water pressure low, existing sewerage problematic, will increase	The report concludes that there is sufficient capacity in the existing water reticulation system to accommodate the proposed development.
Michelle Kruger	Water pressure low, sewerage system regularly blocks- cripple situation	Additionally, the existing sewer reticulation system of the Bientang pumpstation and rising main, as well as Hermanus PS no. 4 drainage area, has sufficient capacity to accommodate the proposed development. However, bulk collector sewers downstream of Hermanus PS no. 4 are at capacity and require upgrading.
Jacqueline Rathfelder	Water & Sewerage- low water pressure, sewerage blockages- will increase with additional houses	The minimum upgrades required to accommodate the proposed development in the existing sewer system are master plan items OHS13.1, OHS13.2, and OHS13.4. Notably, master plan item
Patrick William Hirst		
Gary Combrink		
Annabella Busse		
Johan Malherbe		
Mrs P Combrink		
S Badenhorst		
Fred & Marina Peens		
William Ian Gordon		
Ulrike Beckman		
J & H Verwey		
Achim Beckmann		
Vivienne Howarth-Spurr		
Neville Howarth		

<p>Thomas Howard Bramwell-Jones Susan Jones</p>	<p>Sewerage and Water pressure problems- will worsen with more houses.</p> <p>Questions tests, area has low water pressure & lots of sewerage problems</p> <p>Sewerage and Water a known problem, engineering report needs to be made public, analysis required, more residents will worsen the situation,</p> <p>Fire dept need sight of proposal re turning space</p> <p>Development will have a negative impact on the water & sewer, measures required first to rectify existing water & sewer problems</p> <p>"Already low water pressure, dev will deteriorate situation, experience frequent sewerage blockages. Will sewer system be upgraded.</p>	<p>OHS13.2, the most critical upgrade, has already been implemented (awaiting as-built drawings from the Overstrand Municipality to confirm).</p> <p>As previously mentioned, the Development Contribution, potentially payable by the owners, will fund the necessary upgrades to the systems as indicated in the report.</p> <p>It is important to note that emergency services will have access to the property and will be able to enter any street and reverse out to be able to turn and exit the development on Mitchell Street.</p>
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	<p>Emergency services- not sufficient space for fire truck to maneuver"</p> <p>Low water pressure, how will that be catered for?</p> <p>additional strain on the Municipality's ability to provide additional water</p> <p>"The whole area is either built on, paved or under tar. Where will run off rain water go? (Storm Water)</p> <p>&</p> <p>SEWERAGE AND WATER PRESSURE"</p>	
<p>3. ZONING:</p> <p>Dr Nicholas Davies Ruth Vary Michelle Kruger Jacqueline Rathfelder Patrick William Hirst Gary Combrink Annabella Busse Johan Malherbe Mrs P Combrink S Badenhorst Fred & Marina Peens William Ian Gordon</p>	<p>Allows trading</p> <p>Allows for trading- lead to guest houses</p> <p>Can be used for trading- guest houses & B&B's- resulting to noise.</p> <p>Trade could be carried out.</p> <p>Allows for trade of any nature.</p>	<p>The General Residential Zone 1: Town housing (GR1) zoning applied for, allows the property to accommodate town housing, private roads, and private open spaces. This zoning designation is specifically tailored to support residential development in a townhouse format, with associated amenities and infrastructure.</p> <p>The primary focus of this zoning is to provide housing options suitable for single-family occupancy. As indicated within the motivations, the proposed units are intended solely for use as dwellings to accommodate and house a single family. This implies that the townhouses are designed and intended to serve as homes for individual families, emphasizing the residential aspect of the development.</p> <p>It's important to note that the proposed zoning does not allow for commercial activities or alternative uses beyond residential purposes. Specifically, activities such as trading, operating</p>

<p>Ufrike Beckman J & H Verwey</p>	<p>Used for Air B&B- creating problems. Can be used for trading, with the possibility of more guest houses or Air B&B's. No respect for surrounding neighbours.</p>	<p>guesthouses, or running bed and breakfast establishments are not permitted under this zoning designation. If there is a desire to engage in such activities, separate applications would need to be submitted for a consent use, as they are not included within the scope of the current application for General Residential Zone 1 zoning. Overall, the intention behind the proposed zoning is to foster an upmarket residential environment conducive to family living, with a focus on townhouse development while excluding commercial activities that may disrupt the primarily residential character of the area.</p>
<p>4. DENSITY: Dr Nicolaas Davies, Patrick William Hirst, Annabella Busse, Johan Malherbe, Mrs P Combrinck, S. Badenhorst, William Ian Gordon, J and H Verwey and Achim Beckmann</p>	<p>The consolidation of the three properties results to a proposal for 16 additional dwelling houses which is considered to be too much, as it will increase the density of Eastcliff significantly and resulting that Eastcliff will become a high density suburb. The reduction of four or five units will be more acceptable and make a huge impact. The development is not aligned with that of the surrounding residential houses and will be a cramped development with not enough space for anything else.</p>	<p>Most of the objections received are directly or indirectly related to the subject / concern about density (i.e. the increase in the number of units and the impact thereof). The objectors incorrectly create the impression that the proposed development will change the character of Eastcliff and therefore it is important that the authorised decision-makers have a clear perspective of the proposed development in terms of scale, location and surrounding land-uses. This proposed development is a small development in relation with the Eastcliff residential area. It must also be kept in mind that the proposed development is located on the fringe of the Eastcliff residential area and adjacent to the Hermanus Central Business Areas. The application area is considered to be within a <u>transitional mixed-use area</u> adjacent to a service and business area and surrounded by high density residential developments rather than a predominant single residential zoned area as pictured by the objectors. The proposed development which is positioned between the single residential areas of Eastcliff and the Hermanus Central Business Areas acts to soften the transition between these two areas and strengthens the gateway between them. It serves as a medium-density residential development to bridge the gap between low density residential towards Hoy's koppie and higher density residential which fringes the coast. This is clearly evident from the following land-use plan:</p>

Too many units have been proposed to maximize the return on investment.
Houses are too close together and there is no space for gardens and open space.



These varieties of land-uses, densities and functions contribute to such transitional mixed-use character surrounding the application area.

The land-uses in proximity of the application area involves business, service industry (Telkom adjacent to Erven 878 & 9807), a variety of housing types (single residential dwelling units, flats, guest houses, town houses and hotels) as well as different orders of road classes.

Based on a street block density analysis, the density of the street block wherein the development is proposed, will be less than presently found in the adjacent street blocks.

Even-though the density of the proposed application area is 26.6 dwelling units per hectare, the density of the street block will still be less than that of the densities of the adjacent street blocks as shown in the following sketch and table respectively on next page:



Street block	Pre-development	Post Development
East- east of Main Road		33 du/ha
Current- between Main Rd, Stemmet, Lord Roberts and Mitchell Streets	13.1 du/ha	18du/ha
West- between Mitchell, Stemmet, Luyt and Lord Roberts Streets		19.1 du/ha
Combinedly	19.1du/ha	21.4du/ha

The overall increase in the density as a result of the proposed development will only be 2.3 dwelling units more than that of the demarcated analysis area (i.e. three street blocks) and 0.14 for the Eastcliff planning area in terms of the approved policy Central Growth Strategy, 2010.

<p>In addition to the above, the decision-makers should also acknowledge that the Growth Management Strategy, 2010 policy document supports the increase of the current gross density of the Eastcliff residential area (Planning Unit 14) from 4.9 to 10 dwelling units per hectare, meaning that an increase of at least 128 dwellings units for the Eastcliff area is encouraged and supported.</p> <p>It should also be noted that the only area of densification within this planning unit is specifically earmarked along Main Road which includes the application area consisting of Erven 878, 896 and 9807 Eastcliff to contribute to the overall densification figure.</p> <p>Subsequently, the development proposal of 26.6 dwelling units per hectare is less than the 30 dwelling units per hectare density zones proposed for the subject area in terms of the current Overstrand Municipal Growth Management 2010 strategy and therefore fully consistent with the statutory approved density policy for the area.</p> <p>This strategy is also supported by the Overstrand Municipality Spatial Development Framework, May 2020 where it is stated that <i>“Densification as spatial planning mechanism advocated by the Municipality’s Growth Management Strategy will need to be applied in order to accommodate of the aforementioned future population”</i></p> <p>To conclude, the proposed development is aligned with the local authority’s vision for density contained in the statutory spatial development policy documents, is integrated within an existing mixed-use character of the suburb and area and is also within sequence of development for the area. The development will also soften the transition between low density and high density at the connection point between the Hermanus Central Business Area and the surrounding single residential fabric.</p> <p>This vital point of objection is therefore not considered relevant and applicable and should be omitted by the decision-making authority.</p>	
<p>5. MAXIMISING OF THE BUILT-UP AREA:</p> <p>Dr Nicholas Davies</p>	<p>The objector claims that the proposal does not provide more opportunities for the residents in the</p> <p>It is evident that the objector does not understand the statement made by the consultant. Aligned with the Overstrand Municipality Spatial Development Framework, it is meant that more opportunities are provided in terms of choice in housing types.</p>

	<p>surrounding area, and Wrap's claim that it does is wholly unsupported.</p>	<p>In addition to the above, the location of this application site provides the opportunity for easy walking distance access from the proposed development to places of instruction, work, shopping, recreation, worship, transport and general social activities and thereby providing more opportunities for the said residents.</p> <p>The objector's claim is clearly and undoubtably invalid and should accordingly be rejected.</p>
<p>6. LAND USE:</p>		
<p>Dr Nicholas Davies</p>	<p>The objector claims that the proposed development may "well eventuate in an untidy, unhygienic, smelly dog lavatory and refuse dump attracting homeless vagrants, vermin investigation." He further claims that "This is a health and security hazard for both residents of the proposed complex as well as Mitchell Street homes. Dumping all the refuse on the pavement on refuse collection day, while not only unsightly and unhygienic will surely see unwelcome influx of scavengers."</p>	<p>The objection received is made up of unsubstantiated assumptions.</p> <p>The proposed development is intended for an upmarket housing complex managed by a compulsory statutory home-owners association. The objector does not understand that the development is intended to seamlessly integrate with the adjacent residential and non-residential land-uses to the existing highly valued landmark Eastcliff residential area.</p> <p>It should also be understood that the refuse area is intended to be a completely enclosed walled room, only accessible for the residents from inside the complex and for the local authority from the street side only on days when refuse is collected.</p> <p>Many similar refuse rooms serve as example in the Overstrand area where the description of the objector's concerns does not occur. Also refer to the response focused on the refuse area below for more details.</p> <p>The objections are considered invalid and accordingly ignored.</p>
<p>7. IMPACT ON MITCHELL STREET:</p>		
<p>Dr Nicholas Davies and Vivienne Howarth-Spurr</p>	<p>Little attention is given to the impact of the development on Mitchell Street being a peaceful, quiet, residential, low traffic</p>	<p>This point of objection is also based on unsubstantiated assumptions and an exaggerated negative picture is sketched of the proposed development by the objectors.</p>

<p>The impact of the proposed development will be limited as the vehicle and pedestrian traffic generated by the 16 additional units will be spread out through the course of the day. Refer to the response focused on the traffic below for more details.</p> <p>Mitchell Street not only has a residential function but also provides access to a small business component as well as Telkom (service industry) and functions as a pedestrian passageway from the Eastcliff residential area.</p> <p>Therefore, the impression the objector creates of Mitchell Street is incorrect.</p> <p>The parking area and the road reserve of Mitchell Street is also often used for overflow parking to the Hermanus business area during peak periods.</p> <p>Although trees will have to be removed to accommodate the dwellings, the area will be landscaped to provide the optimum amount of green space, ensuring that it fits in with the character of the Eastcliff residential area.</p> <p>The refuse area as previously mentioned will be managed by the homeowners' association to ensure that the refuse area is clean and will be locked to prevent any scavengers from access to the area. Also refer to the response focused on the refuse area below for more details.</p> <p>In the light of the above, it is clear that this point of objection has no merit and paints completely a wrong picture and should therefore be omitted.</p>	<p>cul-de-sac road used by a high number of elderly persons walking to the shops as well as families with young children. With the only the exit to the complex being on Mitchell Street where there will be a significant negative impact on the prevailing atmosphere in Mitchell Street, and where there "will be so much more traffic, both cars and service / delivery vehicles." Trees and greenery will be lost, only green areas retained will be a refuse area bordering on Mitchell Street attracting flies and scavengers, both animal and human.</p>
<ul style="list-style-type: none"> • The application was circulated to the municipal engineering department, which requested that a site traffic statement (STA) be conducted to ensure that the traffic generated by the development will not have a severe impact on current traffic flow. The STA is attached as Annexure B - Site Traffic Statement. <p>The STA indicated that a Main Road-only access is deemed acceptable, with the only recommendation being to increase the entry bellmouth radius off Main Road to at least 6 meters to allow for better manoeuvrability.</p>	<p>8. TRAFFIC:</p> <p>Tracy Davies Dr Nicholas Davies Ruth Vary Michelle Kruger Jacqueline Rathfelder Patrick William Hirst William Ian Gordon Annabella Busse Johan Malherbe</p> <p>The objections primarily centre around concerns regarding increased traffic flow resulting from the proposed development's access points. Residents are worried that the development will create a through road from Main</p>

<p>Mrs P Combrink S Badenhorst Fred & Marina Peens Ulrike Beckman J & H Verwey Achim Beckmann Vivienne Howarth-Spurr Neville Howarth Susan Gordon Thomas Howard Bramwell-Jones</p>	<p>Road that will exacerbate existing traffic issues, particularly due to its narrow roads.</p> <p>The prospect of 32 additional cars accessing the area via Main Road is seen as unreasonable, potentially leading to traffic problems, especially for Mitchell Street.</p> <p>Residents wish to remain a low-volume street. Criticisms extend to the inadequacy of the traffic plan, foreseeing potential queues at entrances backing up onto Main Road, and concerns about internal roads becoming makeshift play areas due to the lack of designated children's play areas. Residents also call for specific traffic control measures such as speed bumps to manage traffic flow along Mitchell Street and mitigate potential safety risks, particularly for elderly pedestrians.</p>	<p>The STA also indicated that to deter right-turning vehicles into the property from the northeastern Main Road approach, no-right-turn signage (R210) can be erected downstream of the Main Road / Stemmet Street intersection together with an information sign (IN1 1.2) to indicate the distance from the sign up to the Lord Roberts Street / Main Road roundabout.</p> <p>This proposal will be adhered to, and it is relayed that any of the owners heading towards Hermanus will be required to utilize the roundabout and change direction to obtain access to the development.</p> <p>This route guidance is designed to minimize the impact on traffic flow in the surrounding area. By diverting traffic away from a direct approach to the entrance gate, especially during peak traffic times or congested periods, the flow of vehicles along Main Road and nearby streets can be more effectively managed. The use of the traffic circle allows for smoother transitions and potentially reduces the risk of traffic congestion or disruptions in the vicinity of the proposed development.</p> <p>As mentioned throughout the motivations, the access will be split into two lanes for residents and visitors, with a combined stacking distance of 24 meters, each being 12 meters, which the STA indicated as more than adequate. The STA, however, recommends that the existing additional space available should also be used for stacking. The recommendations made in the traffic impact statement will be implemented.</p> <ul style="list-style-type: none"> Some objectors are misinformed as access will only be obtained from the Main Road and egress will be onto Mitchell Street. The existing access on main road will be closed and a new 8m wide double lane access will be established, with 4m on each of the two properties on main road (Erven 896 & 9807). Each townhouse erf will have two parking bays, which could include a single or double garage, carport, or open parking. <p>The proposed development will be an access controlled enclosed private development and the concerns that the internal roads will be used for throughfare from the Main Road is unjustified. The reason being that it will be a private road only accessible through access-controlled gates by the residents of the development and or their guests. It should be noted that the proposed</p>
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<p>Become a through road, Main Road both ingress & egress.</p> <p>32 additional cars, more than existing, access & egress to be on Main Rd.</p> <p>Foresee traffic problems with access, support access from Main Rd end exit on Mitchell.</p> <p>Do not want a through road.</p> <p>Amount of traffic generated in a suburb with narrow roads is not reasonable particularly Mitchell St.</p> <p>Question, will access be used as both access & Exit?</p> <p>Result into much more traffic in Mitchell Street.</p> <p>Wants proof of traffic assessment.</p> <p>Access on Main Road problematic, propose a slip lane.</p> <p>Access from Main Road to development will cause</p>	<p>road across the existing Erf 878 will be a one-way road, which will also ensure that the exit to Mitchell Street is the only exit.</p> <p>The vision for the internal roads of the development aims to question the ideology of road vs pavement/car vs pedestrian by making use of shared surface spaces. The shared surface spaces remove the boundary/raised curb and create a space where preference isn't given to vehicles. This design principle results in vehicles that naturally drive slower creating a safer urban environment. This also provides additional space for residents to use in addition to the 601m² open space provided.</p> <p>A refuse area will be located near the exit gate for easy access by municipal refuse removal trucks. The impact on traffic flow during refuse removal days is expected to be minimal due to lower traffic flow on Mitchell Street and the existing road shoulder where the truck can pull into.</p> <p>Mitchell street is considered wide enough to accommodate both traffic and pedestrians. The STA also indicated that no improvements will be required to accommodate the development. It should be reiterated that no proposal was made to re-open Mitchell Street to Lord Roberts Street, which is considered as one of the main distributors in Hermanus and is not being proposed to be altered.</p> <p>The exit into Mitchell Street will be controlled and designed to minimize adverse effects on pedestrians. Low exit speeds and wide sidewalks aim to maintain pedestrian safety and convenience. The proposed Main Road widening was taken into account in the design.</p> <p>In essence, this route recommendation serves to optimize traffic movement and enhance safety for both residents of the townhouses and other road users in the area. It demonstrates a proactive approach to traffic management within the development plan.</p> <p>Overall, the plan emphasizes traffic management, access control, and infrastructure provision to ensure the smooth functioning of the proposed townhouse development while minimizing its impact on existing traffic and pedestrian flow in the area.</p>
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significant problems in traffic.
 Guard house will contribute to problems waiting to get into the development.

Stacking distances.
 Create slip lane as at Negester-

Want traffic impact assessment.
 Mitchell St must remain a low volume street- increased traffic not desirable.

Will not support the re-opening of Lord Roberts St.

No guarantee that exit will be used as an entrance.
 Link between main & Mitchel Streets opposed.
 Does not clarify access from east to property will work.

Cause traffic jams.

So much more traffic- cars & delivery vehicles.

Traffic plan grossly inadequate & ill-considered

	<p>- potential queues at entrance backing into Main Rd.</p> <p>Internal roads will become play area due to lack of children's play area.</p> <p>Traffic in Mitchell St will increase massively- elderly walking to WW"</p>	
<p>9. PARKING: Tracy Davies Dr Nicholas Davies Ruth Vary Jacqueline Rathfelder Patrick William Hirst S Badenhorst Fred & Marina Peens William Ian Gordon Ulrike Beckman J & H Verwey Vivienne Howarth-Spurr Neville Howarth</p>	<p>The objections focus on inadequate parking provisions for visitors, emergency services, and delivery vehicles. Residents express concerns about the lack of designated parking spaces, fearing visitors will overflow onto Mitchell Street, exacerbating traffic issues. Additionally, there's worry about the functionality of access points, particularly on Main Road, where limited stacking space could lead to significant traffic problems. Suggestions include creating open spaces with trees for visitor parking to</p>	<p>The comments have been noted. The municipality's engineering department requested a 12m stacking distance, which is double as there are two lanes to enter.</p> <p>The majority of the units will have double garages, which will allow guests to park in front of it, if necessary. The communal open space will also accommodate guest parking spaces covered in permeable grass blocks, allowing grass to grow, and increasing the greenery in the development.</p> <p>The development's roads are wide enough to accommodate smaller delivery vehicles and emergency vehicles if necessary. Larger trucks will not be allowed into the development, similar to other residential even in the area, where large trucks such as furniture- or delivery trucks are required to park outside the complex and use a smaller vehicle to make the delivery inside the complex.</p> <p>it should be noted that the turning circles will be sufficient to allow for effective changes in direction.</p> <p>The objections / concerns of the objectors have been addressed and therefore not considered valid.</p>

	<p>ease congestion and avoid using Mitchell Street.</p> <p>Questions are raised about where cars will park, emphasizing the need for adequate provisions to ensure smooth traffic flow. Residents call for comprehensive solutions to address parking shortages and alleviate associated traffic and safety concerns.</p>									
<p>10. REFUSE:</p> <p>Ruth Vary Jacqueline Rathfelder Fred & Marina Peens Ulrike Beckman Neville Howarth</p>	<p>Residents are concerned about the handling of refuse, noting that the current approach fails to adequately address the issue of vagrants and health hazards.</p> <p>Additionally, residents reject the idea of a communal refuse area. They emphasize that a communal area would be inconvenient, unhygienic, and could attract scavengers.</p>	<p>It is important to note that the refuse room will be developed according to the requirements as set out by the Overstrand Municipality Land Use Scheme. It is important to note that a group housing development needs to be equipped with a refuse room to comply with the regulations.</p> <p>Additional regulations are:</p> <table border="1" data-bbox="869 190 1300 1310"> <tr> <td data-bbox="869 190 1077 884"> <p>a) a boundary wall height of minimum 2,1 m;</p> </td> <td data-bbox="869 884 1077 1310"> <p>This is being proposed and will be complied with as it will increase the screening capabilities. From the outside only a standard boundary wall will be visible, with the refuse room located behind it.</p> </td> </tr> <tr> <td data-bbox="1077 190 1189 884"> <p>b) a door with a width of 1,2 m;</p> </td> <td data-bbox="1077 884 1189 1310"> <p>The wheely bins are only ±1m in height. This is being proposed and will be complied with. The door is proposed to be a solid door which will screen the wheelee bins from the outside.</p> </td> </tr> <tr> <td data-bbox="1189 190 1228 884"> <p>c) the door must be solid;</p> </td> <td data-bbox="1189 884 1228 1310"> <p>Refer to above.</p> </td> </tr> <tr> <td data-bbox="1228 190 1300 884"> <p>d) the area must have a tap and floor level gully;</p> </td> <td data-bbox="1228 884 1300 1310"> <p>This is being proposed and will be complied with. The management of the development will be done by the</p> </td> </tr> </table>	<p>a) a boundary wall height of minimum 2,1 m;</p>	<p>This is being proposed and will be complied with as it will increase the screening capabilities. From the outside only a standard boundary wall will be visible, with the refuse room located behind it.</p>	<p>b) a door with a width of 1,2 m;</p>	<p>The wheely bins are only ±1m in height. This is being proposed and will be complied with. The door is proposed to be a solid door which will screen the wheelee bins from the outside.</p>	<p>c) the door must be solid;</p>	<p>Refer to above.</p>	<p>d) the area must have a tap and floor level gully;</p>	<p>This is being proposed and will be complied with. The management of the development will be done by the</p>
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<p>d) the area must have a tap and floor level gully;</p>	<p>This is being proposed and will be complied with. The management of the development will be done by the</p>									

<p>compulsory homeowners' association inclusive of the refuse room's maintenance.</p> <p>The refuse room will be well maintained and cleaned on a regular basis to ensure the area is clean and sanitary.</p> <p>This is being proposed and will be complied with.</p>	<p>e) the gully must drain to the sewer and not the stormwater system or road;</p> <p>f) stormwater generated outside of the refuse area may not drain into the gully; and</p> <p>g) no hazardous waste may enter the main sewer system.</p>	<p>This is noted and will not occur.</p> <p>This is noted and will not occur.</p>
<p>The management of refuse on-site will follow standard residential protocols with an added option for residents. They will have the opportunity to collect their refuse at their respective units and deposit it only on designated refuse collection days at the refuse room/area. Moreover, residents will also have the flexibility to dispose of their refuse at any time during the week within the refuse room.</p> <p>It's essential to emphasise that the refuse area will undergo regular cleaning to uphold sanitary standards. It's crucial for objectors to understand that the cleanliness of the refuse room directly impacts the overall success and perception of the development.</p> <p>Importantly, the proposal does not anticipate an increase in scavenging/vagrant activity, as the refuse room will be securely locked and only accessible on designated refuse collection days.</p> <p>As previously mentioned, many similar refuse rooms serve as example in the Overstrand area where the description of the objector's concerns do not happen. Therefore, this point of objection can be rejected.</p>		

<p>11. HEIGHT:</p>	<p>Dr Nicholas Davies</p> <p>The objector is concerned as there is ambiguity regarding whether the proposed development will consist of single or double-storey structures.</p>	<p>The applications included 3D renders of the proposed dwelling units, which serve as artistic architectural representations of the development and would not be the final result of the design process. These renders depict two-storey dwellings which is the end goal for the development. The architectural language of the proposed two-storey dwellings aims at fragmenting the forms creating a play of shadows and light, softening its interface and contribution to the urban fabric.</p> <p>The application submitted on Erf 896 indicated that the proposal is for two-storey residential townhouses.</p> <p>The applications included development parameters that need to be adhered to. Therein, it was also stated that two storeys are being proposed.</p> <p>Therefore, this point of objection is not valid and should be ignored by the deciding authority.</p>
<p>12. LAYOUT:</p>	<p>Fred & Marina Peens</p> <p>The objector proposed that the erf 878 should not be part of the development.</p>	<p>The comment is noted, but it should be reiterated that the design of the layout has been carefully considered not only to be as efficient as possible, but also to maximize usability and aesthetics.</p> <p>Erf 878 plays a crucial role as it allow egress to Mitchell Street, that will assist traffic flow in the Main Road.</p>
<p>13. CONSTRUCTION:</p> <p>Patrick William Hirst William Ian Gordon Ulrike Beckman J & H Verwey Vivienne Howarth-Spurr Neville Howarth Thomas Howard Bramwell-Jones</p>	<p>Present challenges in terms of dirt noise, dust & high traffic & security risk is anticipated</p> <p>Torrid time during construction, additional security, road maintenance</p> <p>Residents to be informed in due time when works start- no parking in front of properties- operating hours</p>	<p>The comments are noted. The National Building Regulations will be followed to ensure no unnecessary nuisance is caused should the development be approved. According to these regulations construction is allowed from 06:00 to 18:00 on weekdays, 06:00 to 17:00 on Saturdays, and not at all on Sundays or public holidays.</p> <p>The owners of the properties will remain responsible to ensure demolition and construction does not generate excessive noise or dust. This will be done to preserve the life, safety and health of any person in the surrounding area.</p> <p>Security is always a major concern in South Africa and the owners will employ reputable construction companies to build on these newly created properties, reducing the safety concerns. There were concerns raised that the construction phase would cause damage to the public road.</p>

<p>The municipality will be aware of the construction as inspections and site visits will be required and if they find that any infrastructure was damaged, the developers will be held liable for the cost of the repair of such infrastructure. Additionally, it is usual practice for contractors to include the cost estimates for repairing any damages as part of their overall project estimates.</p> <p>The development of the property will adhere to all relevant regulations as is the case with construction on any property within the Overstrand area. The developers will be sensitive to neighbours as they will be developing within an established neighbourhood.</p>	<p>and truck sizes restricted.- roads repair after construction- provide additional speed humps and also pedestrian path.</p> <p>Mitchell St exist will be used as an entrance during construction time resulting to noise, dirt, dust and damage to the road and creating high security risk</p> <p>Mitchell St will be converted into a construction site full of lorries, diggers, cement mixers, workers transport, toilets & canteens, formal and informal plus storage area storage area for building material</p> <p>Construction vehicles will be hazard which was not designed for heavy vehicles- condition that Mitchell St be resurfaced after construction and add speed humps and the sides planted with mature trees in keeping with the rest of Mitchell Street</p>
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14. SAFETY AND SECURITY:	
Ruth Vary	<p>The construction of this project will become a massive security risk for every person in Eastcliff in every way which is of enormous concern to all.</p> <p>The point of objection is based on generalised assumptions with no facts.</p> <p>The proposed development is planned for an up-market development and is subsequently planned to be constructed by reputable contractors.</p> <p>Therefore, this point of objection should be omitted.</p>
15. LEGAL	
<p>Michelle Kruger Ulrike Beckman Achim Beckmann</p>	<p>Comments were received that Mr. and Mrs. Ramlakan are no longer owners of the property.</p> <p>They express dissatisfaction with not being informed as affected owners and emphasize their request for a title condition that would prevent the new road from becoming a through road between Main and Mitchell streets.</p> <p>Erf 896 has been sold recently and a new power of attorney and title deed were submitted to the municipality when the new owners took transfer of the property.</p> <p>It should be noted that the public participation was conducted as per the standard municipal regulations and by-laws. The emails were sent out by the municipality who decided who needed to be notified.</p> <p>In addition, there were site notices erected for the entire month of December and January. The objectors were however notified and did submit comments for consideration which proves that they were fully informed of the process.</p> <p>Erf 896 has been sold recently and a new power of attorney and title deed were submitted to the municipality when the new owners took transfer of the property.</p> <p>There will be no need to record that there will be no entrance from Mitchell Street as the road design and design of the gates will ensure this does not occur.</p>
16. PROPERTY VALUES:	
<p>Dr Nicholas Davies Michelle Kruger Gary Combrink Annabella Busse Johan Malherbe Mrs P Combrink</p>	<p>Residents fear that the proposed townhouse development will diminish property values and negatively impact the residential character of the neighbourhood.</p> <p>The comments have been noted and acknowledged. It's crucial to distinguish between unsubstantiated remarks and statements based on facts. The underlying objective of the proposal is to introduce additional housing options and attract new residents to one of Hermanus' most sought after neighbourhoods. The properties are situated within the densification zone, which presents an ideal opportunity for a unique development that aligns with the municipality's legislation and forward planning policies.</p>

<p>While objectors have raised concerns about potential impacts on property values, it's important to recognize that these concerns are largely based on assumptions rather than concrete evidence. The points raised why the property values may be affected are addressed throughout this response to the objections, such as traffic, construction, privacy etc.</p> <p>The architectural vision for the development aims to retain and build upon the existing ambience of the area. This is achieved by proposing to incorporate historical elements of existing structures into the development and taking inspiration from the larger residential context.</p> <p>This will be a carefully considered, exclusive, designer development which will add value and be of social benefit to the sought after context of Eastcliff. The development will be marketed, designed, and built to be tailor made to its place and context and will be of immediate and future benefit as such, even as soon as in its marketing phase. It will be implementing renewal, upgrading of existing structures, adaptive heritage re-use, inclusion and carefully designed landscaping strategies significantly improving the ambience of what is currently a derelict fenced property with old buildings in need of renewal/ replacement and empty inaccessible erven. Prospective new owners in such a development will certainly contribute to the community of Eastcliff.</p> <p>Therefore, statements suggesting that the proposed development of this nature could adversely impact property values in the surrounding area lack any real substance. It's important to approach this proposal with an understanding of its potential positive contributions.</p> <p>This point of objection must also be read with paragraph 2 under the heading of density.</p>	<p>They argue that such a development could disrupt the area's established ambience, leading to a decline in property values and desirability for homeowners. Additionally, there are concerns that the introduction of townhouses may destroy the sense of community that currently exists within the neighbourhood.</p>
<p>The development plan for Erf 878 Hermanus involves several key aspects regarding the utilization of the site and the integration of new townhouse erven while considering environmental and aesthetic factors:</p> <p>Tree Removal and Private Open Space: The likelihood of removing established trees is acknowledged as necessary for servicing the site and accommodating the proposed townhouse erven. However, a substantial portion of the area, approximately 601m², will be designated as private open space. This space will not only serve as a recreational area but will also be landscaped</p>	<p>Owl, Earth warming. Design not eco-friendly. Two2 Acacia trees on Erf 878- accommodates bird & habitat. Tree to be removed.</p>
<p>17. ENVIRONMENT:</p> <p>Tracy Davies Dr Nicholas Davies Ruth Vary Michelle Kruger Patrick William Hirst Fred & Marina Peens Ulrike Beckman J & H Verwey Achim Beckmann</p>	

Vivienne Howarth-Spurr
Neville Howarth

Accuse planners of not being cognisant of environmentally friendly suburb with quiet, clean streets, many trees, open spaces and environmentally conscious residents.

"Should be more green areas, cause a heat cell, trees, plants & grass suggested.

Concerned about security, noise, trucks & dirt".

Provision for open space is too small, little provision for trees and garden, not in feeling with Eastcliff.

"Recreational area will not be used accordingly, not in the spirit of the OMLUS, reduce density, heating, more space for bigger trees and plants required.

No enviro sustainability, not aligned with climate change, no mitigation, to be aligned with Eastcliff Atmosphere.

and have new trees planted to attract birds to the area, thus restoring some natural habitat lost during construction.

Landscaping and Sidewalks: The development plan includes landscaping of sidewalks, indicating a commitment to aesthetic enhancement throughout the development. The landscaping strategy for the development involves creating a green strip along the Main Road to Mitchell Street access leading to the proposed landscaped private open space. Additionally, this approach prioritizes integrating landscaping within the development. Furthermore, each townhouse erf will have a coverage of 65%, ensuring ample space for garden purposes, which contributes to a greener environment. Concerns regarding the environmental impact of the development, particularly in terms of earth warming and heat generation, are addressed. The proposed 16 townhouse erven, private roads, and private open spaces are deemed to have negligible effects in this regard.



Comparison with Existing Built Character: The built character of existing single residential and townhouse erven is noted to feature a high percentage of hard surfaces, as illustrated on the aerial photograph below.

The proposed landscaped gardens, sidewalks, and private open spaces are intended to harmonize well with the provision of open spaces established in single residential erven, thus maintaining continuity in the area's visual appeal.

The architectural design of the proposed dwellings is described as highly compatible with the existing built character of the area, suggesting a cohesive aesthetic vision for the development.

The layout and positioning of the private open space has been strategically planned. It serves as a buffer between the Telkom Exchange and the proposed townhouses on Erf 878, potentially mitigating any negative effects of proximity to such

<p>Trees & gardens on Mitchell St of dev required.</p> <p>Not environmentally friendly, no space for trees or gardens between houses, what about stormwater.</p> <p>Sealing of the land- not in line with climate protection measures.</p> <p>Oppose consolidated green area- every property needs own green area for trees and garden to allow airflow & sunlight between buildings.</p> <p>Will lose trees & greenery.</p> <p>Open space in most unattractive position. Each house should have its own garden / green area of reasonable size for normal healthy family use plus with dedicated open recreational area.</p>	<p>infrastructure. Additionally, consolidating the open space into one larger area rather than creating smaller pockets between townhouse erven enhances its functionality and aesthetic appeal.</p>
<p>18. POTENTIAL ILLEGAL USES AND SOCIAL ACTIVITIES</p> <p>Tracy Davies Dr Nicholas Davies Ruth Vary</p> <p>Party, holiday digs, drinkers.</p> <p>A townhouse development is proposed consisting of 16 townhouse erven. These erven may only be used for residential purposes of which the definition reads as follows:</p>	

Not respecting neighbourhood / atmosphere.
Parties, noise visitors.

“town housing” and “town housing scheme” mean a row or group of linked, attached or detached dwelling units which are designed and built as a harmonious architectural entity of which every dwelling unit has a ground floor; such dwelling units may be cadastrally subdivided or be sold individually in some other manner;

A dwelling unit is defined as follows:

“dwelling unit” means a unit containing one or more inter-leading rooms with adequate sanitary facilities and a kitchen, used for the accommodation and housing of a single family, and may be included in or separate from the main building on the property;

Taking the above use into consideration and the fact that an upmarket townhouse scheme is planned, it is proposed that it will be a quiet and peaceful residential development without any misuse of alcohol, parties and related noise.

The townhouses are explicitly designated for residential use only. This means they cannot be utilized for any other purposes apart from residential living. This restriction likely prevents activities such as commercial ventures or other non-residential uses within the townhouse premises. Another restriction is that the townhouses cannot be rented out on a short-term basis to transient guests. This prohibition likely aims to maintain a stable residential community and prevent the area from becoming a transient or tourist accommodation hub.

The application for the townhouse scheme specifies that it does not include any uses that would require additional consent under the zoning regulations of the General Residential Zone 1. This indicates that the proposed development complies with the permitted uses outlined in the zoning regulations without needing further approval for additional activities.

Overall, the statement emphasises the intended residential nature of the townhouse scheme, outlining specific restrictions to ensure it aligns with the desired character of the area and complies with zoning regulations.

19. BUILDING LINE DEPARTURES AND PRIVACY		
<p>Dr Nicholas Davies Ruth Vary Michelle Kruger Jacqueline Rathfelder Patrick William Hirst Gary Combrink Annabella Busse Johan Malherbe Mrs P Combrink S Badenhorst Fred & Marina Peens William Ian Gordon Ulrike Beckmann J & H Verwey Achim Beckmann Vivienne Howarth-Spurr Neville Howarth</p>	<p>Not in keeping with area. Destroy house- privacy, noise Unacceptable-looking into property 3m building should not be reduced 2m for single residential, should be 3m for town houses. Makes a congested concrete complex, no concern for aesthetics. Especially for double storey, will have negative impact on surrounding properties. Keep distances- will not create a sense of community & social interaction. Will have a negative impact on the surrounding properties, must remain to</p>	<p>The statement describes a request for rezoning and relaxation of building lines for three properties currently zoned as Residential Zone 1. The existing building lines are set at 3 meters on the lateral and rear boundaries. The applicant is requesting a relaxation to 2 meters.</p> <p>The rationale for this request is primarily to accommodate the construction of townhouses and their associated garages. By allowing the buildings to be closer to the lateral boundaries, the design can maximize space for the townhouses while ensuring adequate room for the garages.</p> <p>The argument presented is that the impact on neighbouring properties would be minimal whether the building lines are set at 2 or 3 meters from the lateral boundaries. Specifically, the statement suggests that concerns regarding privacy and the aesthetic impact would not significantly differ between the two scenarios.</p> <p>Moreover, the relaxation of building lines is asserted not to increase the overall coverage of the proposed townhouse properties. This means that despite the closer proximity of buildings to the boundaries, the same percentage of green space can be maintained. This is important for preventing the creation of a densely packed, concrete-heavy development, ensuring that the proposed townhouses remain visually appealing and in harmony with their surroundings.</p> <p>In summary, the request for relaxation of building lines aims to balance the need for maximizing space for townhouse development with considerations for privacy, aesthetics, and environmental impact. The argument is made that maintaining a 2-meter setback from the lateral boundaries would achieve these goals without significantly impacting neighbouring properties or the overall character of the area.</p>

	<p>the existing rule of 3m building lines</p> <p>No valid reason for 3m departure- reduce the chance of greenery between buildings.</p> <p>Destroy house- privacy, noise</p>	
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20. CONCLUSION:

The comments have been noted and acknowledged, with objections focused on how the development will fit into the existing Eastcliff neighbourhood, while also indicating several specific concerns. All these points were addressed through the motivational report as well as in response to these objections. The proposed development aligns with the municipality's vision for density and growth, integrating seamlessly within the existing mixed-use character of the suburb.

In addition to the comprehensive overview of the proposed development and its integration into the existing neighbourhood, further considerations have been addressed. Objectors' concerns regarding potential impacts on property values, safety during construction, adherence to regulations, and refuse management have been systematically rebutted with factual information. Assertions concerning the up-market nature of the development, adherence to building regulations, reputable contractors, and careful planning highlight the commitment to quality and compliance.

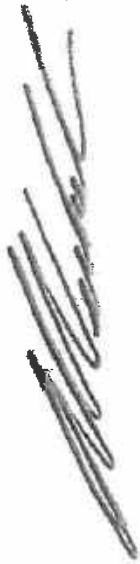
Furthermore, specific measures to mitigate potential nuisances during construction, uphold security standards, and manage refuse disposal have been outlined. The provision of detailed plans, including 3D renders, development parameters, and refuse management protocols, underscores the thoroughness of the proposal.

Moreover, logistical aspects such as traffic flow, parking availability, and emergency vehicle access have been meticulously planned to ensure functionality and convenience while minimizing disruption to the surrounding area.

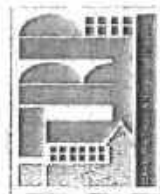
Therefore, the objections raised, based on generalized assumptions lacking factual basis, have been effectively countered, reinforcing the validity and viability of the proposed development. With these additional considerations addressed, it is recommended that the applications be considered as submitted.

In the light of the above it is requested that this application for rezoning, exemption of the right of way, subdivision and building line departure be approved.

Kind Regards



Andre Wiehahn Pr Pln A/927/1996
B Art et Sc (Town and Regional Planning)
Tel: 082 466 0490



Thian Jansen Pr Pln A/2858/2019
M Art et Sc (Town and Regional Planning)
Tel: 028 313 1411



John Mc Lachlan Pln B/8250/2014,
MSAPI Nr.10908
Tel: 028 313 1673





22 April 2024

The Director: Civil Engineering Services
Overstrand Municipality
P.O. Box 20
HERMANUS
7200

Attention: Mr Dennis Hendriks

Dear Sir,

PROPOSED DEVELOPMENT OF ERVEN 878,896 & 9807, HERMANUS: CAPACITY ANALYSIS OF THE BULK WATER & SEWER SERVICES

The request by Mr John Mc Lachlan of Plan Active for GLS Consulting (Pty) Ltd to investigate and comment on the bulk water supply and sewer discharge of the proposed development of 16 residential units on Erven 878, 896 and 9807, Hermanus, refers.

This document should inter alia be read in conjunction with the Water Master Plan (performed for the Overstrand Municipality) dated June 2021 and the Sewer Master Plan dated June 2021.

The proposed development was not taken into consideration for the master planning of the water and sewer networks.

1 WATER DISTRIBUTION SYSTEM

1.1 Distribution zone

The master plan indicated that the proposed development area should be accommodated within the existing Hermanus no. 1 & no. 2 reservoir water distribution zone. The proposed connection to the existing water system is to the existing 250 mm Ø pipe in Main Road, as shown on Figure 1 attached.

The proposed development is situated inside the water priority area.

GLS Consulting (Pty) Ltd

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Stellenbosch, 7600

Walker Creek Office Park
90 Florence Ribeiro Ave
Brooklyn, Pretoria, 0181

PO Box 814
Stellenbosch, 7599
South Africa



1.2 Water demand

The original water analysis for the master plan was performed with a theoretical total annual average daily demand (AADD) for development on Erven 878, 896 and 9807 of 2,1 kL/d.

For this re-analysis of the master plan, the total AADD and fire flow for the proposed development were calculated as follows:

- 16 Single residential units @ 0,65 kL/d/unit ⁽¹⁾ = 10,4 kL/d

⁽¹⁾ As per Table J.2 from Section J – Water Supply of “The Neighbourhood Planning and Design Guide” (So called “Red book”)

- Fire flow criteria (Moderate risk) = 25 L/s @ 10 m

1.3 Present situation

1.3.1 Reticulation network

The existing water network has sufficient capacity to accommodate the proposed development of Erven 878, 896 and 9807 in Hermanus.

1.3.2 Reservoir capacity

The criteria for total reservoir volume used in the Overstrand Water Master Plan is 48 hours of the AADD (of the reservoir supply zone) for gravity and pumped supply to the reservoir.

According to the water master plan the AADD of the Hermanus 1 & 2 reservoirs water distribution zone is currently approximately 3 835 kL/d. The current combined reservoir storage capacity of the existing Hermanus no. 1 & no. 2 reservoirs is 10 000 kL (5 500 kL+ 4 500 kL), which results in a current reservoir storage capacity of 63 hours of the AADD.

There is sufficient capacity in the existing Hermanus no. 1 & no. 2 reservoirs to accommodate the proposed development.



2 SEWER NETWORK

2.1 Drainage area

The master plan indicated that the proposed development should be accommodated within the existing Bientang pump station (PS) drainage area. The Bientang PS pumps into the Hermanus PS no. 4 drainage area, which pumps directly to the existing Hermanus Gravity drainage area from where sewage gravitates to the Hermanus Wastewater Treatment Plant (WWTP).

The recommended sewer connection position for the proposed development is to the existing 160 mm Ø gravity pipe that is running through the proposed development, as shown on Figure 2 attached.

The development is inside the sewer priority area.

2.2 Sewer Flow

The original sewer analysis for the master plan was performed with a total peak day dry weather flow (PDDWF) for development on Erven 878, 896 & 9807 of 1,8 kL/d.

For this re-analysis, the PDDWF of the proposed development was calculated as 7,8 kL/d.

2.3 Present situation

There is sufficient capacity in the existing sewer reticulation system of the Bientang PS and rising main as well as the Hermanus PS no. 4 drainage area to accommodate the proposed development.

Bulk collector sewers downstream of the Hermanus PS no. 4 are however at capacity and require upgrading soon.

It should however be noted that the impact of the proposed development on the bulk outfall sewers downstream of the Hermanus PS no. 4 is relatively insignificant in relation to the peak flow through the bulk sewers. The impact is calculated at 0.4% of the total flow through the bulk sewers.

2.4 Implementation of the master plan

The following master plan items will be required to reinforce the existing bulk sewer system downstream of the Hermanus PS no. 4 to accommodate the proposed development together with other future development areas.

Bulk sewer upgrades:

• OHS13.1: 405 m x 600 mm Ø new bulk outfall sewer	R 3 657 000 *
• OHS13.2: 545 m x 700 mm Ø new bulk outfall sewer **	(No cost)
• OHS13.4: 390 m x 700 mm Ø new bulk outfall sewer	R 4 776 000 *
Total	R 8 433 000 *



Notes:

(* Including P & G, Contingencies and Fees, but excluding VAT - Year 2023/24 Rand Value. This is a rough estimate, which does not include major unforeseen costs).

** It was communicated to GLS during 2022 that Overstrand Municipality is in the process to install master plan item OHS13.2 and the Consulting Engineer on the project (Lyners Consulting Engineers and Project Managers) has indicated at that time that the estimated completion date for the project was August 2022. The project included a new low lift pump station to lift sewage from the new bulk sewer to the intake works of the Hermanus WWTP. No as-built information has however been received up to date to confirm that this upgrade has been successfully implemented.

The routes of the proposed pipelines are schematically shown on Figure 3 but must be finalised after detailed pipeline route investigations.

2.5 *Minimum items required*

The minimum upgrades required to accommodate the proposed development in the existing sewer system are master plan items OHS13.1, OHS13.2 & OHS13.4. Master plan item OHS13.2 (the most critical upgrade) is however already implemented (awaiting as-built drawings of this upgrade from Overstrand Municipality to confirm).

It should however be noted that the impact of the proposed development on the capacity of the existing bulk sewers is not significant (less than 0.4%).



3 CONCLUSION

The developer of Erven 878, 896 and 9807 in Hermanus may be liable for the payment of a Development Contribution (as calculated by the Overstrand Municipality) for bulk water and sewer infrastructure as per Council Policy.

There is sufficient capacity in the existing water reticulation system to accommodate the proposed development.

There is sufficient capacity in the existing sewer reticulation system of the Bientang Ps and rising main as well as Hermanus PS no. 4 drainage area to accommodate the proposed development. Bulk collector sewers downstream of the Hermanus PS no. 4 are however at capacity and require upgrading.

The minimum upgrades required to accommodate the proposed development in the existing sewer system are master plan items OHS13.1, OHS13.2 & OHS13.4. Master plan item OHS13.2 (the most critical upgrade) is however already implemented (awaiting as-built drawings of this upgrade from Overstrand Municipality to confirm).

It should however be noted that the impact of the proposed development on the capacity of the existing bulk sewers is not significant (less than 0.4%). We trust that you find this of value.

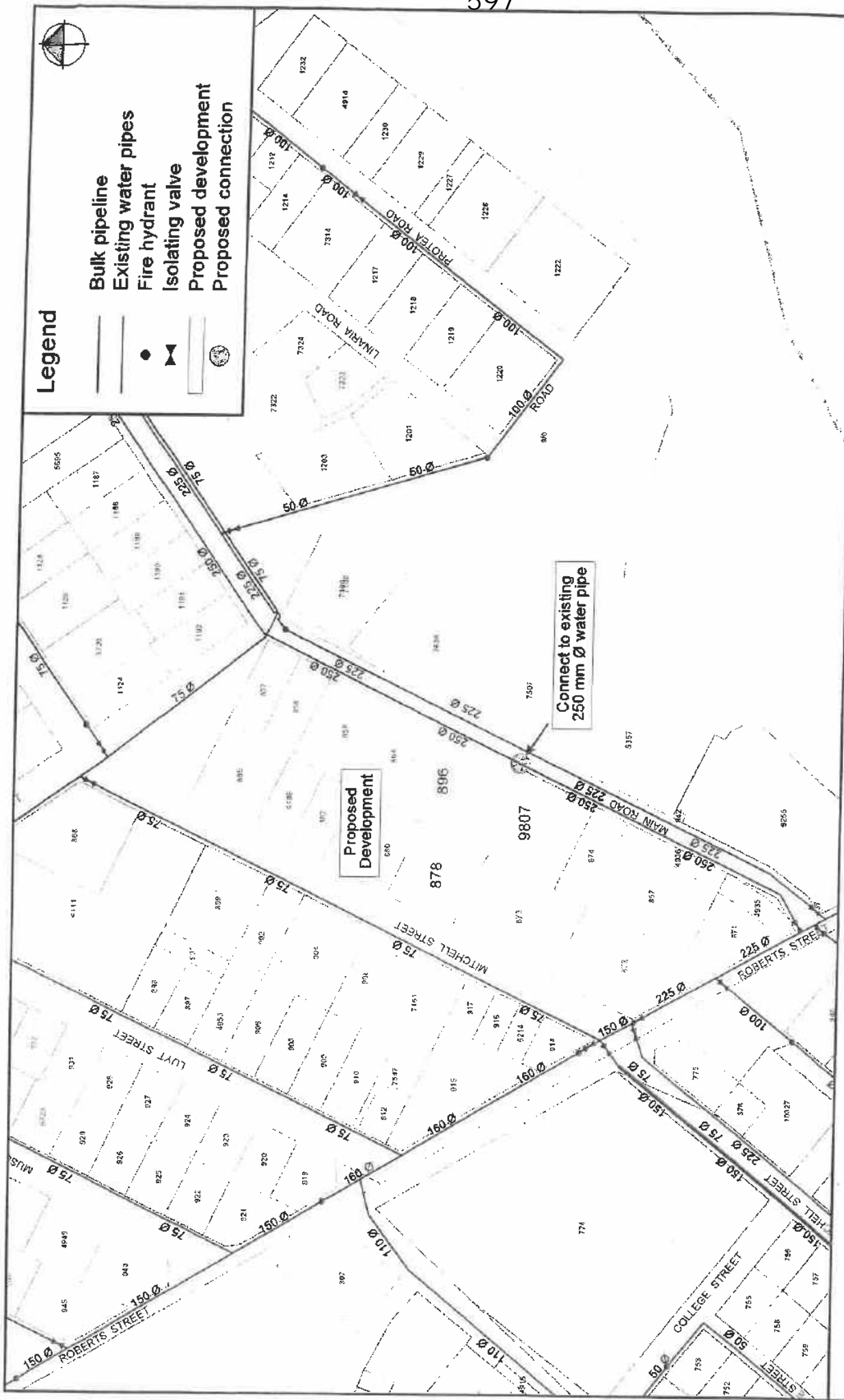
Yours sincerely,

GLS CONSULTING (PTY) LTD
REG. NO.: 2007/003039/07

Per: PC DU PLESSIS

cc. Plan Active
23 Sandsteen Street
Stellenridge
BELLVILLE
7530

Attention: Mr John Mc Lachlan



Legend

- Bulk pipeline
- Existing water pipes
- Fire hydrant
- Isolating valve
- Proposed development
- Proposed connection

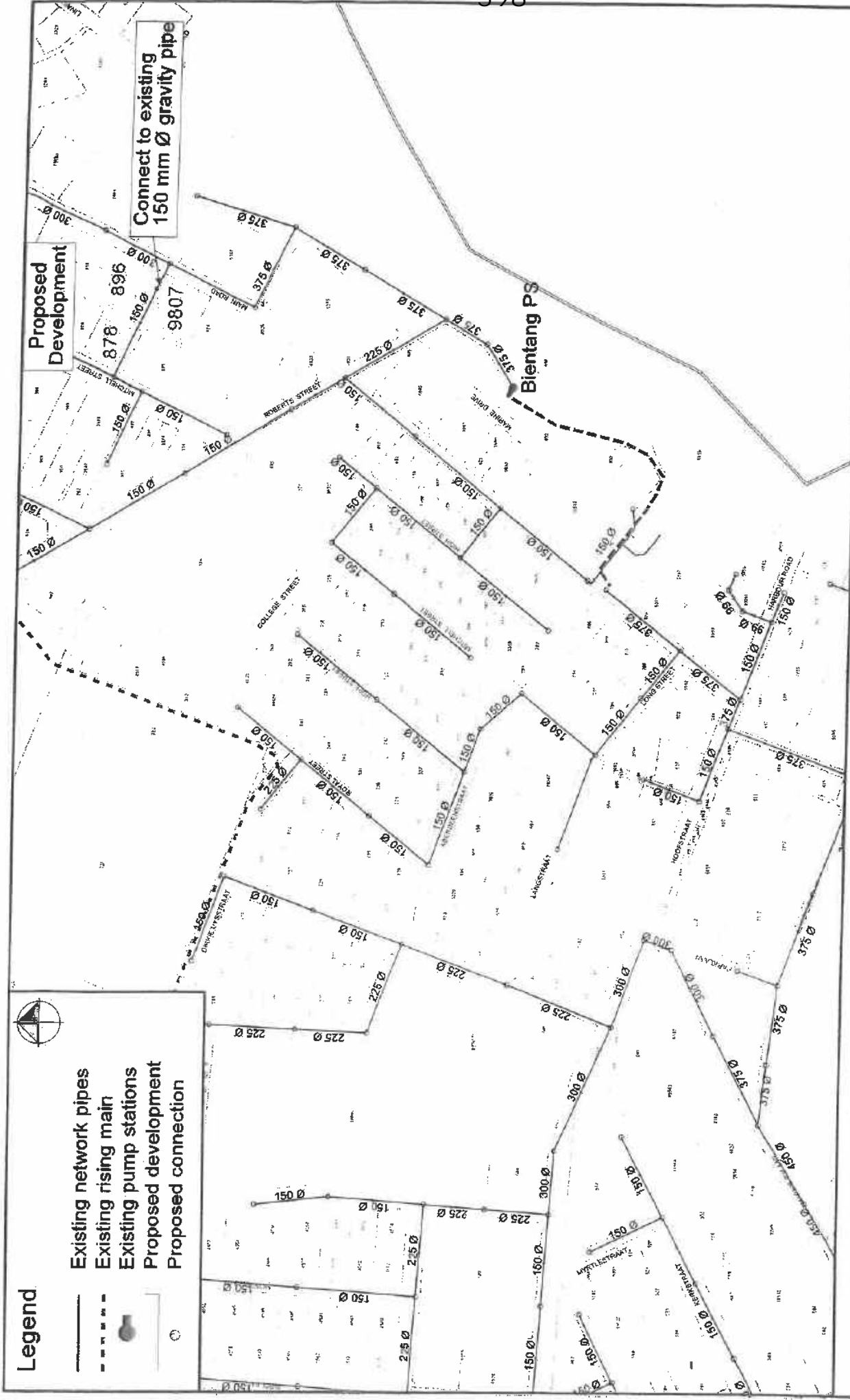
Figure 1

Proposed Development
Hermanus - Erven 878,896 & 9807
Existing Water System



April 2024
Development of Erven 878,896 & 9807 - Hermanus





Legend

- Existing network pipes
- - - Existing rising main
- Existing pump stations
- ▭ Proposed development
- Proposed connection

Connect to existing
150 mm Ø gravity pipe

Proposed
Development

April 2024






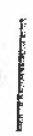

Development of Erven 878, 896 & 9807 - Hermanus



Figure 2

Proposed Development
Hermanus - Erven 878, 896 & 9807
Existing Sewer System

Legend

-  Existing network pipe
-  Existing rising main
-  Existing pump stations
-  Master plan pipe
-  Proposed development

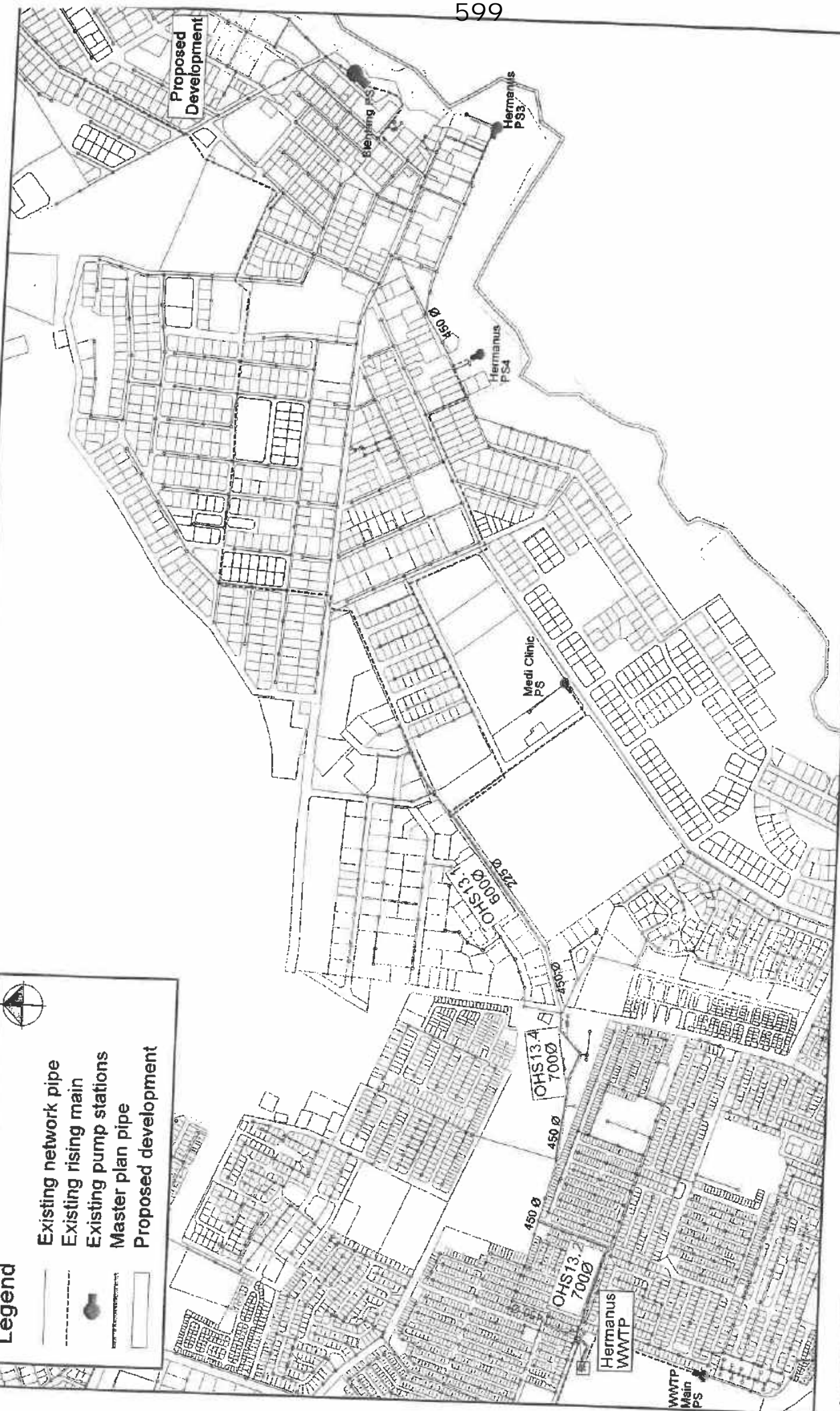


Figure 3
 Proposed Development
 Hermanus - Erven 878,896 & 9807
 Sewer Master Plan

April 2024



Development of Erven 878,896 & 9807 - Hermanus

File reference:	Erf 9807 4467/2023
Date:	20 December 2023
AJF	



INTERNAL MEMORANDUM

From	: Town Planning Department
Town Planner	: Mr. P Roux (Town Planner)

TO:


<u>Area Manager</u>	<u>Building Control Department</u>	District Health	<u>Electrical Department</u>	<u>Environmental Officer</u>
<u>Fire Department</u>	<u>Infrastructure and Planning</u>	<u>Local Heritage Committee</u>	<u>Operational Services</u>	Property Administration
Tourism	<u>Traffic Department</u>	<u>Ward Councillor</u>	<u>Waste Management</u>	

Applicant	PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF MCGRATH PROPERTY HOLDINGS (PTY) LTD
Property Details	ERF 9807, 183 MAIN ROAD, EASTCLIFF, HERMANUS
Application Description	APPLICATION FOR REZONING, SUBDIVISION, RIGHT OF WAY SERVITUDE & DEPARTURE

ATTACHMENTS:

1. Notice	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.
2. Locality Map	
3. Motivational Report	
4. Building Plans	

YOUR DEPARTMENT'S COMMENTS:

Note that as the proposed refuse room for ERF's 9807, 896 & 878 Eastcliff, Hermanus is to be located on ERF 878, it is therefore a requirement that the three properties be notarial tied to prevent any later issues & disputes.	
Subject to the notarial tie been in place to cover the waste storage area and waste storage area complying with the conditions 17.4 of OMLUS there is no objection from Solid Waste Planning.	
Signature:	
Date:	24 January 2024

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 **by not later than the date stipulated below**. 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 Mayoral Committee will be informed accordingly.

COMMENTS REQUIRED BY: 09 February 2024

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, SUBDIVISION, RIGHT OF WAY
SERVITUDE & DEPARTURE: ERF 9807, EASTCLIFF (4467/2023)**

Water	:	In order
Sewer	:	In order
Roads and Traffic	:	In order
Stormwater	:	In order
Electricity	:	In order

Conditions:

1. That a Bulk Services Contribution Levy (BICL) be paid by the developer to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council. The BICL tariff is adjusted by Council annually. The total BICL payable will be the amount as determined by the BICL Policy and tariff at the date of **actual payment**. BICL amounts quoted in any document will normally be applicable to the particular year in which the document was compiled and Council will not be bound by the quoted amounts.

1.1 Developments containing Sectional Title Units/ Commercial Buildings (non-free standing properties – property is not to be subdivided)

The BICLs are to be paid in full **prior** to submission of the building plans. Building Plans will not be accepted unless the BICL is paid in full.

1.2 Developments with free standing properties (property that is subdivided and plots to be sold individually).

The BICLs are payable **prior** to clearance being issued by the Income Department of the Municipality.

The contribution according to the current policy (2024/2025) is as follows:

Freehold erven:

Water	R 27 598.00 x 4.6	= R 126 950.80
Sewerage	R 19 725.00 x 4.6	= R 90 735.00
Roads	R 8 845.00 x 6.00	= R 53 070.00
Stormwater	R 10 205.00 x 5.244	= R 53 515.02
Solid Waste	R 1 769.00 x 6.00	= R 10 614.00
TOTAL (inclusive of VAT)		= R 334 884.82

Note that:

- The above figures are estimated amounts
- The above figures are subject to annual tariff adjustments.
- Overstrand Municipality's Electrical Department must be contacted regarding the bulk electricity cost.

2

2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
 - 2.1 the Director: Infrastructure and Planning may require the developer to construct internal, link, and/or bulk municipal services to a higher capacity than warranted by the development for purposes of allowing other existing or future developments to also utilise such services, provided:
 - 2.2 the rates and prices of such work be established in terms of a system which is fair, equitable, transparent and cost effective;
 - 2.3 if link municipal services have already been provided, the developer to contribute towards the cost thereof, the Director: Infrastructure and Planning to determine the amount of such contribution in terms of a system which is fair and equitable;
3. that servitudes for municipal services be registered in favour of the Council at the developer's cost in respect of all main services to be taken over by the Council and all existing municipal services concerned crossing private property;
4. that the developer indemnifies and keep the Council indemnified against all actions, proceedings, claims and demands, costs, damages and expenses arising out of the establishment of the township, the provision of services to the township or the use of servitude areas or municipal property:
 - 4.1 for a period which shall commence on the date that the installation of the services to the township are commenced with and shall expire after completion of the maintenance period;
 - 4.2 the developer to submit an acceptable public liability insurance policy to the Council and to pay the premium in advance for the period as set out above before any work concerned may commence;
 - 4.3 the insurance to be to an amount which shall not be less than that required by the SAACE;
 - 4.4 such indemnification against loss, claims or damages, to include claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the Council's services or apparatus or otherwise;
5. that a plan of all the existing services be submitted to the Director: Infrastructure and Planning, by the developer and that any of the services that need to be relocated, be done by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning;

3

- 5.1 way-leaves must be obtained from the Operational Manager;
- 5.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;
6. that the developer may enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
 - 6.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
 - 6.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;
 - 6.3 to the extent that such costs exceed the development contributions payable, the Council will refund the developer the difference with interest calculated at the prime rate, when funds are available;
7. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;
8. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
9. the Director: Infrastructure and Planning to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Director: Infrastructure and Planning;
10. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
11. such independent professional civil engineer/technologist to furnish the Director: Infrastructure and Planning with satisfactory proof of his professional indemnity insurance to an amount which shall not be less than that required by the SAACE and which insurance shall be valid for the relevant contract and maintenance period;

4

12. that all municipal civil and electrical services installed or constructed by the developer, be maintained after completion thereof for a maintenance period, as described in the General Condition of Contract for Works of Civil Engineering Construction - 2004, of 12 months, and
13. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the Overstrand Municipality. As-built plans to be on quality paper, together with a DXF file thereof;
14. that a service agreement may be required by the Director: Infrastructure and Planning prior to the approval of any service plans;
15. that the developer provides bulk meters for water and electricity at approved positions as well as individual meters at each consumption point;
16. that each residential erf be provided with individual water and sewer connections which comply with the standards of the Department: Operational Services (Hermanus).
17. that the water reticulation be provided/upgraded according to the report prepared by GLS consulting engineers and/or the Overstrand Water Master Plan.
18. that the Homeowners Association be responsible for the operational costs and maintenance of street lighting, electrical reticulation and metering and all internal services;
19. that once the first property is registered in the proposed combined development (consisting of Erven 878, 896 and 9807 Eastcliff), all the roads and open space will be required to be transferred to homeowners' association. The Homeowners' Association will also be responsible for the management of the access gate, guard house and refuse area;
20. that as the proposed refuse room and waste storage for the combined development will be located on it, Erf 878, must be notarial tied to all residential erven in the development.
21. that only the standard electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
22. that the street lighting be provided and conform to municipal standards;
23. that the developer appoints a consulting electrical engineer to determine the electricity demand for the development and pay a fee to Overstrand Municipality to determine the capacity in the existing electricity network;

5

24. that the electricity reticulation and supply be provided according to the master plan, by the developer and that transfer can only proceed once electricity is available;
25. 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*;
26. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development and which is to be provided with the following:
 - a) properly ventilated,
 - b) a cement floor,
 - c) a tap and running water, as well as a drainage point which is connected to the sewer network,
 - d) in a position nearest to an access road for the development and be accessible for the refuse truck at all times, to the satisfaction of the Director: Infrastructure and Planning;
27. that the refuse room be completed prior to occupation of the first unit, to the satisfaction of the Director: Infrastructure and Planning;
28. that a stormwater management plan, which may include attenuation facilities to ensure that the pre-development run-off is not exceeded, be submitted to the Director: Infrastructure and Planning for approval and that the approved management plan be implemented by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning;
29. that the connection to the stormwater reticulation system be provided according to the stormwater master plan by, the developer;
30. that a minimum stacking space/distance of at least 12,0 m be provided for the access point for the access point in the R43 / Main Road. Provision should be made for a dedicated access lane and a visitor's lane;
31. that, should any upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Area Manager: Hermanus for written approval;
32. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer.
33. that Main Road (R43) shall serve as the single access point for the proposed residential development (consisting of Erven 878, 896 and 9807 Eastcliff) with an egress point in Mitchell Street;

6

34. that the parking requirement from the 2020 Overstrand Land Use Scheme be accommodated by the provision of a double garage or a single garage and a car port for every town house.

pp. R. Oude

DENNIS HENDRIKS
SENIOR MANAGER: ENGINEERING SERVICES

20/06/2024

DATE

ERVEN 9807, 896 AND 878
HERMANUS

SITE TRAFFIC ASSESSMENT

APRIL 2024

Douw Louwrens *B.Eng (Civil)*

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COVER PAGE

Certification

It is herewith certified that this Site Traffic Assessment has been prepared according to the requirements of the South African Traffic Impact and Site Traffic Assessment Manual.



D. Louwrens

B. Eng (Civil)

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Application details:

- a) Municipality name: Overstrand Municipality
- b) Particulars of the Site Development Plan: Housing Development on Erven 9807, 896, 878 Main Road and Mitchell Street, Hermanus, Site Plan Layout, Neel Saayman Architects, Dated: 5 June 2023
- c) Erf numbers and farm names: Erven 9807, 896 and 878 Hermanus
- d) Client details: Mr M. McGrath and Mr I. van Schalkwyk
- e) Date of report: April 2024
- f) Name and address of the Author: Douw Louwrens, 16 Jacobus Geldenhuys St, Onrus, 7201

INDEX

1. BACKGROUND	1
2. DEVELOPMENT PROPOSAL	1
3. EXISTING ROADS AND TRAFFIC	1
4. PROPOSED ACCESS	2
5. PARKING AND INTERNAL ROADS	4
6. TRIP GENERATION AND TRAFFIC IMPACT	5
7. PEDESTRIAN TRAFFIC	6
8. CONCLUSIONS	6
9. RECOMMENDATIONS	7

ANNEXURES

Figure 1:	Locality Plan
Figure 2:	Site Development Plan
Figure 3:	Existing Traffic Volumes and Service Levels
Figure 4:	Trip Generation Potential of Proposed Development
Figure 5:	Total Traffic Volumes and Service Levels
Figure 6:	Access and Internal Roads

ERVEN 878, 896 AND 9807 HERMANUS
SITE TRAFFIC ASSESSMENT

1. BACKGROUND

This site traffic assessment accompanies the application for the rezoning and subdivision of Erven 9807, 896 and 878 Hermanus from Single Residential (SR1) to Town Housing. The three properties are 6 007 m² total in extent. The site is located between Mitchell Street and Main Road (R43), approximately 150 metres to the north of The Marine Hotel. The location is shown in *Figure 1* attached.

2. DEVELOPMENT PROPOSAL

The proposal entails 16 town housing erven ranging from 190 m² to 406 m² in extent.

The development proposal is shown in *Figure 2 (Housing Development on Erven 9807, 896, 878 Main Road and Mitchell Street, Hermanus, Site Plan Layout, Neel Saayman Architects, Dated: 5 June 2023)*.

3. EXISTING ROADS AND TRAFFIC

Main Road (Main Road 28, R43) connects Hermanus with the N2 near Bot River to the north and Stanford, Gansbaai and Pearly Beach to the east and southeast. Main Road can be classified as a Class 2 Major Arterial in an intermediate development environment in the vicinity of the proposed development. Main Road has a blacktop width of approximately 8 metres and a road reserve width of 12 metres in the vicinity of the site. Surfaced sidewalks are located along both sides of the road. Several properties also obtain direct access off Main Road in the vicinity of the site. Please see the *Photo Page* attached.

Stemmet Street and Mitchell Street can be classified as Class 5 Local Streets and primarily provide access to residential properties situated in the northern Eastcliff suburban area as well as several businesses and offices situated in southern Mitchell Street. Stemmet Street has a blacktop width of approximately 7,5 metres and a road reserve width of 15 metres in the vicinity of the site. Mitchell Street has a blacktop width of approximately 10,0 metres and a road reserve width of 20 metres in the vicinity of the site.

Traffic counts were done at the Main Road / Stemmet Street and Stemmet Street / Mitchell Street intersections on Wednesday the 10th of April and Monday the 15th of April 2024. The morning peak-hour was observed from 07:30 to 08:30 and the afternoon-peak hour from 16:15 to 17:15. Directional splits of historic traffic counts at the Lord Roberts Street / Main Road roundabout were utilised and adjusted accordingly with the recent traffic volumes observed on Main Road.

The affected intersections were analysed using SIDRA software. SIDRA calculates movement and intersection delays and assigns a service level based on the duration of the delay. A level of service A denotes an excellent service level with very little delay, whereas a level of service F represents very long delays and a breakdown in service. A level of service D is generally taken as the lowest acceptable standard.

ERVEN 878, 896 AND 9807 HERMANUS
SITE TRAFFIC ASSESSMENT

The results of the SIDRA analysis are summarised in **Table 1**. Existing traffic volumes and service levels are shown in **Figure 3** attached.

Table 1: Levels of service with existing traffic volumes

Intersection	Control measure	Morning peak hour			Afternoon peak hour		
		Inter-section LOS	Avg Int delay (s)	Worst movement LOS	Inter-section LOS	Avg Int delay (s)	Worst movement LOS
Lord Roberts / Main	Roundabout	A	6,2	A	A	6,4	A
Main / Stemmet	Side-street stop	-	0,5	B	-	0,5	B
Stemmet / Mitchell	Side-street stop	-	4,6	A	-	4,9	A

All movements at the affected intersections currently operate at good service levels during the morning and afternoon peak hours.

4. PROPOSED ACCESS

An entrance-only is proposed off Main Road with a one-way road through the development and an exit-only on Mitchell Street. The entry off Main Road is proposed approximately 105 metres centre-to-centre and approximately 83 metres kerb-to-kerb from the Main Road / Lord Roberts Street roundabout. Based on the expected peak hour trip generation potential of the proposed development, as discussed in *Paragraph 6*, the development's accesses can be classified as low-volume driveways according to the Western Cape Government Access Management Guidelines (AMG) 2020 document.

Table 2: Driveway classification (Table 11-1, AMG 2020)

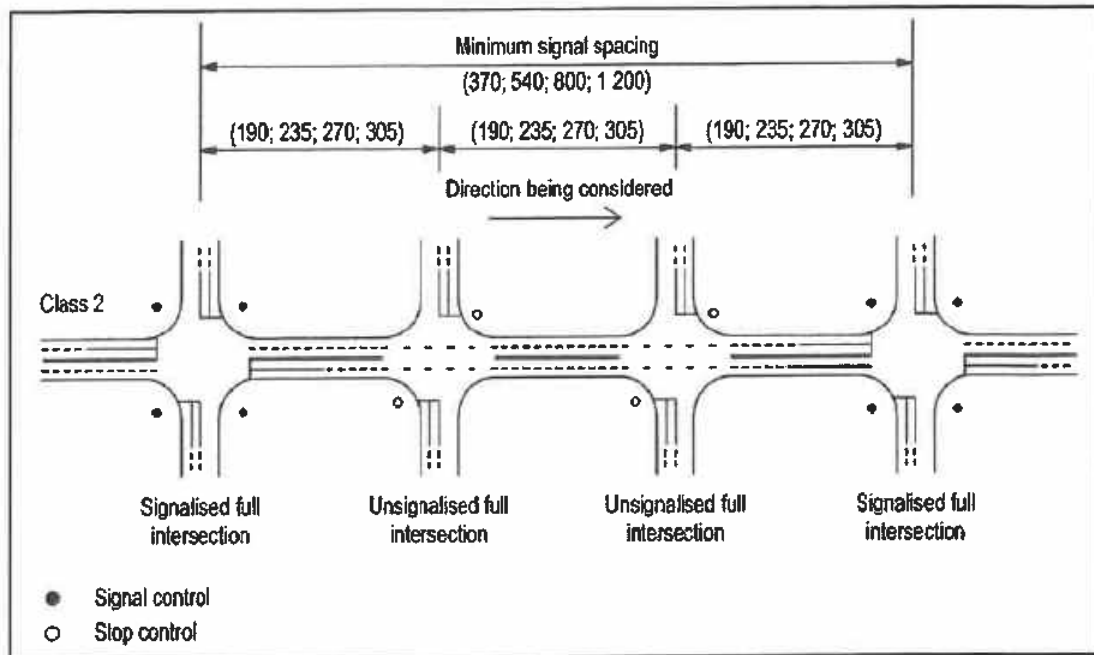
Driveway category	Class equivalent	Roadside development environment				
		CBD	Intermediate	Suburban	Semi-rural	Rural
		Vehicles per hour				v.p.day
Domestic equivalent		< 5	< 5	< 5	< 5	< 5
Low-volume		5-30	5-30	5-30	5-30	5-30
High-volume	5	30-150	30-100	30-60	30-50	30-50
Equivalent collector	4	150-750	100-625	60-500	50-250	50-500

The AMG 2020 document does not indicate the spacing requirements for driveways on Class 2 roads as the intersection with these lower-order roads is not desirable and normally not allowed.

On higher-order Class 2 roads, where carriageways are usually separated by a barrier median, driveways are limited to left-in left-out movements. Driveways that are equivalent to a Class 4 side street are connected to a Class 2 through-route using a full signalised intersection or a roundabout when the spacing is in accordance with the guidelines for spacing of major intersections as indicated in **Diagram 1**.

ERVEN 878, 896 AND 9807 HERMANUS
SITE TRAFFIC ASSESSMENT

Diagram 1: Intersection spacing for Class 2 roads



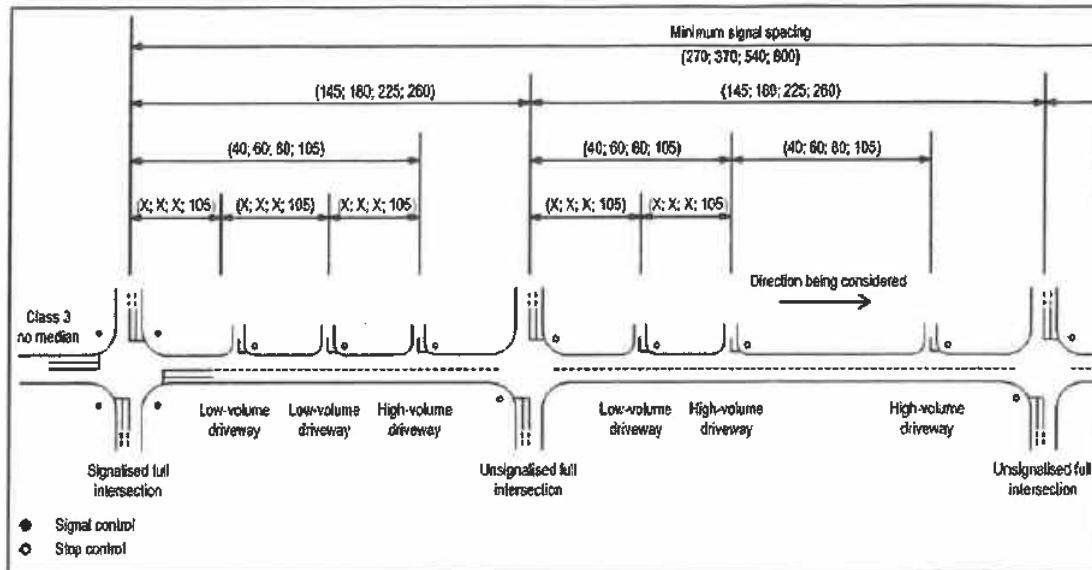
Main Road in the vicinity of the development does however not operate as a Class 2 Road and does not conform with the above-mentioned spacing requirements due to various inadequately spaced driveways and intersections. Large-scale consolidation of properties and accesses will need to materialise before the spacing requirements can be met.

No barrier median is present on this section of Main Road and as a result, right-turn movements into the proposed development from the north-eastern approach of Main Road can not be discouraged. The creation of a median will force vehicles to continue towards the Lord Roberts Street / Main Road roundabout and return along Main Road to enter the proposed development, which would be ideal. A barrier median is however not practical for access to neighbouring developments such as the Marine Terrace and Eastbourne properties situated south-east of Main Road. Vehicles normally entering these properties from the southwest along Main Road will need to make potentially dangerous U-turns somewhere along Main Road at a median opening should it be implemented. No barrier median is therefore proposed. To deter right-turning vehicles into the proposed development from the north-eastern Main Road approach, no-right-turn signage (R210) can be erected downstream of the Main Road / Stemmet Street intersection together with an information sign (IN1 1.2) to indicate the distance from the sign up to the Lord Roberts Street / Main Road roundabout.

The proposed entrance however conforms with the the AMG 2020 document's spacing requirements for Class 3 Roads of 105 metres between a signalised full intersection and a low-volume driveway as indicated in **Diagram 2**.

ERVEN 878, 896 AND 9807 HERMANUS
SITE TRAFFIC ASSESSMENT

Diagram 2: Intersection spacing for Class 3 roads without median



Although the proposed access off Main Road will not allow the egress of vehicles, the AMG 2020 document further indicates that where a driveway access is proposed downstream of a roundabout, the spacing distance to the driveway should be based on the left-turn conflict distance. The left turn conflict distance, based on an assumed 40 km/h operating speed of vehicles exiting the roundabout, is 82 metres for a 60 km/h road operating speed.

Based on the above, the position of the proposed entrance-only access on Main Road is deemed acceptable.

Where a security access system with booms or gates is provided along the driveway between the public road and the access system, the throat length should be of sufficient length to accommodate any queuing that may occur due to the security access system. The AMG 2020 document does not provide clear guidelines for throat lengths associated with residential developments. The 2022 City of Cape Town Standards and Guidelines for Roads and Stormwater document however indicates a required minimum of 6 metres of stacking space for 14 residential units or less served and 12 metres for 15 to 40 units served. The Site Development Plan indicates two access lanes, one 12-metre lane for residents and another 12-metre lane for visitors, providing a total stacking space of 24 metres which is deemed more than adequate. Space however exists for extending the stacking space further which is encouraged.

5. PARKING AND INTERNAL ROADS

The 2020 Overstrand Municipality Land Use Scheme document indicates an off-street parking requirement of one bay per dwelling unit plus 1 bay per dwelling unit for visitors for group dwellings and town housing developments. The required two bays per dwelling unit will be provided on the individual erven respectively.

A swept path analysis with a passenger vehicle was carried out. Please see **Figure 6** attached. The proposed layout is practical with adequate space for passenger vehicles to

ERVEN 878, 896 AND 9807 HERMANUS
SITE TRAFFIC ASSESSMENT

access all units and enough space for vehicles to turn around. The one-way road through the development will have a surfaced width of 4 metres and the two two-way cul-du-sacs will have widths of 5 metres which is adequate. The entry bellmouth radius off Main Road should however be enlarged to at least 6 metres as indicated to allow for better manoeuvrability.

The Site Development Plan indicates a centralised refuse room to be located adjacent to the exit off Mitchell Street. Refuse vehicles will be able to stop alongside the unsurfaced verge of Mitchell Street and collect refuse from the room.

6. TRIP GENERATION AND TRAFFIC IMPACT

Trip generation rates for single dwelling units were obtained from the COTO TMH17 Trip Data Manual. The document indicates a trip generation rate of 1,0 trips per dwelling unit with a 25:75 in:out split during the morning peak hour and a 70:30 in:out split during the afternoon peak hour. The trip generation potential of the proposed development is summarised in *Table 3*.

Table 3: Trip generation potential of proposed development

Land-use	No. of units	Trip generation			Trips		
		Rate	% In	% Out	Total	In	Out
Morning							
Single dwelling units	16	1,0	0,25	0,75	16	4	12
Afternoon							
Single dwelling units	16	1,0	0,70	0,30	16	11	5

The development will have the potential to generate 16 trips (4 in; 12 out) during the morning peak hour and 16 trips (11 in; 5 out) during the afternoon peak hour. The trips were primarily distributed to and from the Hermanus CBD area and to a lesser extent to and from the Voëlklip area. Please see the trip distribution attached as *Figure 4*.

Trips generated by the proposed development were added to existing traffic volumes to obtain total traffic volumes. The affected intersections, as well as the newly formed access intersections on Main Road and Mitchell Street, were analysed with the increased traffic volumes to determine the traffic impact of the development.

A summary of the analysis results is given in *Table 4*. Total traffic volumes and service levels are shown in *Figure 5* attached.

Table 4: Levels of service with total traffic volumes

Intersection	Control measure	Morning peak hour			Afternoon peak hour		
		Inter-section LOS	Avg int delay (s)	Worst movement LOS	Inter-section LOS	Avg int delay (s)	Worst movement LOS
Lord Roberts / Main	Roundabout	A	6,3	A	A	6,4	A
Main / Stemmet	Side-street stop	-	0,6	B	-	0,5	B
Stemmet / Mitchell	Side-street stop	-	4,9	A	-	5,0	A
Main / Entrance	Free-flow	-	0,0	A	-	0,1	A
Mitchell / Exit	Side-street stop	-	1,3	A	-	1,3	A

ERVEN 878, 896 AND 9807 HERMANUS
SITE TRAFFIC ASSESSMENT

All movements at the affected intersections will continue to operate at good service levels during the morning and afternoon peak hours with the addition of the proposed development's trips.

The expected number of left-turning vehicles into the development from Main Road does not warrant a dedicated left-turn lane on Main Road.

The development will have a very low impact on the surrounding road network and no improvements will be required to accommodate the development.

7. PEDESTRIAN TRAFFIC

The proposed development is not expected to generate a considerable number of pedestrian trips on the surrounding road network. Surfaced sidewalks are however located along both sides of Main Road, linking the development with the Hermanus CBD to the southwest as well as the residential areas to the northeast. No other non-motorised transport improvements will be required.

8. CONCLUSIONS

From the Site Traffic Assessment, it can be concluded that the proposed development of Erven 878, 896 and 9807 Hermanus will have a very low traffic impact. Other conclusions are summarised below.

- The application is for the rezoning and subdivision of Erven 9807, 896 and 878 Hermanus from Single Residential (SR1) to Town Housing entails 16 town housing erven ranging from 190 m² to 406 m² in extent;
- An entrance-only is proposed off Main Road with a one-way road through the development and an exit-only on Mitchell Street;
- Main Road in the vicinity of the development can be classified as a Class 2 Major Arterial but does not function as one due to various inadequately spaced driveways and intersections present;
- The proposed access to the development from Main Road is normally not allowed on Class 2 Roads, but the access conforms to the spacing requirements for Class 3 Roads as well as the left turn conflict distance criteria of the Provincial AMG 2020 document;
- Left-in-only movements at the proposed access to the development from Main Road should be encouraged but will not be enforceable without a barrier median present. The construction of a barrier median will however be impractical for access to neighbouring properties and not proposed to be implemented at this time;
- The development will have the potential to generate 16 trips (4 in; 12 out) during the morning peak hour and 16 trips (11 in; 5 out) during the afternoon peak hour;
- The required two bays per dwelling unit will be provided on the individual erven respectively;
- The proposed layout is practical with adequate space for passenger vehicles to access all units and enough space for vehicles to turn around in cul-de-sacs;

ERVEN 878, 896 AND 9807 HERMANUS
SITE TRAFFIC ASSESSMENT

- The Site Development Plan indicates a centralised refuse room to be located adjacent to the exit off Mitchell Street. Refuse vehicles will be able to stop alongside the unsurfaced verge of Mitchell Street and collect refuse from the room;
- The proposed development is not expected to generate a considerable number of pedestrian trips on the surrounding road network. The development is however well serviced in terms of non-motorised transport infrastructure and no improvements will be required;

9. RECOMMENDATIONS

The recommendations made in the Erven 878, 896 and 9807 Hermanus Site Traffic Assessment are summarised below.

- To deter right-turning vehicles into the property from the north-eastern Main Road approach, no-right-turn signage (R210) can be erected downstream of the Main Road / Stemmet Street intersection together with an information sign (IN1 1.2) to indicate the distance from the sign up to the Lord Roberts Street / Main Road roundabout;
 - The entry bellmouth radius off Main Road should be enlarged to at least 6 metres as indicated to allow for better manoeuvrability;
 - Space exists for extending the stacking space in front of the access control point off Main Road which is encouraged.
-

Photographic record of existing transport facilities

1. Main Road (Main Road 28, R43)

Photo 1a: Looking northeast along Main Road from proposed entrance

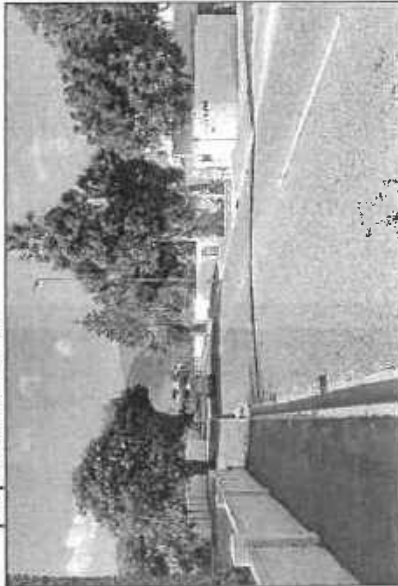


Photo 1b: Looking southwest along Main Road from proposed entrance

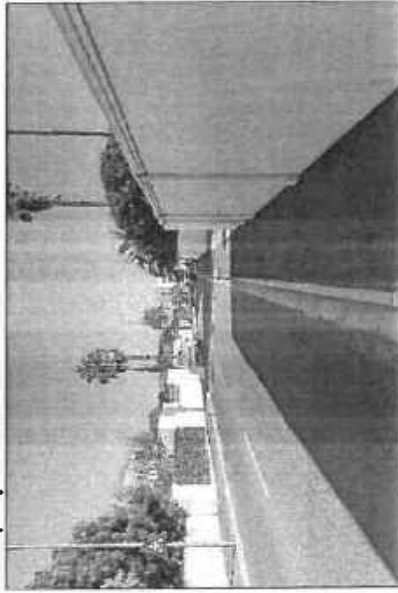
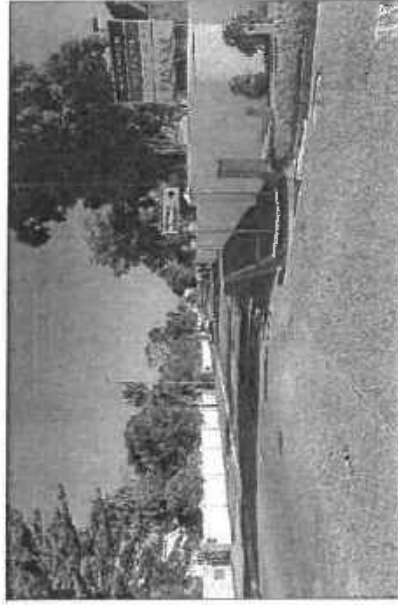


Photo 1c: Looking southwest along Main Road from Stemmet Street



2. Stemmet Street

Photo 2a: Looking northwest along Stemmet Street from Main Road



Photo 2b: Looking northwest along Stemmet Street from Mitchell Street

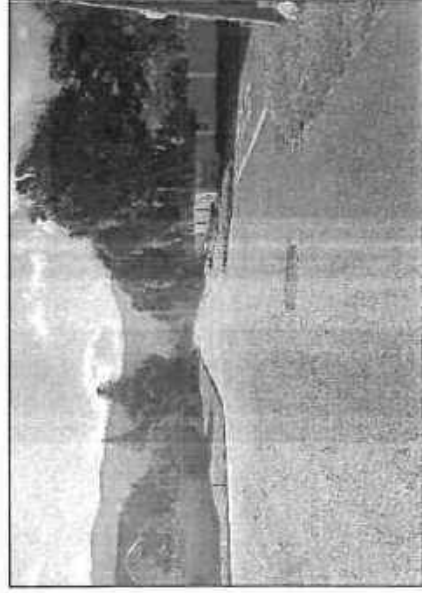
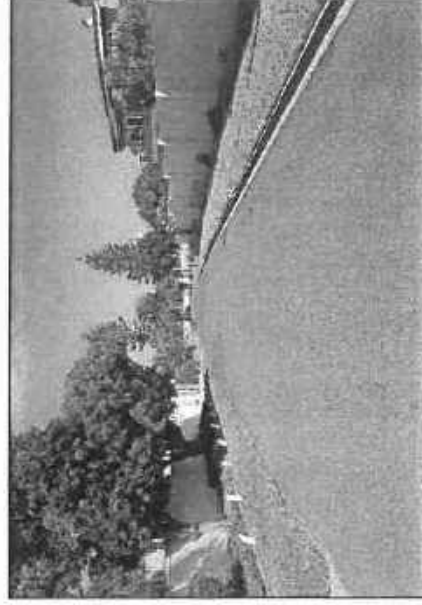


Photo 2c: Looking southeast along Stemmet Street from Mitchell Street



ERVEN 878, 896 AND 9807 HERMANUS
SITE TRAFFIC ASSESSMENT

3. Mitchell Street

Photo 3a: Looking northeast along Mitchell Street from proposed egress



Photo 3b: Looking southwest along Mitchell Street from proposed egress

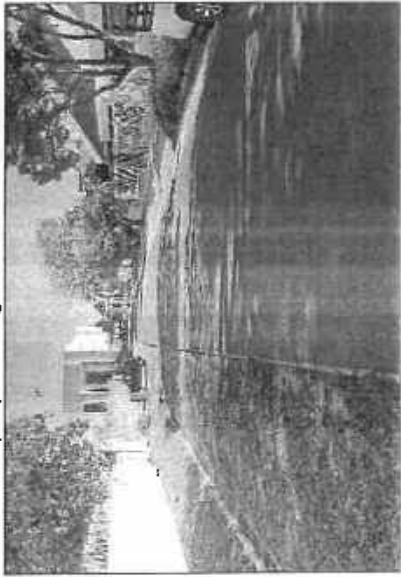
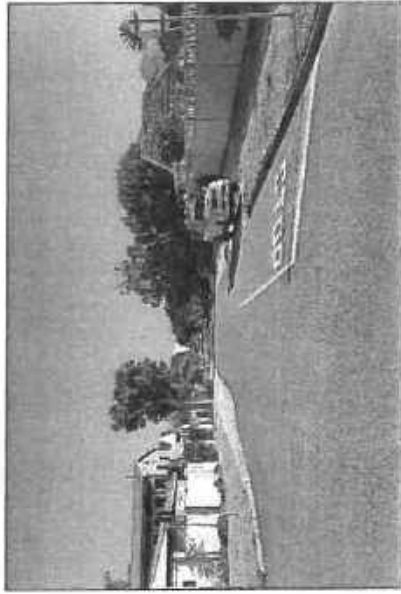


Photo 3c: Looking southwest along Mitchell Street from Stemmet Street



ERVEN 878, 896 AND 9807 HERMANUS
SITE TRAFFIC ASSESSMENT

ANNEXURES

- Figure 1: Locality Plan
- Figure 2: Site Development Plan
- Figure 3: Existing Traffic Volumes and Service Levels
- Figure 4: Trip Generation Potential of Proposed Development
- Figure 5: Total Traffic Volumes and Service Levels
- Figure 6: Access and Internal Roads



SCALE
1:10 000 (A4)

FIGURE 1

ERVEN 9807, 896 & 878
HERMANUS
LOCALITY PLAN

Douw Louwrens
2.5/9 (DW)
16.08.2019
Email: douw@damara.co.za

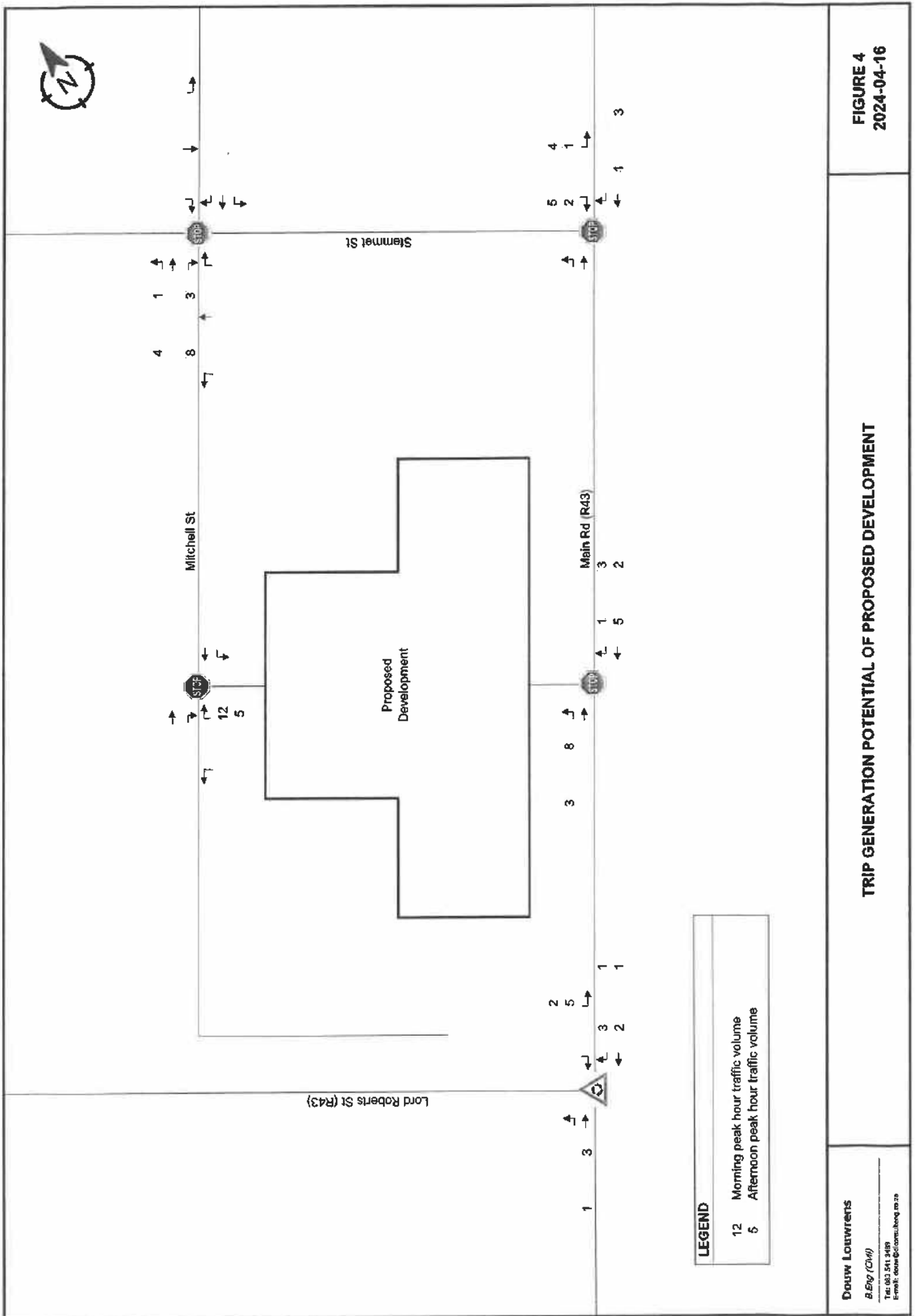


FIGURE 4
2024-04-16

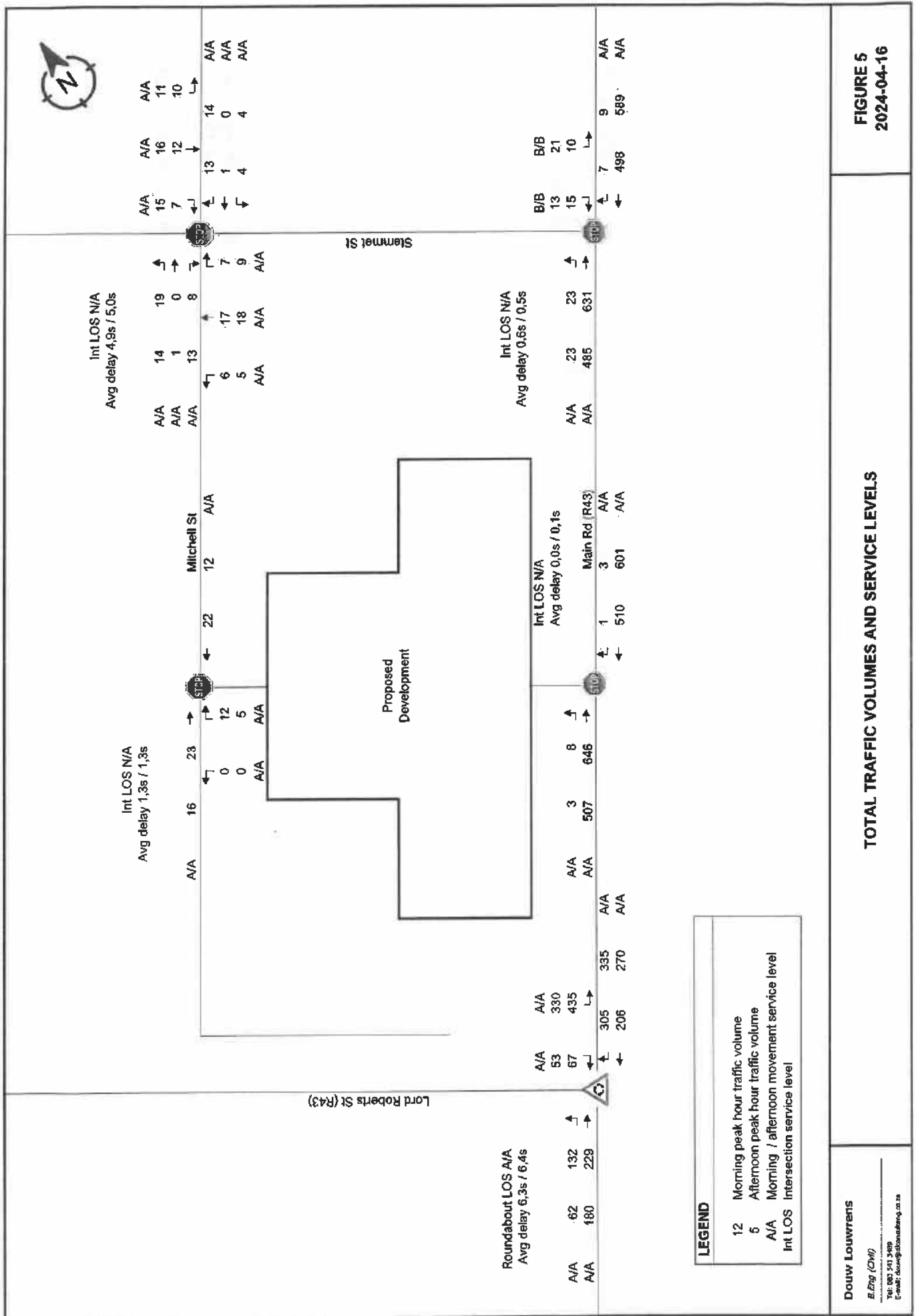
TRIP GENERATION POTENTIAL OF PROPOSED DEVELOPMENT

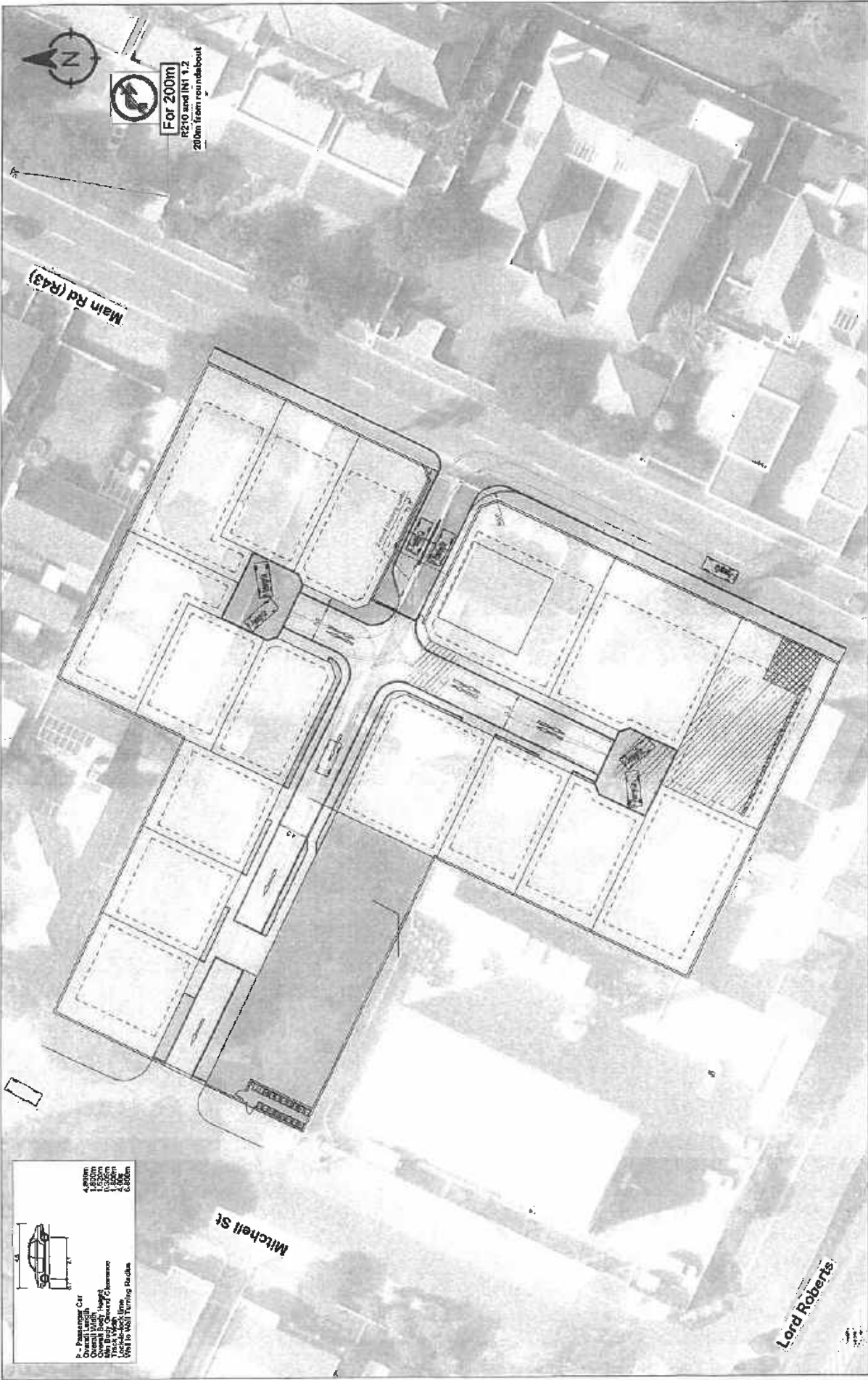
Douw Louwrens

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For 200m
R210 and NR 1.2
200m from roundabout

Main Rd (R43)

Mitchell St

Passenger Car
Overall length 4.810m
Overall width 1.850m
Max Brdg. Height 1.920m
Max Brdg. Ground Clearance 0.320m
Wheel-track 1.500m
Wheel-to-Wheel Turning Radius 6.280m

SCALE
1:800 (A3)

FIGURE 9

ERVEN 878, 896 & 9807
HERMANUS
ACCESS AND INTERNAL ROADS

Lord Roberts

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