

OVERSTRAND MUNISIPALITEIT
ERF 745, HOOP STRAAT 11, NORTHCLIFF,
HERMANUS: AANSOEK OM HERSONERING &
AFWYKING: WRAP PROJECT OFFICE NAMENS I
SCHIRMER, OT ERNST & V WOZNIAK

Kragtens Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) word hiermee kennis gegee van die volgende aansoeke van toepassing op Erf 745, Northcliff, Hermanus (die eiendom) naamlik:

Hersonering

Aansoek ingevolge Artikel 16(2)(a) van die Verordening vir die voorgestelde hersonering van die erf vanaf Algemene Residensiële Sone 1: Dorpsbehuising na Besigheidsone 1: Algemene besigheid grootmaat sone 1 om 'n besigheidsperseel en woonstelle (bogronde vloer) te akkommodeer.

Afwyking

Aansoek ingevolge Artikel 16(2)(b) van die Verordening vir die voorgestelde verslapping van die suid-westelike syboullyn vanaf 3m na 0m om die stoor area te akkommodeer.

Besonderhede aangaande die voorstel lê ter insae gedurende weksdae tussen 08:00 and 16:30 by die Departement: Stadsbeplanning te Patersonstraat 16, Hermanus.

Enige kommentaar op die voorstel moet skriftelik wees in ooreenstemming met Artikels 51 en 52 van die Verordening en moet die Munisipaliteit (Patersonstraat 16, Hermanus / (e) loretta@overstrand.gov.za) bereik voor of op **17 Januarie 2025**, met u naam, adres en kontakbesonderhede, belang in die aansoek, asook die redes vir kommentaar. Telefoniese navrae kan gerig word aan die Senior Stadsbeplanner, **Mev. H van der Stoep** by 0283138900.

Munisipale Bestuurder, Overstrand Munisipaliteit, Posbus 20, **HERMANUS**, 7200

Munisipale Kennisgewing Nr. 201/2024

OVERSTRAND MUNICIPALITY
ERF 745, 11 HOPE STREET, NORTHCLIFF,
HERMANUS, OVERSTRAND MUNICIPAL AREA:
APPLICATION FOR REZONING & DEPARTURE:
WRAP PROJECT OFFICE ON BEHALF OF I
SCHIRMER, OT ERNST & V WOZNIAK

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of the following applications applicable to Erf 745, Northcliff, Hermanus (the property) namely:

Rezoning

Application in terms of Section 16(2)(a) of the By-Law for the proposed rezoning of the erf from General Residential Zone 1: Town housing to Business Zone 1: General business bulk zone 1 to accommodate a business premises and flats (above ground floor).

Departure

Application in terms of Section 16(2)(b) of the By-Law for the proposed relaxation of the south-western side building line from 3m to 0m to accommodate the storage area

Details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning at 16 Paterson Street, Hermanus.

Any comments on the proposal must be in writing in accordance with Sections 51 and 52 of the By-Law to reach the Municipality (16 Paterson Street, Hermanus / (e) loretta@overstrand.gov.za) on or before, **17 January 2025**, quoting your name, address and contact details, interest in the application, as well as the reasons for comment. Telephonic enquiries can be made to the Senior Town Planner, **Mrs. H van der Stoep** at 0283138900.

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

Municipal Notice No. 201/2024

UMASIPALA WE-OVERSTRAND
ISIZA 745, 11 HOPE STREET, NORTHCLIFF,
HERMANUS, UMMANDLA WOMASIPALA
WASE-OVERSTRAND: ISICELO SOTSHINTSHO
KWIZOWUNI KUNYE NOKUTENXA: WRAP
PROJECT OFFICE EGAMENI LIKA I SCHIRMER, OT
ERNST & V WOZNIAK

Kukhutshwa isaziso ngokumayela neCandelo 47 nele 48 loMthetho Otshintshiweyo woMasipala waseOverstrand ongokuSetyenziswa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala), ukuba kufunyenwe isicelo esimayela neSiza 745, Hermanus ukuze kwenziwe ezi zinto zilandelayo:

Utshintsho kwizowuni

Isicelo ngokweCandelo le-16 (2) (a) loMthetho kaMasipala wotshintsho olucetywayo kucando lwe-erf ukusuka kuMmandla wokuHlala ngokuBanzi 1: Izindlu zedolophu ukuya kuMmandla woShishino 1: Ummandla woshishino ngokubanzi 1 ukulungiselela indawo yoshishino kunye neeflethi (ngaphezulu komgangatho ophantsi).

Ukutenxa

Isicelo ngokweCandelo le-16 (2)(b) loMthetho kaMasipala ukwenzela ukunyenysiswa okucetywayo komgca wesakhiwo wecala lomzantsi-ntshona ukusuka kwi-3m ukuya kwi-0m ukulungiselela indawo yokugcina.

linkcukacha ezipheleleyo mayela noku kucetyiweyo ziyafumaneka ukuze kuhlolwe phakathi evekini phakathi ko 08:00 no 16:30 kwiSebe: Lokuceba iDolophu, 16 Paterson Street, Hermanus.

Naziphi na izimvo ezibhaliweyo zingangeniswa ngokungqinelana nemigaqo yeCandelo lama-51 kunye nelama-52 alo Mthetho kaMasipala oxeliweyo kuMasipala (16 Paterson Street, Hermanus / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi koko **17 Eyomqungu 2025**, ucaphula igama lakho, idilesi kunye neenkukacha zoqhagamshelwano, umdla kwisicelo kunye nezizathu zezimvo. Imibuzo yomnxeba inokwenziwa kuMchwangcisi weDolophu oMkhulu, **uNksk. H van der Stoep** ngo-0283138900.

uMphathi kaMasipala, uMasipala iOverstrand, Ibhokisi yePosi 20, **HERMANUS**, 7200

Inombolo yesaziso 201/2024

1. Locality Plan ERF 745 - HERMANUS

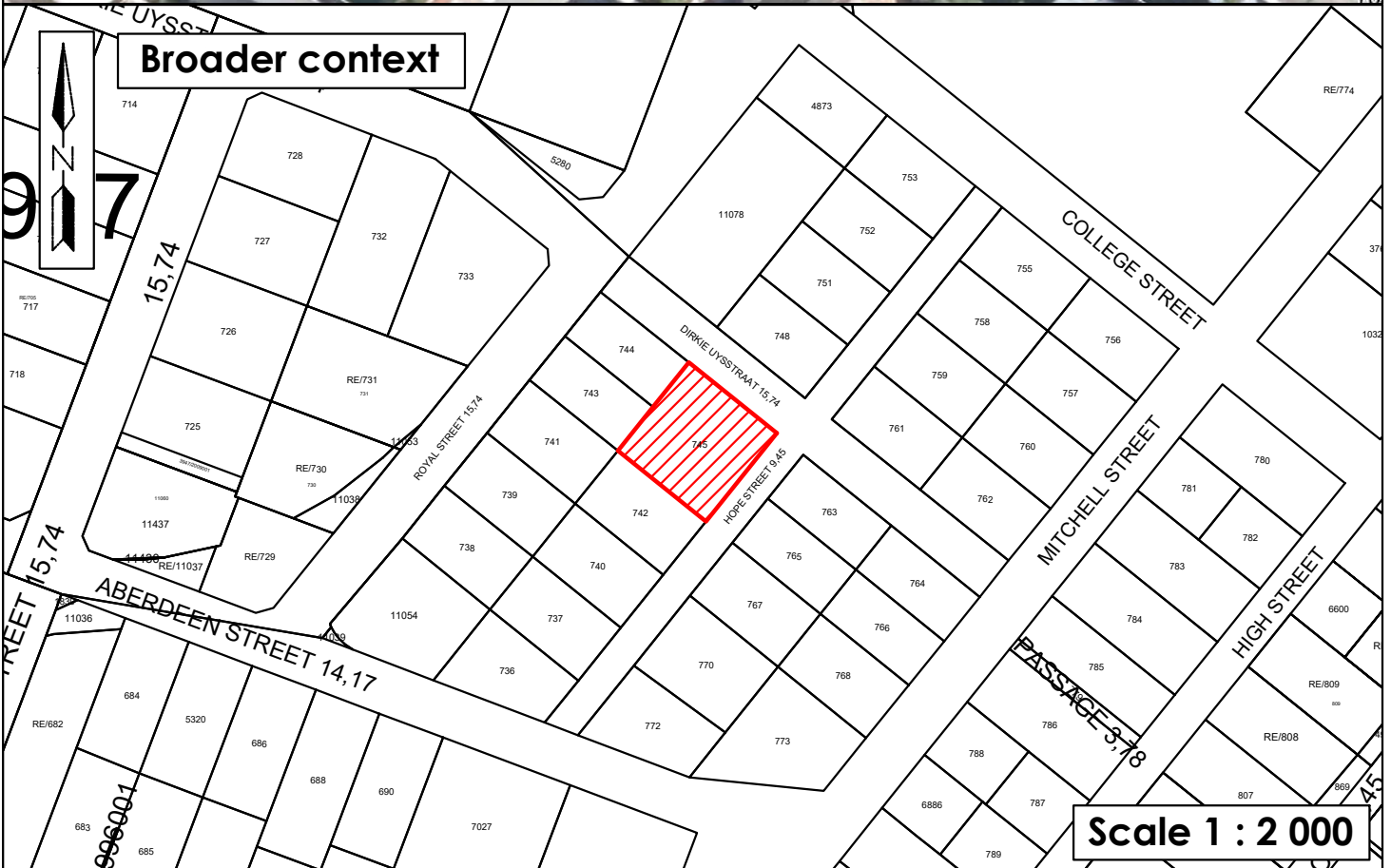
 Subject property

Plan prepared by: Thian Jansen

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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





1. ABBREVIATIONS

OM	Overstrand Municipality
OMLUS	Overstrand Municipality Land Use Scheme, 2020
BY-LAW	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020
PSDF	Western Cape Provincial Spatial Development Framework, 2014
LUPA	Western Cape Land Use Planning Act, 2014.
MSDF	Overstrand Municipality Spatial Development Framework, 2020
B1	Business Zone 1: General Business Bulk Zone 1
GLA	Gross Leasable Area

2. PROPERTY DETAILS

Erf Number	Erf 745 Hermanus
Extent	991m ²
Zoning	General Residential Zone 1: Town Housing

3. BACKGROUND AND INTENT

The subject property, known as Erf 745 Hermanus, occupies a distinctive location, surrounded by two streets and a mix of business- and residential properties, situated in central Hermanus (refer to **Plan 1 - Locality Plan**).

Due to its favourable position, the property presents an excellent opportunity for development, with the potential to provide additional housing and commercial options in the Hermanus region. The owners (Ingo Schirmer, Olga Ernst, and Viola Wozniak) inherited the property in 2020 and have been approached by developers to purchase the property and develop it. The property is currently in the process of being transferred to the developers. The developers appointed WRAP Project Office to submit the land use application on their behalf and the current owners provided their consent (refer to **Annexure A - Power of Attorney**). To ensure a successful outcome, a skilled professional team has been appointed to obtain the land use approval as envisioned by the developers.

The intent is to demolish the existing structures and to create a mixed-use development that reflects the essence of Hermanus and makes efficient use of the land by introducing business space on the first floor and new residential units above it. A demolition permit will be obtained by the developers. The proposal is for a three-storey residential and business development with sufficient parking to be provided on the ground floor. The development will consist of fourteen (14) flats built to high standards spread across the first- and second floors, along with three business units on the first floor.

This development will serve a dual purpose by offering additional housing and business options in an area where new opportunities are scarce. Refer to **Plan 4 – for the Site Development Plan (SDP) & Annexure C** for the **Architectural Designs**.



4. PROCEDURE TO ACHIEVE THE DEVELOPERS' INTENT

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

4.1 Rezoning of Erf 745 from General Residential Zone 1: Town Housing to Business Zone 1: General Business Bulk Zone 1.

The intention is to rezone the property to align with the vision of the developers to maximize its potential. The proposal is to rezone the property to a business zone, which will permit both businesses to operate on the site and flats above the ground floor. The primary rights of a Business Zone 1: General Business (B1) will allow the property to be developed as envisioned. The development is not seeking approval for any additional rights beyond the primary uses of the proposed zoning.

Should the application be approved, it will permit the construction of a three-storey building that will accommodate the following:

Floor / Storey	Use
Ground Floor / First Storey	Parking, ablution, storage and refuse
First Floor/ Second Storey	Commercial Units, Flats
Second Floor / Third Storey	Flats

A total of fourteen (14) flats are proposed, along with approximately 186m² of Gross Leasable Area (GLA) for business purposes on the first floor.

The building's design has been influenced by the property's shape and size and will consist of three floors, all within the maximum height limit set by the Overstrand Municipality Land Use Scheme (OMLUS).

Due to the natural slope, access to the property will be from Hope Street, providing vehicle access to the covered parking area. The proposal includes ten (10) 1-bedroom flats and four (4) 2-bedroom flats over two floors. Each flat will feature high-quality finishes, contributing to the development becoming a hallmark project in Hermanus. The property will have parking allocated for each use as required in accordance with the OMLUS which are as follow:

Flats	1.5 bays per one bedroom dwelling unit 2 bays per two and more bedroom dwelling units
Business premises	4 bays per 100m ² Gross Leasable Area (GLA)

Taking the above into account, 15 parking bays will be required for the one-bedroom flats, and 8 parking bays will be required for the two-bedroom flats. Additionally, each 100m² of GLA for the business premises needs to be provided with 4 parking bays. The



proposed GLA is approximately 186 m² and therefore, 7.45 (8) parking bays are required. This totals to 31 parking bays that are required for the proposed development.

The development will provide 31 parking bays, which ensures the property has adequate space for all the proposed uses on the property. This development allows for ample space for vehicle manoeuvring that complies with the Overstrand Municipality (OM) regulations and spacing. This will ensure that the access and egress of vehicles do not adversely impact on the public streets. Each unit's parking bays are provided on site without the need to depart from the required parking provisions.

The on-site parking shall be accessible for customers during business hours in accordance with Clause 17.1.5 (c) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.

A mixed-use development offers numerous benefits that contribute to the overall enhancement of an area and its community. Firstly, such developments foster a vibrant and dynamic urban environment by combining residential and commercial spaces within a single area. This diversity of land use encourages pedestrian activity, reduces reliance on cars, and promotes a more walkable and socially engaged neighbourhood.

From an economic standpoint, mixed-use developments may catalyse local economies by attracting businesses, residents, and visitors. The presence of commercial spaces such as shops, restaurants, and offices generate foot traffic, supports local businesses, and creates job opportunities. This economic vitality not only benefits the immediate area but also has a ripple effect, positively impacting surrounding neighbourhoods and businesses.

Furthermore, mixed-use developments promote sustainability and environmental consciousness. By consolidating various activities in one area, they reduce the need for long commutes and encourage a more efficient use of resources. Additionally, these developments often incorporate sustainable design principles such as green spaces, energy-efficient buildings, and alternative transportation options, contributing to overall environmental health and resilience.

From a social perspective, mixed-use developments foster a sense of community and connectivity. The co-existence of residential and commercial spaces encourages interaction among residents, workers, and visitors, fostering a diverse and inclusive environment. Shared amenities and public spaces within these developments provide opportunities for social gatherings, recreation, and cultural exchange, enriching the quality of life for residents and contributing to a strong sense of place.

With the property being located within the CBD, walking will be encouraged as this will be the first development in the vicinity to take this step in promoting a mixed used approach.



4.2 Permanent Departure of the south-western side building line from 3m to 0m to accommodate the storage area.

The developer intends to utilise the existing slope of the property, and by excavating a portion of it, all the parking can be accommodated on the ground floor. With the allocation of parking, certain areas will be inaccessible to vehicles, creating opportunities for alternative uses. For example, a storage area is proposed, which can be included in the sale agreement of the residential units.

The proposed storage area is however encroaching on the side building line located along the south-western boundary. Additional storage for flat owners is a valuable amenity that enhances both the functionality and appeal of the residential units. In urban settings, space is often at a premium, and flat owners typically face limited storage options within their units. Providing dedicated storage areas addresses this issue, offering residents a convenient solution for storing items that may not fit within their living spaces, such as seasonal items, sports equipment, or rarely used household goods.

Allowing additional storage also adds value to the property, making it more attractive to potential buyers or tenants. The inclusion of storage as part of the sale agreement can serve as a key differentiator in a competitive real estate market, potentially increasing demand for the units.

From a planning perspective, utilising otherwise unusable spaces for storage is an efficient use of the property's available area. Since these areas are already inaccessible to vehicles and unsuitable for other primary functions, converting them into storage maximises the property's utility without impacting its overall design or functionality.

Moreover, providing on-site storage reduces the need for residents to seek external storage solutions, which could increase traffic and parking pressures elsewhere in the area. By keeping storage needs within the development, the impact on local infrastructure is minimised, aligning with broader planning goals. Therefore, the inclusion of additional storage should be considered a beneficial and practical enhancement that supports the overall success of the development.

5. LAND USE ENVIRONMENT

The properties surrounding the subject property are predominantly zoned for business purposes with some zoned for residential purposes. The surrounding area's zonings are illustrated in **Plan 2** (zoning plan).

6. TITLE DEED

Title deed T39180/2020 (refer to **Annexure B – Title deed**) was perused and there are no conditions that restrict the development of the property.

7. ZONING

The property is zoned as General Residential Zone 1: Town Housing and requires rezoning to be able to accommodate the development. The proposal requires the zoning to be



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Business Zone 1: General Business Bulk Zone 1. Therefore, the following zoning parameters were assessed in conjunction with the B1 OMLUS zoning as this is a relevant consideration in terms of Section 66 (1) (q) of the OM By-Law:



BUSINESS ZONE 1: GENERAL BUSINESS (B1)			
Land Use Restrictions			
	Parameters	Proposal	Comply/ deviate
Primary use	Business Premises , Caretaker's Accommodation, Conference Facility, Flats (Above Ground Floor) , Guest House, Hotel, Place of Assembly, Place of Instruction and Self-Catering.	<ul style="list-style-type: none"> Business Premises Flats (Above ground floor) 	Comply
Consent use that may be applied for	Adult Entertainment Business, Bottle Store, Crematorium, Dwelling Unit, Flats (On Ground Floor), Funeral Parlour, Institution, Motor Repair Garage, Place of Entertainment, Recreational Facilities, Residential Building, Second Dwelling Unit, Service Station, Transmission Apparatus (Subject to The Provisions of Chapter 16.10), Transport Use, Utility Services, Warehouse and Service Trade.	N/A	Comply
Development parameters			
Floor Factor and Coverage	The maximum floor factor and coverage is indicated in the table below: Bulk Zone 1 (B1): Floor factor = 3 Coverage = 100%	Erf size = 991 m ² Proposed coverage = 92% Floor factor = 1,96 (1939.04m ²)	Comply
Setback	(i) The Municipality may require that all buildings and structures on the property are set back at least 6,5 m from the centre line of the street. (ii) Where special circumstances exist, the Municipality may require a wider setback. (iii) The general provisions of 16.2 apply.	i), ii) & iii) Comply	Comply
Building lines	(i) The street building line is 0 m, subject to: <ul style="list-style-type: none"> the setback restriction if required by the Municipality in terms of 7.1.2(b); and the enclosed part of a building from the fourth storey must be set back 4,5 m. (ii) The side building line is 0 m, subject to:	i) Comply ii) Deviate:	Deviate, applied for and motivated



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	<ul style="list-style-type: none"> without the consent of the Municipality, the building or portion erected on the property boundary may have no windows, doors, ventilation or other openings in any wall on such boundary; and where a property zoned Business Zone 1 and 2 abuts a residential or community zone, the building line is 3,0 m. <p>(iii) The rear building line is 0 m, subject to:</p> <ul style="list-style-type: none"> the building or portion erected on the property boundary may have no windows, doors, ventilation or other openings in any wall on such boundary; and where a property zoned Business Zone 1 and 2 abuts a residential or community zone, the building line is 3,0 m. <p>(iv) The Municipality may impose more restrictive building lines in the interests of public health and safety.</p> <p>(v) The general building line exemptions in 16.1 apply.</p>	<p>The property abuts a residential zoned property (Erf 724) where the side building line is 3,0m.</p> <p>The proposed storage area is situated within the 3m southwestern side building line.</p> <p>iii) Comply</p>	
Height	<p>The maximum height of a building, measured from the base level to the top of the structure, is determined in accordance with the bulk zone as specified in the table below: Bulk Zone 1 – 14m and 4 Storeys</p>	<p>Comply, only 3 storeys and the height of the proposed structure measured from the base level to the top, is less than 14m.</p>	<p>Comply</p>
Parking	<p>Parking and access shall be provided on the land unit in accordance with 17.1:</p> <ul style="list-style-type: none"> Flats: 1,5 bays per 1 bedroom dwelling unit 2 bays per two and more bedroom dwelling unit. Business premises: 4 bays per 100m² GLA 	<ul style="list-style-type: none"> 1,5 Parking Bays x 10 = 15 Parking Bays 2 Parking Bays x 4 = 8 Parking Bays 186,68m² - GLA = 7,45 (8) Parking Bays <p>Total required: 31 parking bays</p> <p>Total provided: 31 parking bays</p>	<p>Comply</p>



8. SERVICES

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA and is herewith illustrated. It should be noted that the municipality will require the developers to pay bulk infrastructure contribution levies for each unit that is proposed to be developed. These contributions will contribute to an upgrade of the bulk services infrastructure of the area within the Hermanus CBD. This will significantly benefit all businesses and residential properties within the area and not only the developers.

Electricity

Electricity is provided by Overstrand Municipality and the development will be connected to the existing network.

Water & Sewage

The proposal is to connect the development to the existing Overstrand Municipality networks. A GLS report was obtained, which indicates that there is sufficient capacity for the development.

Referring to the GLS Report, the developers will be required to upgrade sections of the existing networks to accommodate the development and, as mentioned above, these upgrades will benefit all properties in the area. These upgrades will not only benefit the proposed development but will also proactively anticipate future growth and capacity requirements, as detailed in the GLS Report. This forward-looking approach ensures Hermanus can expand and accommodate additional developments and new residents effectively. The report is annexed as **Annexure E – GLS Report**.

Solid Waste

Solid waste will be collected weekly by the OM. The solid waste will be accumulated weekly which will be emptied on the applicable solid waste pick-up day of the surrounding area. There will be a 9m² refuse room adjacent Hope Street, that will be accessible from the ground floor. The refuse room will comply with the requirements as set out within section 17.4 of the OMLUS.

Traffic, Access and Egress

The proposal is to provide access and egress to the development along Hope Street. This access point is proposed to have a width of 5.45 meters, allowing for the convenient movement of vehicles side by side. The generous width of the access ensures that even during peak hours, traffic congestion will be minimised, facilitating smooth entry and exit for residents and visitors.

This access point along Hope Street is strategically designed to ensure that traffic on Dirkie Uys Street remains uninterrupted by the development. By directing vehicle access to the development from Aberdeen Street and utilising Hope Street's one-way flow, the proposal minimizes potential traffic conflicts and enhances the overall traffic circulation in the area. This approach not only prevents bottlenecks but also aligns with traffic management best practices, ensuring a smooth flow of vehicles.

The access points also significantly enhance the overall safety and security of the building's occupants. In case of emergencies, having a clear and well-planned exit route



via Hope Street allows for quick evacuation and facilitates timely access for emergency services. This design consideration is essential for reducing response times and ensuring the well-being of residents and visitors.

Additionally, by providing a convenient access point closer to residents' and business users' intended destinations, the development enhances overall convenience and user experience. This proximity reduces travel time within the property, making it more appealing for potential buyers and tenants. Furthermore, the thoughtful design of access points can also contribute to a sense of exclusivity and ease, adding to the perceived value of the property.

By addressing traffic flow, safety, and convenience, the proposed access solution is a well-rounded approach that supports the development's success while maintaining harmony with the surrounding area.

9. NEED AND DESIRABILITY

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

Need and desirability.

The need for the application arose from the vision of the developer to be able to unlock the maximum value of the property.

Socio-economic impact	<p>The proposed rezoning and departures to accommodate a combined residential and business development will have a positive impact on the socio-economic aspect of the area:</p> <ol style="list-style-type: none"> 1. The construction phase of the development will create employment opportunities for workers involved in various aspects of the project, including construction workers, architects, engineers and contractors. Additionally, once the development is completed, the business premises will potentially create jobs for local residents. 2. The presence of a well-designed and functional mixed-use development may lead to an increase in property values in the surrounding area. This may benefit existing homeowners and property investors, potentially boosting their wealth and encouraging further investment in the neighbourhood. 3. With the addition of the business premises on the first floor, the development may act as a catalyst for economic activity in the area. Local businesses will benefit from increased foot traffic generated by residents and visitors to the development, leading to higher sales and revenues. This, in turn, may contribute to the growth and prosperity of the local economy.
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	<p>4. The development of fourteen flats offers housing options for a diverse range of residents, including young professionals, families and seniors. This diversity contributes to the social fabric of the community, promoting inclusivity and cohesion among residents from different socio-economic backgrounds.</p> <p>These kinds of developments where residential and business opportunities are proposed, often foster community engagement through the creation of shared spaces and amenities.</p>
<p>Compatibility with surrounding uses</p>	<p>The development is deemed to be consistent with the character of the surrounding area with no heritage factors.</p>
<p>Impact on the external engineering services</p>	<p>The Overstrand Municipality's Engineering Department will review the application to ensure that service capacities are adequate, and the developers will be expected to pay bulk infrastructure contribution levies. These levies will also be used to upgrade the bulk infrastructure as identified in the GLS Report.</p>
<p>Impact on safety, health and wellbeing of the surrounding community</p>	<p>There are several ways in which the proposal has the potential to enhance the safety, health and overall wellbeing of the surrounding community:</p> <p>The development's focus on efficient land use and high-quality design standards may extend to environmental considerations such as energy efficiency and waste management. Implementing sustainable features like energy-efficient appliances for example, may contribute to a healthier environment for both residents and the surrounding community.</p> <p>The mixed uses of businesses and residential flats encourage a diverse mix of residents and businesses, fostering social interaction and community cohesion. This diversity may lead to stronger social networks, increased support systems, and a greater sense of security within the neighbourhood.</p> <p>The more residents in the area the more funding could be provided to HPP that has seen great improvement of crime in the CBD specifically. HPP is funded solely by the special rates levy that is paid by the residents of Hermanus. The more residents the more rates that can be collected that in turn can be used by the HPP.</p> <p>These businesses will also create new commercial space, that could be occupied by new or growing businesses that will employ more locals and help reduce unemployment in the Hermanus area.</p>



<p>Impact on heritage</p>	<p>The property is not listed in the OM Heritage Register. Although the surrounding neighbourhood has heritage graded structures it is important to note that these structures are located on prime developable land within the CBD.</p> <p>The developers have taken cognisance of the area and have added pitched roofs and other design elements to the proposed building which adds character to the development.</p> <p>In addition, the proposed development was presented to the local heritage committee, who requested that a 2,5m setback be imposed along Hope Street which was complied with. Refer to Annexure D: Overstrand Heritage Committee Comments</p>
<p>Impact on the biophysical environment</p>	<p>The development will have the following positive impact on the biophysical environment:</p> <ul style="list-style-type: none">• Land use efficiency: The development will be more land-efficient than low density developments, by redeveloping the property to include quality flats and business premises. This may help preserve open spaces, farmland, and natural habitats. This can help maintain biodiversity and ecosystem services in the surrounding area.• Stormwater management: The balconies may be designed with features such as rainwater harvesting systems, and strategically placed plants to help manage stormwater runoff. By capturing rainwater and allowing it to infiltrate into the soil or be collected for later use, it may reduce the burden on municipal stormwater systems, minimize erosion, and prevent pollutants from entering waterways.• Microclimate Regulation: Vegetation on balconies may help regulate microclimates by providing shade, reducing the heat absorbed by buildings, and cooling the surrounding air through evapotranspiration. This can help mitigate the urban heat island effect, improve thermal comfort for residents, and reduce the energy consumption of buildings by decreasing the need for air conditioning during hot weather.• Resource efficiency: The development will be designed to be resource-efficient, using sustainable building materials and incorporating energy-efficient systems. This can reduce energy consumption and associated



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	<p>environmental impacts, as well as lower water consumption and waste generation.</p> <ul style="list-style-type: none">• Brownfield redevelopment: The development is considered a brownfield redevelopment which is the redevelopment of a previously developed site, that aids to reduce urban sprawl and preserve natural habitats.• Urban heat island mitigation: By incorporating reflective surfaces, the development may assist in mitigating the urban heat island effect, which occurs when built-up areas absorb and retain heat, leading to higher temperatures. This assists in creating a more comfortable and sustainable urban environment, reducing energy demand for cooling and improving overall air quality.
Traffic impacts, parking, access and other transport related considerations	<p>The inclusion of parking on the ground floor of the development is likely to have several positive impacts on traffic, parking, access, and other transport-related considerations:</p> <ul style="list-style-type: none">• By providing dedicated parking spaces within the development, the development may help alleviate pressure on on-street parking in the surrounding area. This reduces congestion and improves traffic flow by minimizing the need for drivers to circle the block in search of parking spaces, which may contribute to smoother traffic operations and reduced vehicle emissions.• The provision of parking facilities within the development enhances accessibility for residents, businesses, and visitors. Accessible parking spaces may accommodate individuals with mobility challenges, ensuring equitable access to the development for all members of the community.• The availability of parking facilities may also encourage the use of alternative modes of transportation, such as walking, cycling, or public transit due to the ideal location of the property within the CBD of Hermanus. This may reduce reliance on single-occupancy vehicles, leading to lower traffic volumes and reduced environmental impacts.• Well-designed parking facilities with clear signage, adequate lighting, and safe pedestrian pathways contribute to enhanced safety for both drivers and



	<p>pedestrians. By reducing conflicts between vehicles and pedestrians, the proposal can create a safer and more welcoming environment for all users of the building.</p> <ul style="list-style-type: none">• The location of parking facilities on the ground floor, allows for efficient integration with the residential and business uses of the development. This minimizes the need for large surface parking lots that can detract from the pedestrian experience and create barriers between different land uses, fostering a more walkable and cohesive urban environment.• Due to the location of the proposed access/egress to the ground floor parking, no on-street parking will be impacted on as the proposal will make use of the existing access points.• The residents, tenants and visitors of the building will have covered parking, which is highly sought after in South Africa due to the extreme sunrays. This will encourage on-site parking rather than on-street parking. <p>Overall, the provision of parking within the development, is likely to have positive impacts on traffic management, parking availability, accessibility and contributing to a more efficient, equitable, and sustainable urban environment.</p>
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Impact on views, sunlight and character of the area

The development proposal is expected to have a slight impact on the surrounding properties, given that the property was previously only a double storey dwelling house. The development however will bring more housing- and business opportunities to the area, thereby increasing the number of residents and boosting the local economy.

The property's location, adjacent to two streets, means that it directly borders only three other properties. This is likely to minimize the impact on surrounding properties, as only these properties might be directly affected by the proposal. The developers were mindful with the design and omitted balconies on the 3m building line overlooking the residential property next door. Instead, balconies are proposed only on the north-western side, adjacent to business properties, thereby not impeding on any person's view as the businesses operate during business hours while the flats are mostly occupied during the evenings. These balconies, situated on the street-side overlooking Hope Street and Dirkie Uys Street, also ensures that the privacy of direct neighbours is not compromised.

Overall, while there may be some impact on surrounding properties, the proposal has the potential to bring significant benefits to the area, such as providing more housing



opportunities and contributing to the local economy. The unique position of the property is also likely to minimize the impact on the surrounding area, ensuring that any potential negative effects are mitigated.

- Views

The development parameters of the proposed zoning permit a maximum height of 14m and up to four storeys. The developers are only proposing to construct a three-storey development, with the proposed excavation the height of the development will be drastically lower than the allowable 14m, ensuring to better fit into the surrounding urban context. Other nearby developments, such as Checkers at the Station Mall, Woolworths Station Square and several of the seafront buildings have taken advantage of the 14m height allowance in the same bulk zone.

The development proposed will have the potential to provide residents with views of the surrounding mountains. The height of the development with the proposed balconies could provide vistas that were previously unavailable to residents in the area. This may enhance the quality of life for residents by providing them with a greater connection to their surroundings, as well as adding value to the property.

The development is in keeping with the character and scale of the area and is not expected to have any significant negative impact on the aesthetic appeal of the neighbourhood. Overall, it is evident that the developers have considered the potential impact of the proposal on the surrounding area. The developers have taken measures to mitigate any negative impacts by strategically placing the balconies on the street frontages to ensure minimum invasion of privacy to the surrounding neighbours.

In summary, while the development may alter the views of the area, it is not out of character with the vision for the area set out by the OM and it is in line with other nearby developments. The development also has the potential to enhance the quality of life for residents by offering new views of the surrounding area.

- Sunlight

The proposed development adheres to the development parameters prescribed by the Overstrand Municipality and is not anticipated to have any negative impact on the sunlight of neighbouring properties. This is due to the property's unique location, which is surrounded by public streets on two sides.

The concept of the right to light is considered a type of easement, where one property benefits from a right enjoyed over the land of another. In this context, the right to light easement refers to the entitlement to enjoy natural light passing over someone else's land and entering specified spaces in a building, such as windows, skylights, and glass roofs. This means that as the seasons and time of day change, so does the light, ensuring that all properties receive direct sunlight. Although the easement enjoyed by the neighbours of the property may be altered, it still remains in place as sunlight will be enjoyed by all.

The development will be situated 3,0m away from the property boundary that abuts a residential property, except for the storage area (on the ground floor) that will encroach on this building line. This provides sufficient space and ensures that the building minimises



the impact it has on sunlight. It is important to note that the properties situated behind the subject property is zoned Business Zone 1 and, therefore, has a 0-metre building line. Additionally, the development will not exceed the maximum height of 14 metres that is allowed on a property zoned Business Bulk Zone 1.

Overall, the development is designed to minimize its impact on neighbouring properties, particularly in relation to sunlight. The unique location of the property, situated on a corner adjacent to two public streets, ensures that the development will not negatively impact on the amount of natural light reaching the surrounding area.

- Character

The developers place great importance on preserving the character of the broader Hermanus area with the proposal. It is also of great importance to ensure that the development aligns with the overall aesthetic appeal of the area and does not cause any disruption.

To achieve this objective, the developers have conducted a thorough analysis of other developments in the surrounding area to ensure that the proposal does not stand out negatively. This includes incorporating features such as pitched roofs and utilizing materials and colours already prevalent in the area. The developers have taken care to ensure that the development is in keeping with the character of the surrounding area, and as such, it should not be perceived as undesirable.

Properties in the area, are primarily business-zoned, with a few residential properties that are currently out of place in the ever-changing and evolving CBD. This development is exceptional as it doubles up as a business and residential property, fitting into the character of the area. Additionally, the height of the proposal is within the development parameters of the proposed OMLUS zoning.

Furthermore, the development will have a positive impact on the housing demand in central Hermanus. By adding more housing opportunities in the area, the development will help to meet the growing demand for housing in the region. This is a positive step towards ensuring that the area remains accessible to a diverse range of residents, while also preserving its unique character.

The developers have appointed a local architect that has taken inspiration from other developments in the surrounding area to ensure that the proposal does not disrupt the area's character. Additionally, the development will contribute positively to meeting the growing housing- and business premises demand in central Hermanus.

Economic impact

The proposal will have significant economic impacts on both the surrounding area and the Overstrand Municipality, both in the short- and long-term.

During the construction phase, the development will create employment opportunities for the local residents of Hermanus and the greater municipal area. This will generate income for several individuals and contribute to the local economy.



Furthermore, the long-term economic impact of the proposal is expected to be positive. The development will result in additional rates and taxes payable to the Overstrand Municipality, which will have long-term economic benefits for the region. The additional rates and taxes generated by the development will contribute to the municipality's revenue streams and enable the provision of better services to the local community.

Additionally, the development is expected to attract at least 28 new potential residents to Hermanus, based on a calculation ratio of 2 people per flat. These new residents will contribute to the local economy by spending money on various items such as food, petrol, restaurants, repairs, and other goods and services, thereby boosting the local economy.

Opportunity cost

In land use planning, the term 'opportunity cost' refers to the potential loss or devaluation of land use rights for affected parties when a development proposal is approved.

However, the development in question is not expected to have a negative impact on surrounding landowners as it is in line with the existing urban area plan. In fact, it is seen as a final step to redevelop the property to its full potential and creating a viable development that will both create housing and economic activities.

Impact on heritage

The property is not listed in the OM Heritage Register.

Environmental impact

The property is not located within an environmentally important area and is located within the urban edge.

10. POLICIES AND REGULATIONS

10.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The property is not located within the EMOZ.

10.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The property is located within the 'Historic Core of Hermanus Heritage Protection Overlay Zone', the purpose of which is to ensure that any land use application resulting in additional rights complies with the existing character and contextual significance:

- *To protect and enhance the context of the high concentration of heritage sites; the role of the old harbour; Bientangs cave; the high scenic quality of the coastline; the recreational facilities related to the coastal walkway and associated whale watching points; the relatively fine-grained, low-rise nature of the building fabric; and the integration of these place-making elements.*



- *These heritage features all contribute to an area of particular character, reflecting many of the heritage themes identified in the Overstrand area and worthy of the status of a HPOZ in terms of the land use scheme.*

The proposal is not predicted to adversely impact on the protected elements mentioned above, and its height will align with that of other existing buildings within the core of Hermanus, as previously mentioned. It should be emphasized that the developers have been mindful of the surrounding buildings' architectural elements.

For instance, introducing features such as pitched roofs, are aimed at ensuring that the development harmoniously integrates with the existing aesthetic. By incorporating such elements, the developers seek to preserve the unique character of the area while still accommodating the need for new development. This approach reflects a commitment to respecting and enhancing the visual integrity of the neighbourhood, thereby contributing positively to the overall urban landscape of Hermanus.

10.3 Spatial Planning Policies

The consistency of this proposal with the applicable spatial development policies will herewith be illustrated. The spatial policies which are pertinent to the submitted proposal are the following:

Provincial Spatial Development Framework (PSDF)
<p>The PSDF is a product of a provincial inter-departmental and inter-governmental collaboration under the guidance of the inter-departmental steering committee in collaboration with the private sector, academia, and non-governmental organisations. This broad participatory process has created a shared spatial vision that is intended to inform spatial development patterns in urban and rural areas in the province.</p> <p>Throughout the PSDF the importance of developing integrated and sustainable settlements as an objective of the framework is highlighted. The PSDF also provides a settlement agenda which addresses the full spectrum of Western Cape settlements irrespective of their size from metropolitan Cape Town to the smallest hamlets.</p>

Overstrand Municipal Spatial Development Framework (OMSDF)
<p>The Municipal Spatial Development Framework is a sectoral component of the IDP (Integrated Development Plan) that, in terms of the MSA (Municipal Systems Act), is aimed at providing general direction to guide decision making on an ongoing basis, aiming at the creation of integrated, sustainable and habitable regions, cities, towns and residential areas.</p>

The PSDF and OMSDF are frameworks to be interpreted on a local level. National policies, such as the National Development Plan, National Spatial Development Frameworks etc. provide guidelines on several important aspects which includes human settlements. Focusing on provincial and local policies will ensure alignment with the above-mentioned higher hierarchy of legislation and policies.



PSDF

To ensure the proposed residential and business development is in line with the PSDF and the Provincial settlement policy objectives, the proposal was evaluated in terms of the policy objectives.

Provincial settlement policy objective	Alignment of the proposal with the policy objectives.
Protect and enhance sense of place and settlement patterns	The development is located in a predominantly mixed-use area. The proposal is not out of character and is located within an area where other business and residential developments exist. Once approved, the parameters of the Bulk Zone 1 will be applicable on the property.
Improve accessibility at all scales	The property has adequate accessibility to the surrounding Hermanus area. The development was designed to not be out of character and blend in with the surrounding area.
Promote an appropriate land use mix and density in settlements	<p>The land use proposed is residential in nature. The area as motivated in Section 4 of this report is mixed use (residential and business).</p> <p>The surrounding area is predominantly business in nature with some residential and community zoning in the surrounding vicinity.</p>
Ensure effective and equitable social services and facilities	<p>With Hermanus being a regional service centre as indicated by the PSDF, ensuring access to the area is important.</p> <p>The development will have access to all the services available within the Hermanus Area.</p>

OMSDF

The OMSDF is directed by National, Provincial and Municipal Planning legislation, policies and plans. These include SPLUMA, LUPA, By-Law, PSDF and the IDP. The OMSDF aims to provide sufficient guidance regarding what constitutes appropriate spatial development land uses and direction within the urban edge. The SDF was drafted after considering input from other state departments and the public. It provides a shared spatial vision that the development proposal should ideally attempt to synchronise with.

To ensure compliance with the principles and objectives set out by the PSDF and the National Development Plan, the OMSDF was synthesised through the influence of these policies and frameworks.

The proposal was aligned with the OMSDF to ensure that policy requirements are met. The OMSDF states in Section 5.8.3. p 207 'New Development' that "no new urban development areas / urban edge amendments are proposed for Hermanus Central with densification as the proposed tool to accommodate population growth". This is aligned with the proposal on the property. The increase in population mentioned above is based on the growth indicated by Table 2.7 p25 of the OMSDF. The proposal serves a dual purpose by promoting business uses within the Hermanus CBD, while also accommodating population growth with the proposed residential flats.

Furthermore, the proposal is in line with the OMSDF which states to “ensure that mixed-use densification of land uses is achieved when managing urban growth.” and to “ensure that development is confined within urban edges and growth is managed based on sustainable densification principles.”

The OMSDF continues that the CBD should be utilised for “Business uses, commercial, retail and offices should be concentrated within the central business district and within the existing areas. High density residential uses should be promoted within the CBD area with supporting community facilities where appropriate.”.

This is exactly what the proposal is attempting to do, to utilise an existing property by adding a mixed-use development in the area at a scale while also developing a property situated within the urban edge. The proposal addresses the housing and business premises need within Hermanus, while also utilising the available space without adding to urban sprawl.

Overstrand Municipal Growth Management Strategy, 2010

On the 27th of May 2020 the Municipal Council adopted the OMSDF, (Overstrand Spatial Development Framework, 2020) and in the same instance rescinded Overstrand Municipal Spatial Growth Management Strategy, 2010.

Although rescinded, the Overstrand Municipality’s Town Planning Department still use the document as a ‘guideline’. The OMGMS indicates that the area where the property is located is earmarked for high density development, refer to figure 4:

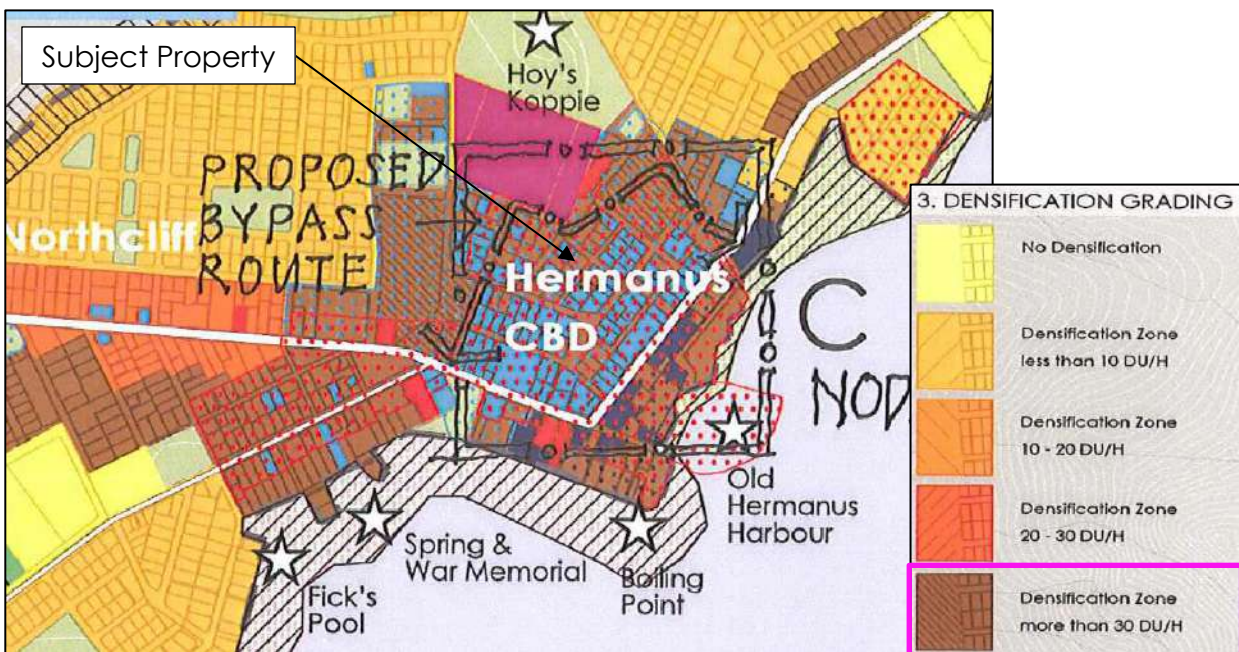


Figure 4: Extract of the OMGMS

The property falls within the densification zone of ‘more than 30Du/Ha’ which is not limited to a specific upper density. The proposal will have a density of approximately 141 du/ha, which is aligned with the area, for example the Esplanade, the Birkenhead and



the newly approved development on Marine Drive. The property is located within Planning Unit 13 of the OMGMS which indicates that residential densification should occur through the use of mixed-use development with residential developments on top of business buildings which is aligned with the proposal of the developers.

It should be noted that the OMGMS and the OMLUS are not aligned as the OMGMS only indicates that the CBD should be developed with 3 storey development while the OMLUS allows 4 storey developments.

11. PLANNING PRINCIPLES

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

Spatial justice

Spatial justice in the context of land use planning involves ensuring that proposals do not contribute to the perpetuation of apartheid-era spatial development imbalances. In this regard, the development is aligned with this principle as it aims to provide additional housing- and business options within the Hermanus area, without perpetuating any imbalances.

Moreover, the development is strategically positioned in close proximity to the existing urban centre, making it accessible to all members of the community, regardless of their socio-economic status. This ensures that the development does not contribute to the perpetuation of spatial inequalities by providing housing- and business options that are accessible and affordable to a broader range of residents, thereby promoting inclusivity and diversity in the area.

Overall, this development aligns with the principles of spatial justice by providing much-needed housing options, while also including business premises options, without perpetuating any historical imbalances in the Hermanus area.

Spatial sustainability and Efficiency

Spatial sustainability in land use planning aims to promote the creation of viable communities that can thrive in the long-term. In the context of this proposal, the development aims to increase the economic power of the Hermanus area by unlocking the full potential of the property. As outlined in *Section 9* of this report, the development will have both short- and long-term economic impacts on the surrounding area and the Overstrand Municipality which includes the creation of construction jobs and additional rates and taxes payable to the municipality.

Furthermore, the location of the development allows for exceptionally easy access to the central area of Hermanus, which is important for the sustainability of the community. By providing more housing options together with business options in a central location, it will also promote sustainable urban growth and reduce the need for urban sprawl and contribute to densification. This can lead to reduced congestion and the preservation of natural areas outside of the urban centre. Overall, this proposal aligns with the principles



of spatial sustainability and aims to promote the long-term viability of the community in Hermanus.

Spatial resilience

The development is aligned with the spatial planning policies and regulations of the Overstrand Municipality, which indicates its resilience. These policies and regulations are in line with the higher hierarchy of policies and legislation that guide the development of the area, as outlined in Section 10. Therefore, the development is compliant with all relevant policies and regulations.

Good administration

The Overstrand Municipality has a reputation for conducting effective public participation as part of its land use planning process. This process is an essential component of land use planning, as it allows people who may be affected by the development to provide feedback and raise any concerns or suggestions for improvement. This ensures that the development is in line with the needs and desires of the community.

All comments and feedback received during the public participation process will be carefully reviewed and considered by the relevant authorities. Any issues or concerns raised will be addressed, and suggestions for improvement will be considered where possible. This approach ensures that the final outcome benefits both the community and the developers.



12. EVALUATION

After careful analysis and assessment of the property, it has been determined that the proposed development is in line with the policies and legislation as confirmed throughout this report. The developers have enlisted the services of a professional team to determine the "highest and best use" of the property within the provisions of the relevant policies, legislation and development parameters of the proposed zoning.

To facilitate and coordinate the land use application process, the owners have approached WRAP Project Office for assistance as professional town- and regional planners. The proposed development is in line with the spatial frameworks, legislation and policies of the OM. As per the OMSDF, densification is required for the area, which is earmarked for high-density development, and the proposed development is in alignment with this requirement.

Furthermore, the proposed land use is not out of context with the surrounding area and is not seen as an undesirable development. The development aims to maintain the character of the area and barely impedes on views or sunlight.

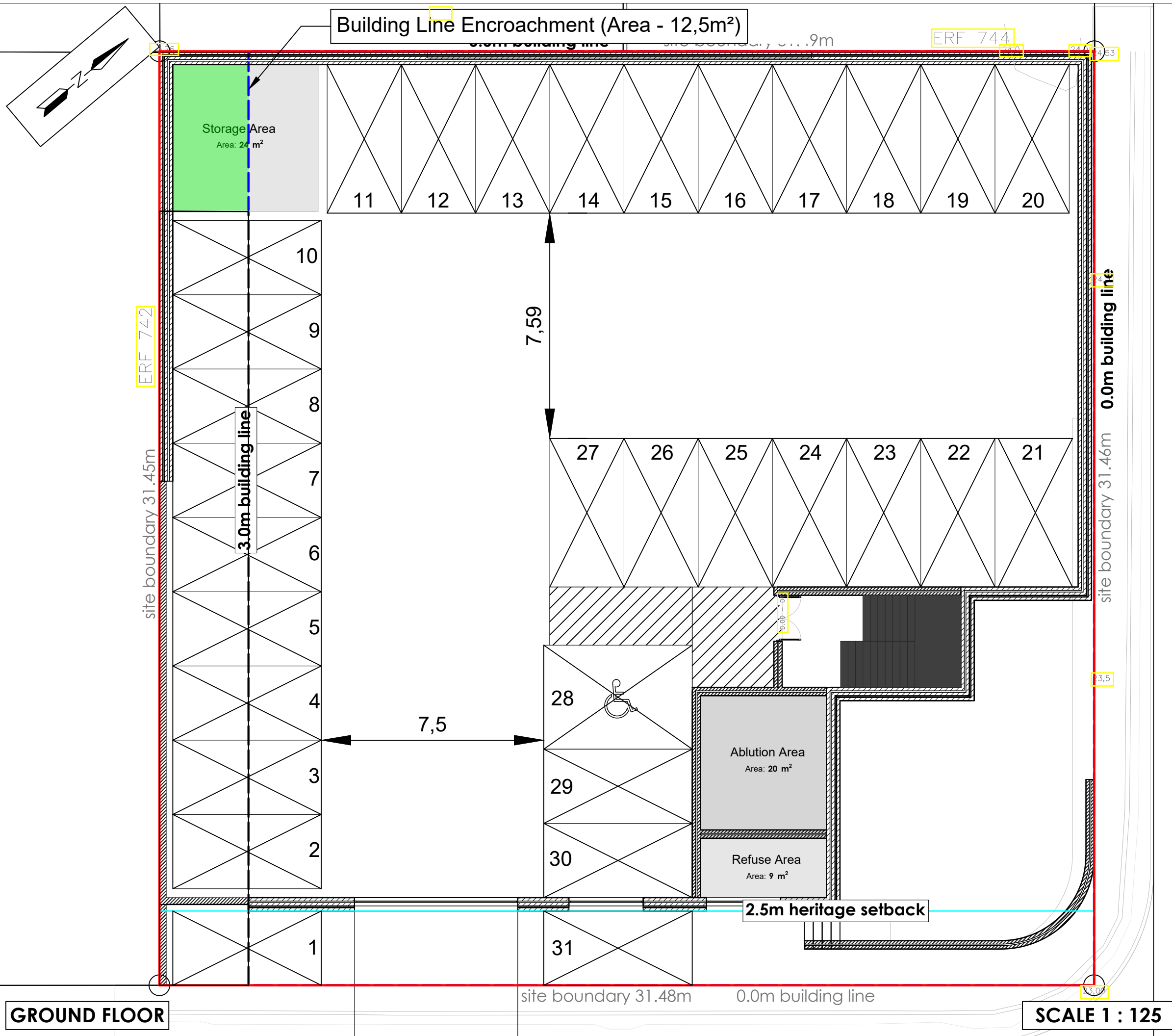
In conclusion, the proposed development is a viable option that aligns with the policies and legislation of the OM. The developers have taken the necessary steps to ensure that the development is planned and executed in a sustainable manner, and it is expected that the proposed development will contribute positively to the economic power of the Hermanus area while providing much-needed housing- and business options for the community within the Hermanus CBD.

13. RECOMMENDATION

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

13.1 Rezoning of Erf 745 from General Residential Zone 1: Town Housing to Business Zone 1: General Business Bulk Zone 1 in terms of Section 16(2)(a) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020; and

13.2 Permanent Departure of the south-western side building line from 3m to 0m to accommodate the storage area in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020;



GROUND FLOOR

SCALE 1 : 125

4.1 Parking Layout
Erf 745 - Hermanus

Parking Requirements

Residential

10 x 1 - Bedroom Units
1,5 Parking Bays x 10 =
15 Parking Bays Required

4 x 2 - Bedroom Units
2 Parking Bays x 4 =
8 Parking Bays Required

Commercial

186,68m² - GLA
4 Parking Bays required per
100m² = 7,45 (8) Parking Bays
Required

31 Parking Bays Required
31 Parking Bays Provided

Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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





FIRST FLOOR

Scale 1 : 200

4.2 Site Development Plan
Erf 745 - Hermanus

Erf 745 - Hermanus
Extent - 991m²

Parking Requirements

Residential

10 x 1 - Bedroom Units
1,5 Parking Bays x 10 =
15 Parking Bays Required

4 x 2 - Bedroom Units
2 Parking Bays x 4 =
8 Parking Bays Required

Commercial

186,68m² - GLA
4 Parking Bays required per
100m² = 7,45 (8) Parking Bays
Required

31 Parking Bays Required
31 Parking Bays Provided

Plan Number : 23/138 - V2 (08/22/2024)

Plan prepared by: Thian Jansen

Based on plans provided by
Finlayson Van Der Merwe Architects

All distances are approximate
and subject to a survey

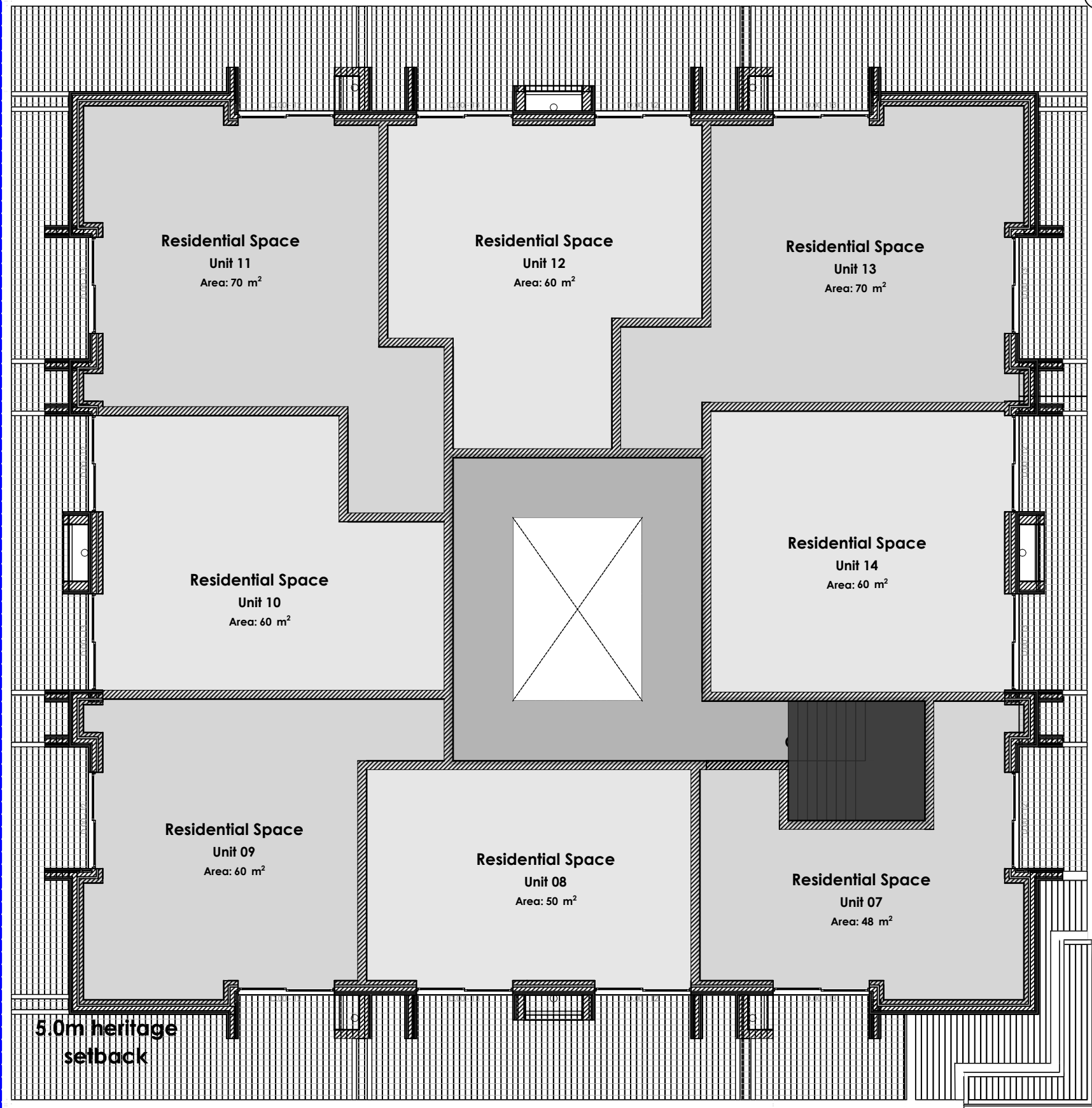
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



3.0m building line



SECOND FLOOR

HOPE STREET

Scale 1 : 125

4.3 Site Development Plan Erf 745 - Hermanus

Erf 745 - Hermanus
Extent - 991m²

Parking Requirements

Residential

10 x 1 - Bedroom Units
1,5 Parking Bays x 10 =
15 Parking Bays Required

4 x 2 - Bedroom Units
2 Parking Bays x 4 =
8 Parking Bays Required

Commercial

186,68m² - GLA
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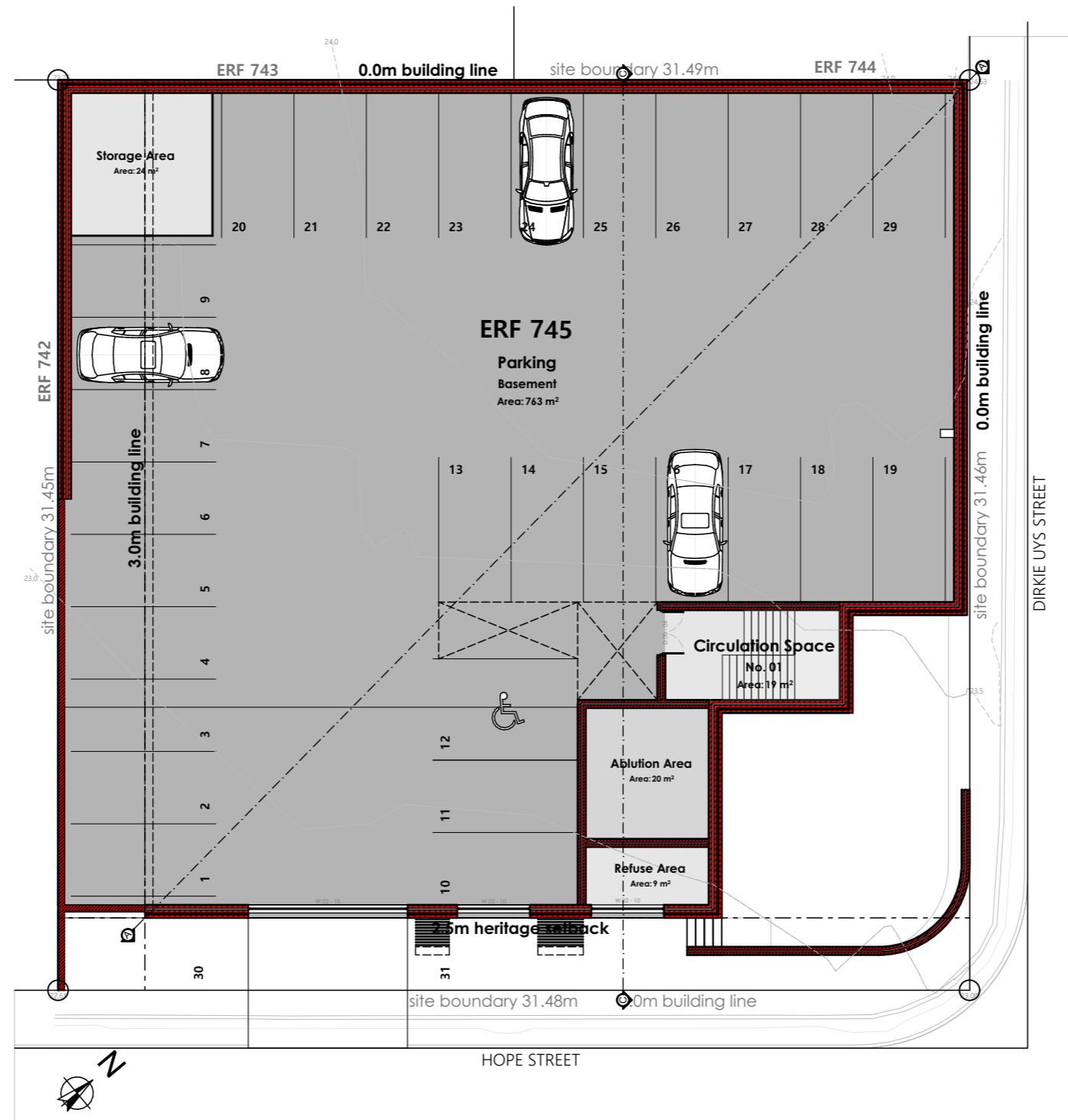
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Street Hermanus, 7200





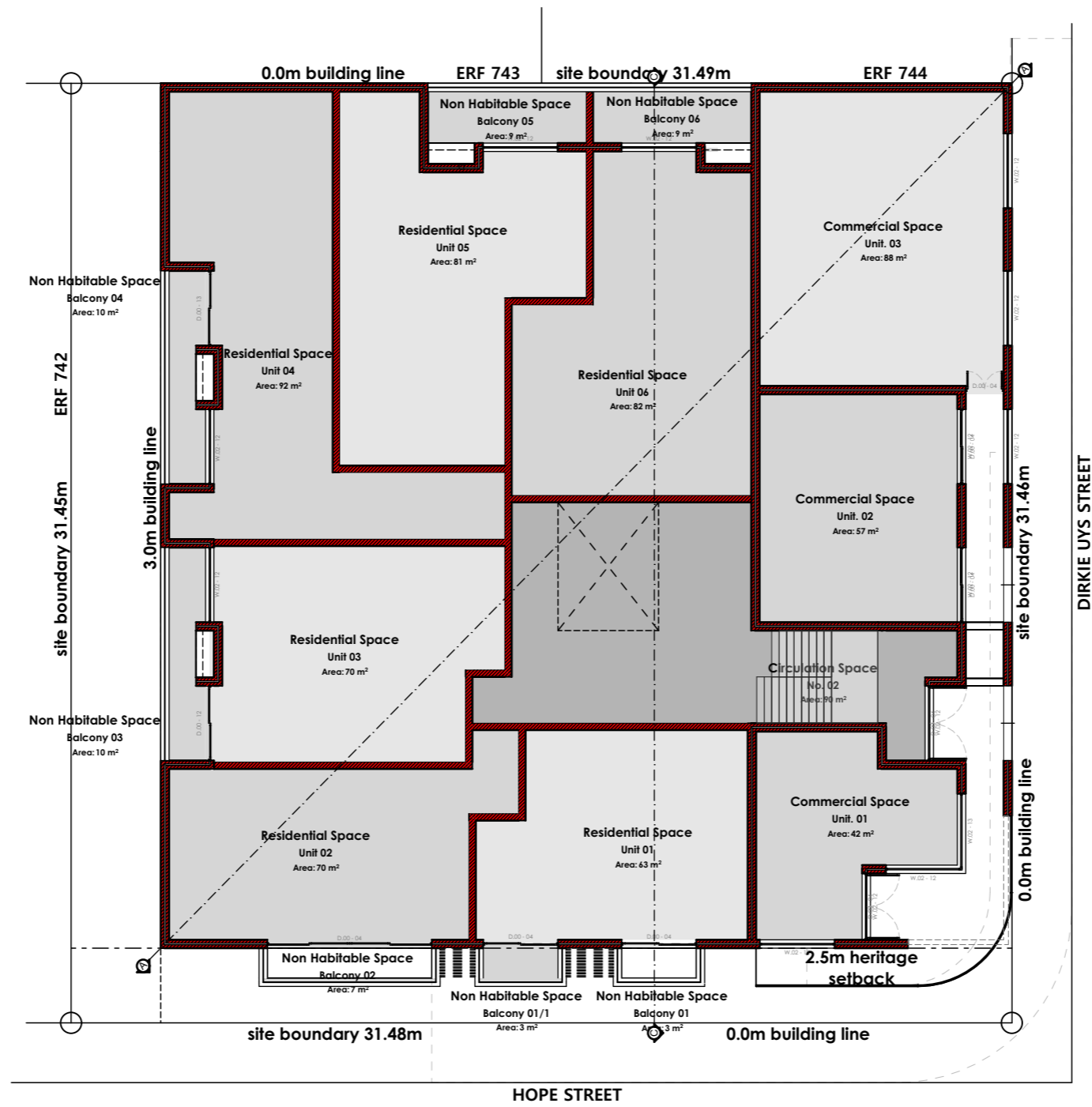
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ERF 745 HOPE |

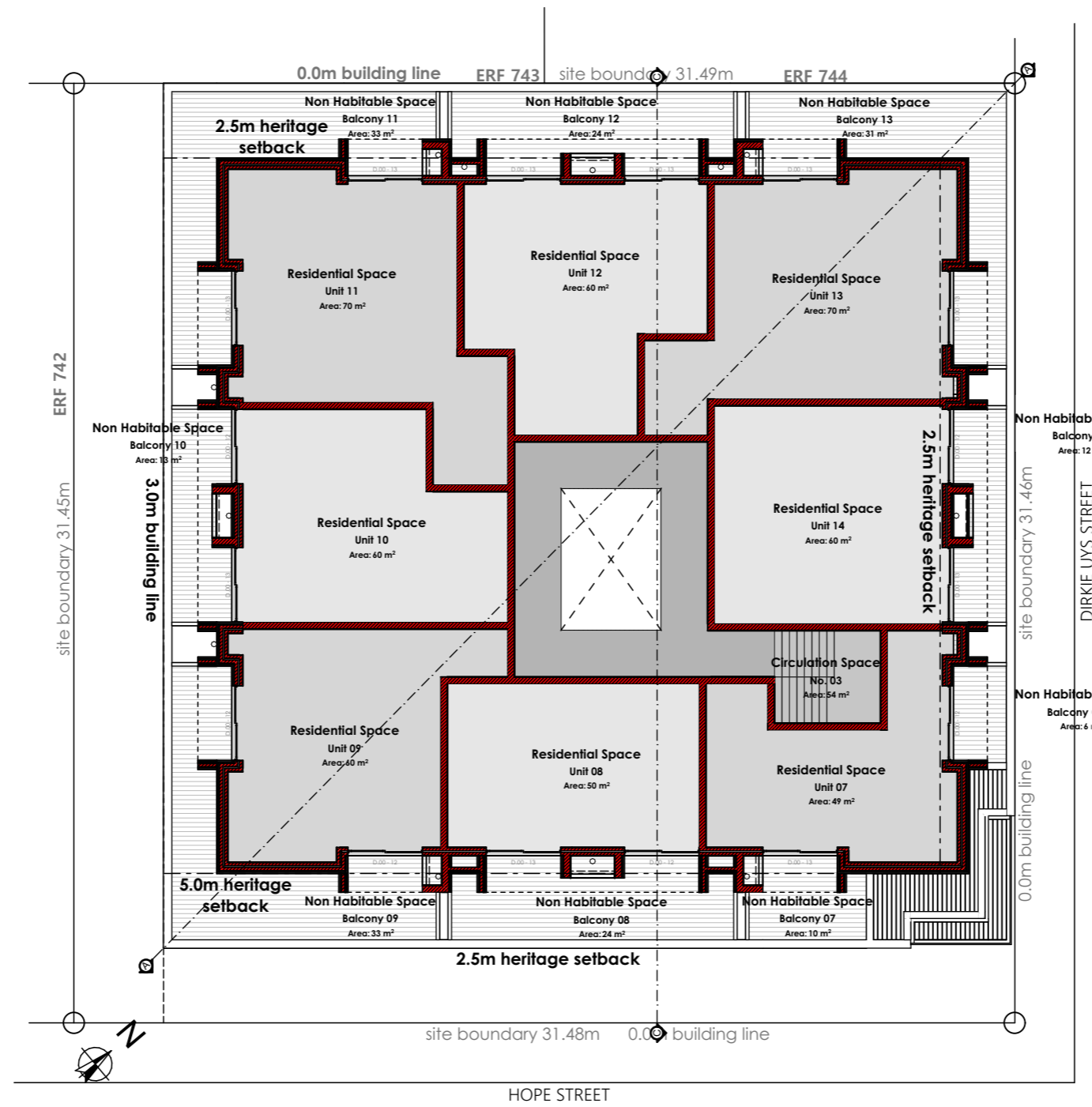
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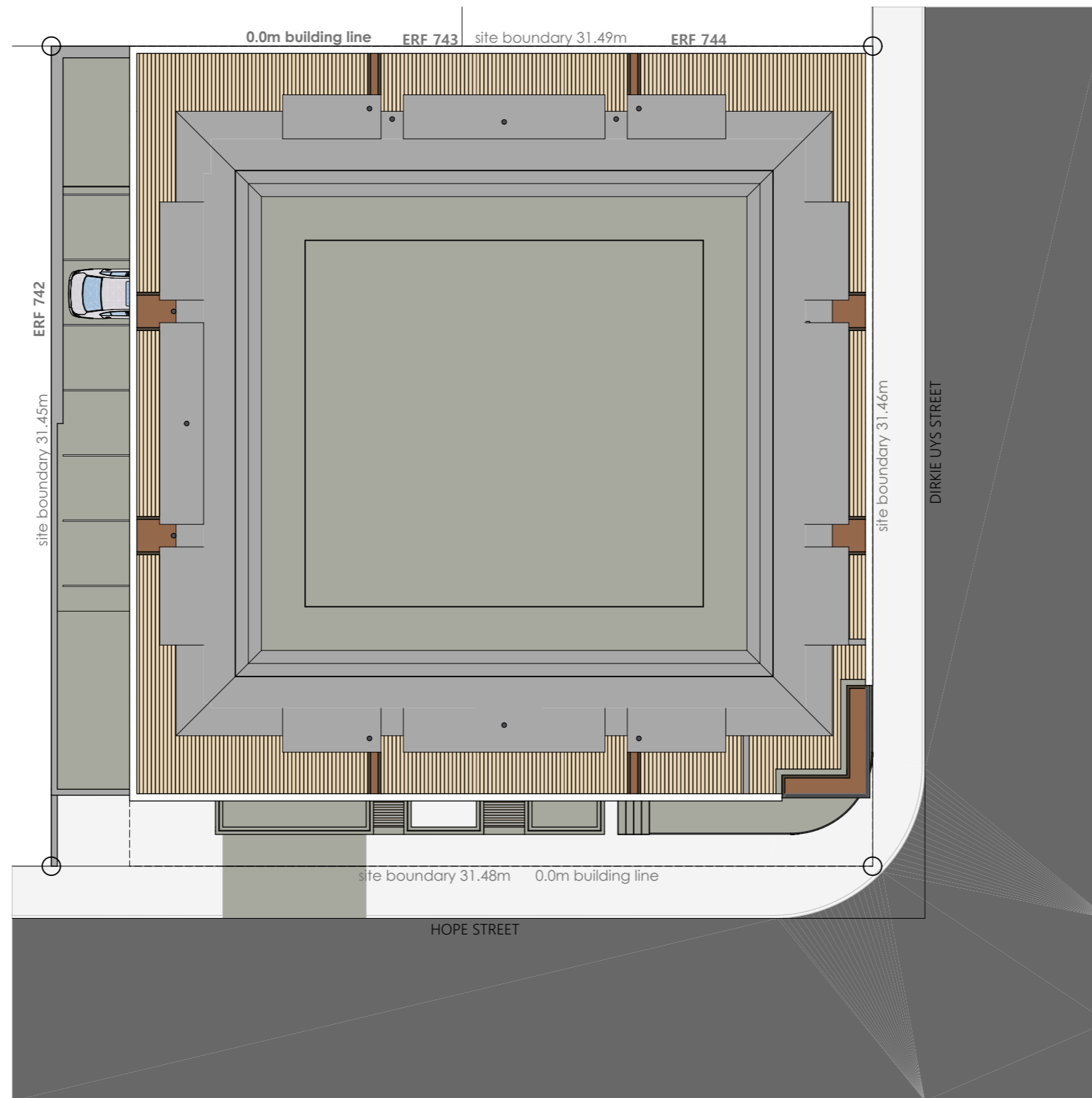
Ground Floor

Scale 1:200



First Floor

Scale 1:200



ROOF PLAN

Scale 1:200

ERF 745 HOPE |

DESIGN PROPOSAL Revision: B

3623.305 |

. ROOF PLAN



North Elevations

Scale 1:100



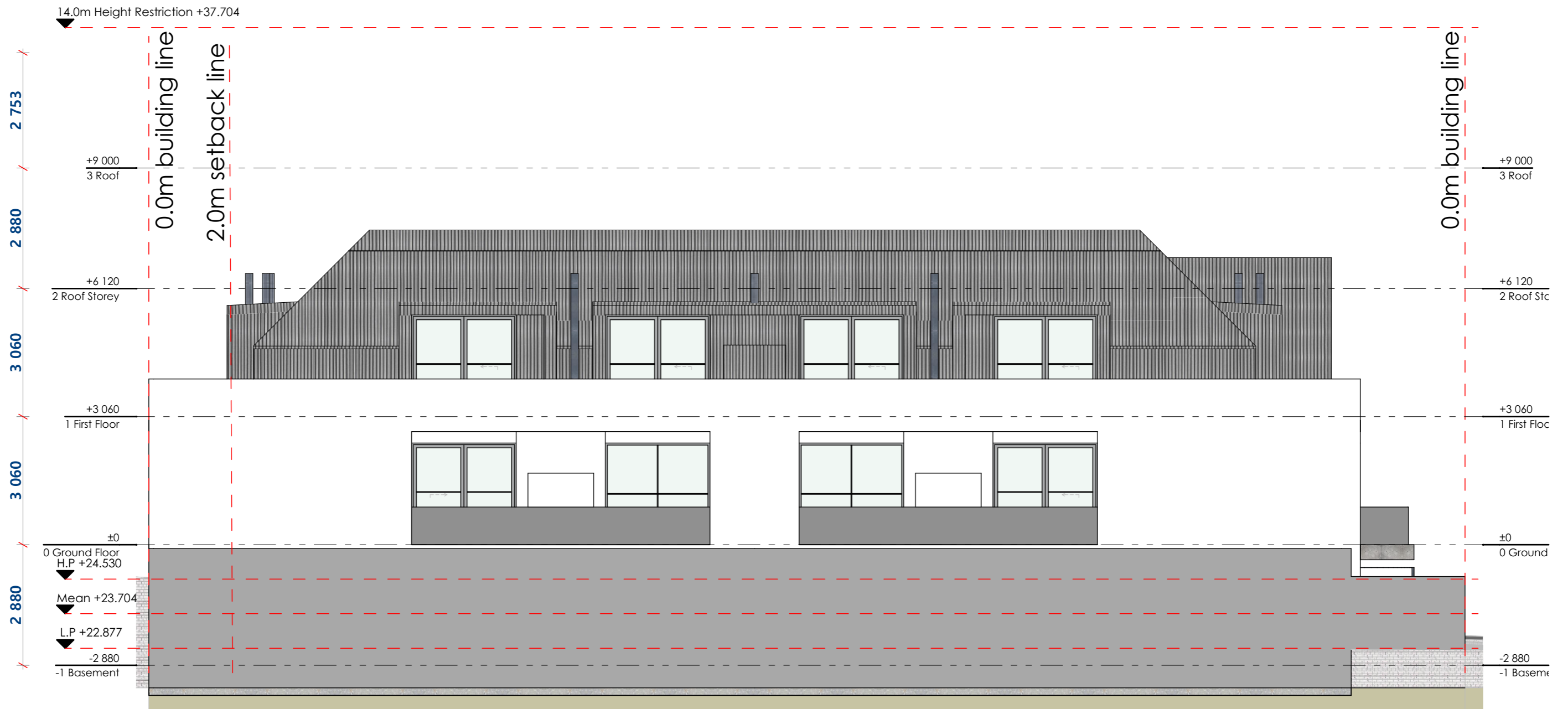
East Elevations

Scale 1:100



South Elevations

Scale 1:100



West Elevations

Scale 1:100