

**ERF 62, 18 CALEDON STREET, STANFORD, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF CLOUDSONG CC**

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amended By-Law on Municipal Land Use Planning, 2020 (By-law) that an application has been received for a departure in terms of Section 16(2)(b) to relax the lateral building line from 2m to 0m to accommodate a utility room, bedroom and bathroom.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus and at the Stanford Library, Queen Victoria Street, Stanford.

Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) ([alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) on or before **23 April 2021**, quoting your name, address and contact details, interest in the application and reasons for comment. Telephonic enquiries can be made to **Mr P Roux** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

**ERF 62, CALEDONSTRAAT 18, STANFORD, OVERSTRAND MUNISIPALE AREA: AANSOEK OM AFWYKING : MNRE WRAP PROJECT OFFICE NAMENS CLOUDSONG CC**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek om afwyking ingevolge Artikel 16(2)(b) ontvang is om die laterale boulyn te verslap vanaf 2m na 0m om die werkskamer, slaapkamer en badkamer te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en by die Stanford Biblioteek, Queen Victoria Straat, Stanford.

Enige skriftelike kommentaar moet ingevolge die bepalinge van Artikels 51 en 52 van die Verordening ingedien word en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) ([alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) bereik voor of op **23 April 2021**, met u naam, adres en kontakbesonderhede, belang in die aansoek, sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan **Mnr P Roux** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

**ISIZA 62, 18 CALEDON STREET, E-STANFORD, UMMANDLA WOMASIPALA WASE-OVERSTRAND: ISICELO SOKUPHAMBUKA: ABAKWA WRAP PROJECT OFFICE EGAMENI LIKA CLOUDSONG CC**


Esi saziso sikhutshwa ngokwemiqathango yeSoloty 48 loMthethwana kaMasipala waseOverstrand oGuqulweyo woYilo lokuSetyenziswa koMhlaba wowama-2020 (loMthethwana) ngokwesicelo esifunyenweyo ngokwemiqathango yeSoloty16(2)(b) sokuphambuka kumgca wokwakha osecaleni ukusuka kwi-2m ukuya kwi-0m ukulungiselela igumbi losetyenziso, igumbi lokulala kunye negumbi langasese.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: Town Planning, Paterson Street, Hermanus, kunye neThala lencwadi e-Stanford, kwisitalato sase Queen Victoria, e-Stanford.

Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthethwana zithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) ngomhla okanye ngaphambi komhla wama-**23 uApreli (UTshazimpunzi) 2021**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungafonela Umyili weDolophu, **Mnu P Roux** ku-028-313 8900. Umasipala angala ukuzamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhale izimvo zakhe.

# Plan 1: Locality Plan

## Erf 62 Stanford

 Erf 62 Stanford (1321m<sup>2</sup>)

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Plan 1.1

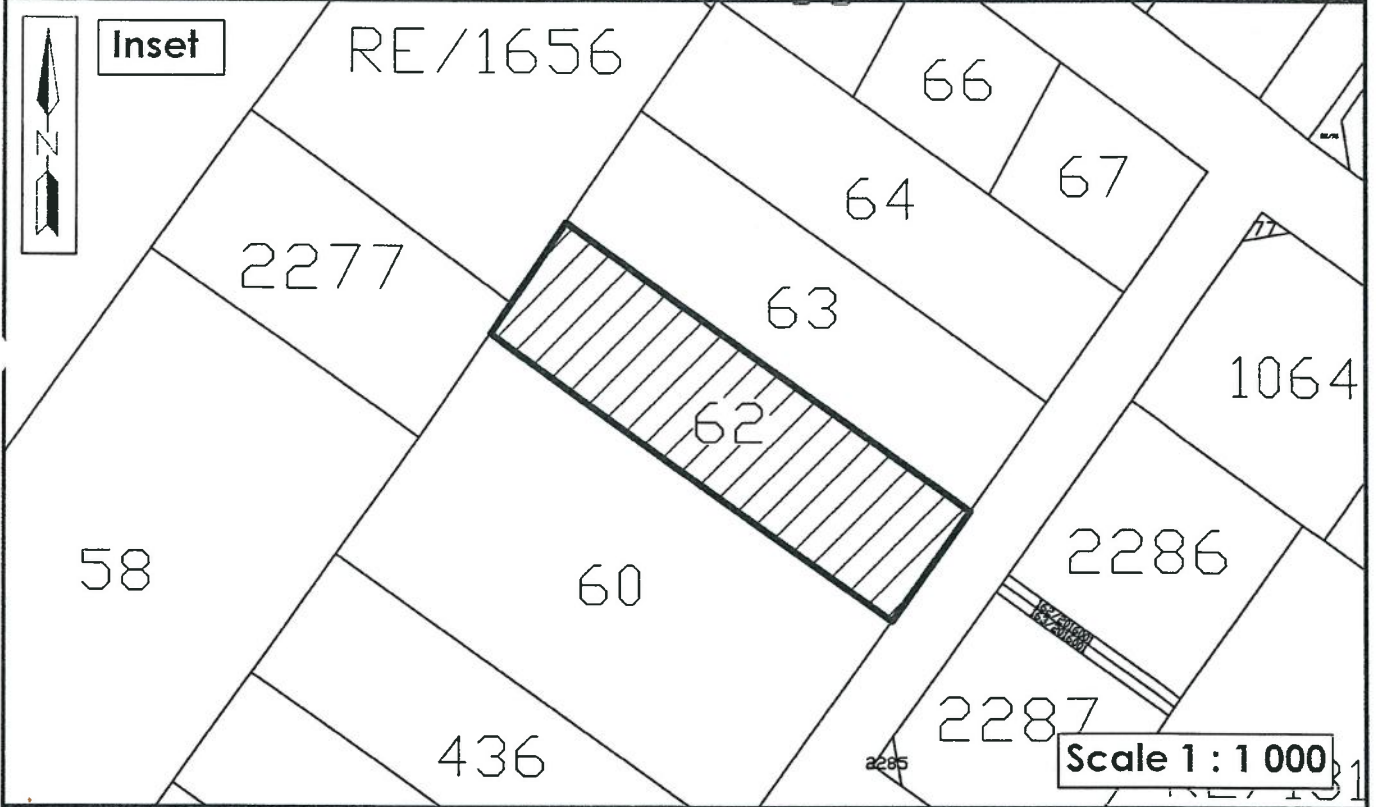
Unit B, Corner of Royal and Dirkie Uys  
Street Hermanus, 7200

Plan prepared by: Reallehile Jankie

All distances are approximate  
and subject to a survey



**Project Office**  
Town Planning & Project Management





**1. ABBREVIATIONS**

1.1	<b>OMLUS</b>	Overstrand Municipality Land Use Scheme, 2020
1.2	<b>SDF</b>	Overstrand Municipality Spatial Development Framework, 2020
1.3	<b>OMGMS</b>	Overstrand Municipal Growth Management Strategy, 2010
1.4	<b>OM</b>	Overstrand Municipality
1.5	<b>OM By-Law</b>	Overstrand Municipality By-Law on Municipal Land Use Planning, 2015, as amended
1.6	<b>LUPA</b>	Land Use Planning Act, 2014
1.7	<b>SDP</b>	Site Development Plan
1.8	<b>SR1</b>	Residential Zone 1: Single Residential

**2. SUMMARY OF STATUS QUO PROPERTY DETAILS**

2.1	<b>Property description</b>	Erf 62 Stanford
2.2	<b>Registered owner</b>	Cloudsong CC
2.3	<b>Consultant</b>	WRAP Project Office
2.4	<b>Restrictive title deed conditions</b>	None
2.5	<b>Property extent</b>	1321m <sup>2</sup>
2.6	<b>Current zoning</b>	SR1

**3. INTRODUCTION**

- 3.1 The authorised official of the OM, on 28 February 2017, approved the following: (refer **Annexure C**):
  - 3.1.1 **Departure** from the 2m side building line to 0m to accommodate additions to the existing garage;
- 3.2 The approved building plans illustrate a servant's bedroom with a bathroom and garage which is approved over the building lines (refer **Annexure D**); and
- 3.3 The property owner (hereafter referred to as the applicant) envisages changing some of the land uses that are located over the building lines and to do minor expansions to the existing building.

**4. BRIEF (TERMS OF REFERENCE)**

- 4.1 The applicant envisages enlarging the existing approved bedroom located over the building lines and moving the shower, washing basin and toilet towards the south-east in an area historically approved as a garage (refer **Plan 3**);
- 4.2 There is a minor extension proposed to the building over the building line to accommodate the proposed utility room;
- 4.3 Although a portion of the historically approved garage entails a change in land use that enlarges the habitable space along the side buildings line, the historic approval of a servant's bedroom used as a habitable space along the building line makes this application conform to the nature of historically approved land uses on the subject property; and
- 4.4 The SDP (refer **Plan 3**) depicts a second dwelling unit which conforms to the primary rights applicable in the SR1 zoning.





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## 5. PROCEDURE TO ACHIEVE THE OWNER'S INTENT

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The following technical procedures are proposed for the applicant to obtain the necessary land use rights to conduct the activities which are listed in Section 4 of this report.

### 5.1 Departure from the 2m side building line to 0m to accommodate the proposed utility room, bedroom and bathroom in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended.

**5.1.1** The applicant envisages increasing the size of the existing bedroom that is located over the building lines, moving the location of the existing bathroom and extending the size of the building to accommodate the proposed utility room. The footprint of the portion of the existing building located over the building line is 19m<sup>2</sup>. This 19m<sup>2</sup> comprises of the following footprints/land uses:

**5.1.1.1** Bedroom: 10,8m<sup>2</sup>;

**5.1.1.2** Bathroom: 4,5m<sup>2</sup>; and

**5.1.1.3** Utility 3,7m<sup>2</sup>.

**5.1.2** The above-mentioned land uses will occur within an approved building.

**5.1.3** The proposed utility room which entails an expansion of the building footprint by 2,9m<sup>2</sup> constitutes a 15% increase of the area within the building lines. The expansion of the building footprint when assessed in conjunction with the context is therefore insignificant;

**5.1.4** The major part of the bedroom has historically been used as a servant's quarter (8,6 m<sup>2</sup> of the proposed 10,8 m<sup>2</sup>) and the minor expansion sought for the room to be used as a bedroom will not unlock a new land use which neighbours are not accustomed to;

**5.1.5** The proposed location of the new bathroom along the building line will be used occasionally and does not constitute a nuisance activity considering that the land use has historically been approved; and

**5.1.6** The utility room will function as a scullery for the family which resides on the subject property.

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## 6. APPLICATION

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Considering the land use rights which are sought by the applicant, the following is applied for:

**6.1 Departure** from the 2m side building line to 0m to accommodate the proposed utility room, bedroom and bathroom in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended.

7. FIGURE GROUND

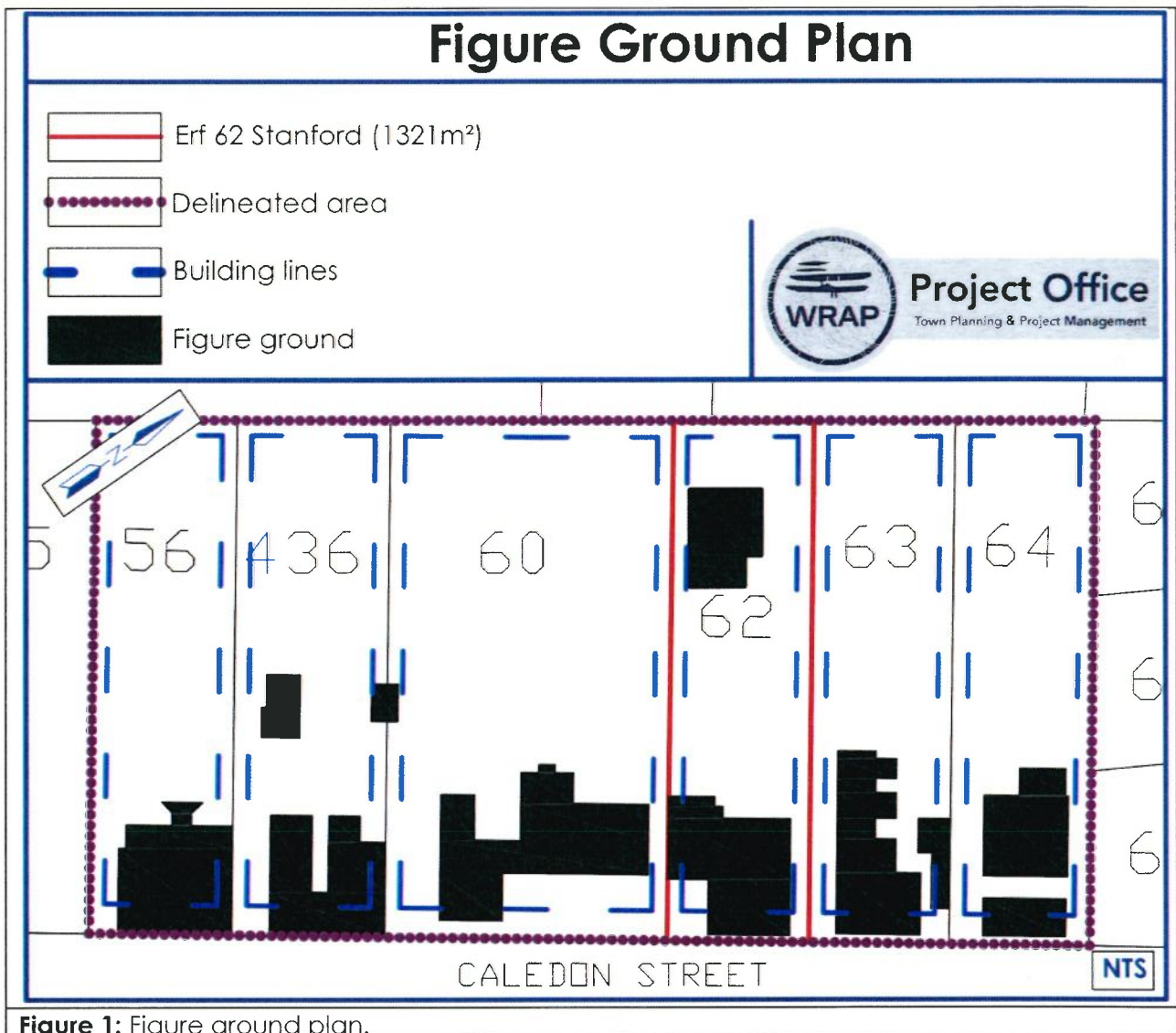


Figure 1: Figure ground plan.

- 7.1 Figure 1 illustrates that all the dwellings within the cadastral boundaries along Caledon Street within the delineated area are either located along the street/side cadastral boundary or in proximity thereto. Figure 1 therefore illustrates the built form which is valued by the Stanford residents along Caledon Street; and
- 7.2 This proposal for a building line departure that constitutes minor land use changes and building expansion conforms to the built form and prevalence of buildings which are located up to 0m along the street and side boundary lines of respective properties. The approval and implementation of this proposal will therefore retain the valued built form along Caledon Street.



**8. TITLE DEED**

Title deed T21291/2018 (refer **Annexure B**) was perused and there are no restrictive title deed conditions which prohibit the land use rights which are sought in this application. No application for the removal of restrictive title deed conditions is therefore required.

**9. ZONING**

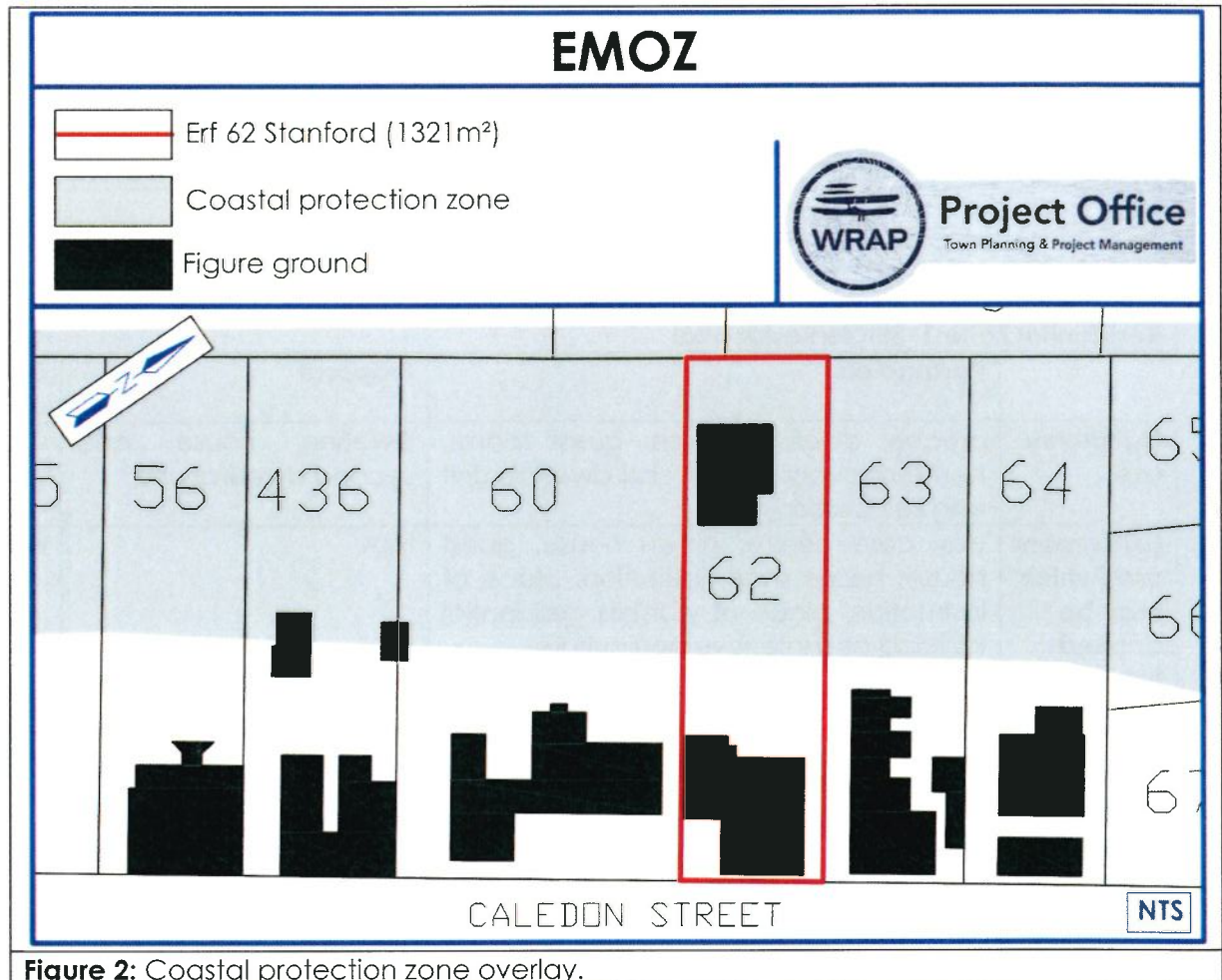
This proposal was assessed in conjunction with the SR1 zoning as this is a relevant consideration in terms of Section 66 (1) (q) of the OM By-Law.

<b>Residential Zone 1: Single Residential</b>			
	<b>Parameters</b>	<b>Proposal</b>	<b>Deviate or comply</b>
<b>(a)Primary use</b>	crèche, dwelling house, guest rooms, home occupation, second dwelling unit and self-catering.	Dwelling house and second dwelling unit.	Comply
<b>(b)Consent use (which may be applied for)</b>	day care centre, green house, guest house, house shop, institution, place of instruction, place of worship, residential building and intensive horticulture.	N/A	N/A
<b>Development rules</b>			
<b>Coverage</b>	50%	23,8%	Comply
<b>Building lines</b>	Street building line 4m; and	2,2m from the street building line and approved.	Comply
	Side building line 2m.	0m from the side building line and motivated.	Applied for and motivated
<b>Height</b>	The maximum height of a building measured from the base level to the top of the structure is 8,0 m.	5,62m	Comply
<b>Parking</b>	Parking and access shall be provided on the land unit in accordance with Chapter 17.1.	3 parking bays required and 3 provided.	Comply
	<b>Dwelling house</b> 2 parking bays		
	<b>Second dwelling unit</b> 1 parking bay		

**10. EMOZ AND HPOZ**

The applicability of the EMOZ and the HPOZ to the submitted proposal will herewith be assessed.

10.1 EMOZ



**Figure 2:** Coastal protection zone overlay.

**10.1.1** Figure 2 illustrates the portion of the subject property designated in the coastal protection overlay zone. The second dwelling unit located toward the rear of the subject property was approved prior to the promulgation of the EMOZ and will not be assessed in this application.

**10.1.2** According to the coastal protection overlay zone designation, excavations, destruction and removal of substrate (soil, substrate rock, shellgrit, dune sediment, mineral deposits) may only be done with the consent of the Municipality. The proposed building line departure is primarily in the existing building as discussed in section 5 of this report. The minor expansion of the utility room sought is not located within the coastal protection overlay zone illustrated in figure 2 and nullifies the need to apply for a departure from the EMOZ.

10.2 HPOZ

**10.2.1** The subject property is designated as a local area in the heritage protection overlay zone. The purpose of the HPOZ is to enhance the character of the historical Stanford built environment and this applies to alterations of existing structures. This proposal primarily entails a change in land use of the existing structures and the proposed utility room which constitutes an expansion of the existing building is minimal.





## MOTIVATION

- 10.2.2** The overlay zone promotes the protection of the historic streetscape and street block character. This proposal primarily entails a change of land use in the existing building and a minor expansion due to the proposed utility room. This proposal is however in conformity with the historical streetscape and street block character of Caledon Street as prescribed by the regulation;
- 10.2.3** The regulation highlights that no new building should be higher than 6,8m. The height of the building which encroaches the 2m side building line is lower than the 5,62m as prescribed; and
- 10.2.4** Stanford Heritage Committee comments will be obtained by appointed Heritage Consultant.

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## 11. SERVICES

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

### 11.1 Solid waste

Solid waste is collected on the premises by the OM on a weekly basis and the approval and implementation of this proposal will not alter that.

### 11.2 Electricity

The existing building is connected to the existing electricity network in Stanford and the approval and implementation of this proposal will not alter that.

### 11.3 Water

The existing building is connected to the reliable potable water network available in Stanford which is supplied by the OM and the approval and implementation of this proposal will not alter that.

### 11.4 Sewage

The existing building is connected to the reliable sewage network which is operated by the OM and the approval and implementation of this proposal will not alter that.

### 11.5 Access and egress

Access and egress to the subject property can be gained via Caledon Street and the approval and implementation of this proposal will not alter that.

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## 12. PLANNING PRINCIPLES

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

### 12.1 Spatial Justice

Spatial justice in the context of spatial and land use planning refers to development proposals which redress the past apartheid spatial development imbalances. The approval and implementation of this proposal will entail the creation of employment opportunities during the renovation process that will predominantly benefit the historically marginalised which is a hallmark of spatial justice. Although the employment opportunities that will be created on the subject property are not projected to be numerically high or permanent,



every employment opportunity created even if it is temporary is a feat amid the current economic turbulence.

### 12.2 Spatial Sustainability

Spatial sustainability refers to development proposals which enable the creation of viable communities. The land use rights of a bedroom, bathroom and utility room sought to be located over the building line are consistent with the residential character of Stanford which is a viable community that is valued by residents. This proposal is therefore consistent with this viable character of Stanford and is a hallmark of spatial sustainability.

### 12.3 Efficiency

Efficiency in the context of land use planning refers to the need to enable urban areas to optimally make use of space, land and resources. The subject property is constrained due to a portion of the property being designated as a coastal protection overlay zone which limits the developable area of the property. The change in land use and building line departures which are sought are located in areas which are outside of the coastal protection overlay zone and entail the optimisation of the developable area on the subject property.

### 12.4 Spatial Resilience

Spatial resilience in the context of land use planning refers to spatial plans, policies and land use management systems that should enable settlements to reach the maximum potential in terms of access to opportunities. The subject property is designated for residential purposes in the SDF and OMGMS. The only development opportunities on the subject property as prescribed by the SDF and OMGMS are those exclusively related to residential land uses. The proposed bedroom, bathroom and utility room conform to the policy designation of the subject property which is a hallmark of spatial resilience.

### 12.5 Good administration

The OM is the organ of state which is responsible for good administration by means of public participation and complying with the prescribed time frames in the By Law and the OM has a credible history of upholding the principles of good administration.

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## 13. NEED AND DESIRABILITY

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The need and desirability for the approval and implementation of this proposal will be illustrated in accordance with Section 66 (1) (c) of the OM By-Law and DEADP Provincial Support Document on Relevant Considerations:

### 13.1 Need and desirability

Desirability, amongst others, refers to two components where need refers to "time" and desirability refers to "place". In other words, is it the right time and is it the right place for locating the proposed type of land use/activity? There is a need for the applicant to use the proposed bedroom for the accommodation of a family member due to increased family space requirements. The bedroom, bathroom and utility room located along the building line are proposed at the right place as there is a historic approval for the area over the building line to be used for habitable purposes.



**13.2 Impact on views, sunlight and character of the area**

The proposed change in the land use configuration within the building lines and a minor expansion of the existing building will not be visually imposing on the character of the area. No significant impact on views and sunlight is projected to accrue.

**13.3 Economic impact**

This proposal entails minor building alterations and expansions on the subject property which will result in the generation of employment. Although the employment will be minimal and temporary, every employment opportunity created amid the current turbulent economic climate is a feat.

**13.4 Impact on safety and wellbeing**

The approval and implementation of the proposed building line departure are not projected to unlock land uses and activities which are likely to negatively impact on the safety and well being of surrounding property owners.

**13.5 Environmental Considerations**

The area of the subject property where a building line departure is sought is not located on environmentally sensitive land.

**13.6 Heritage considerations**

The subject property is listed in the heritage register as a 3C Local Heritage Site. Stanford Heritage Committee comments will be obtained by appointed Heritage Consultant.



## RECOMMENDATION

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### 14. EVALUATION

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The rationale for the approval and implementation of this proposal can be summarised as follows:

- 14.1** The building line departures sought are intended to accommodate the increased space requirements of the family residing on the subject property; and
- 14.2** A portion of the application area on the subject property has historically been approved as a habitable room (servants quarters) which makes this proposal in conformity with historic approvals.

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### 15. RECOMMENDATION

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It is recommended that the following is approved:

- 15.1 Departure** from the 2m side building line to 0m to accommodate the proposed utility room, bedroom and bathroom in terms of Section 16(2)(b) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2015 as amended.

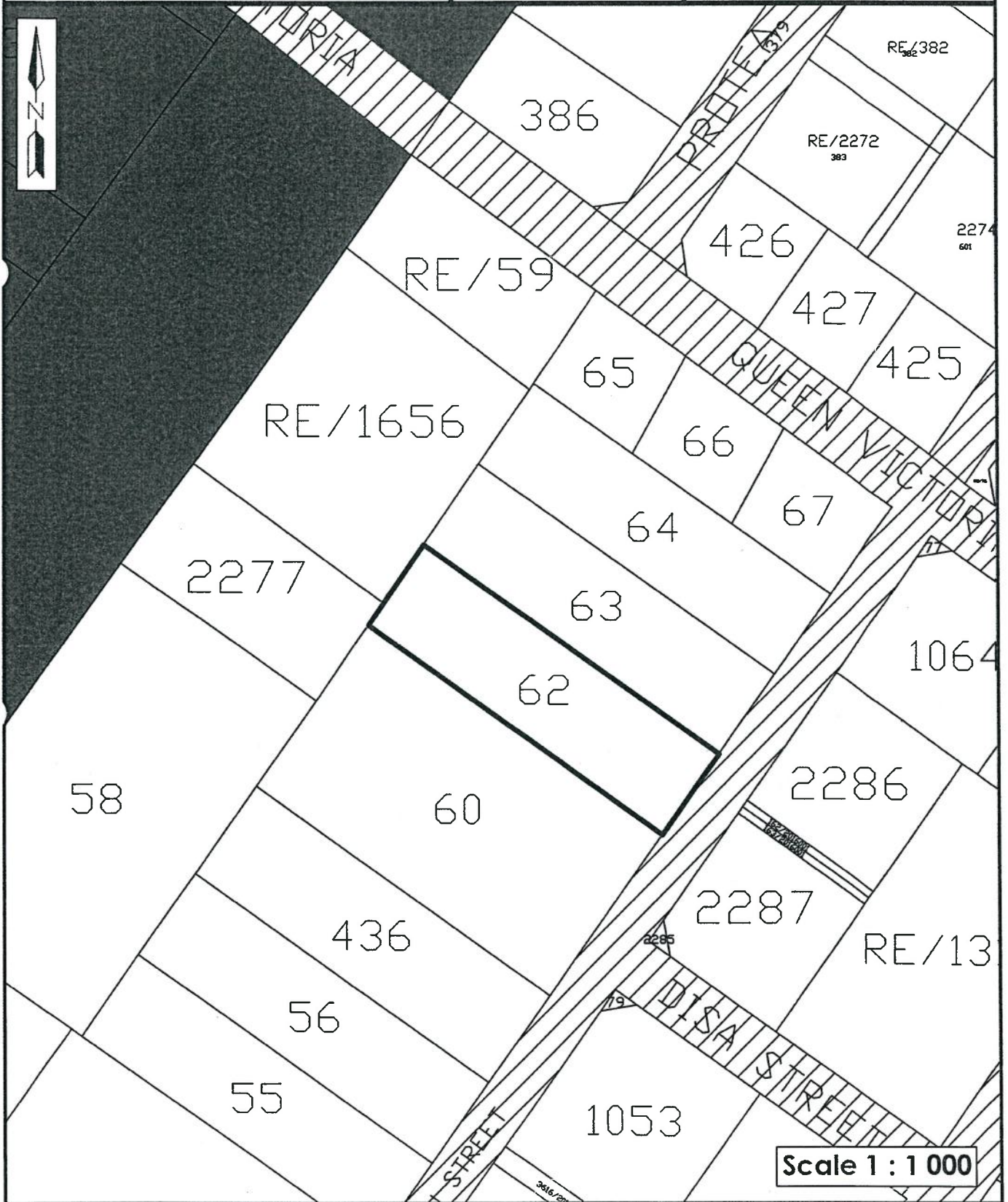
# Plan 2: Zoning Plan Erf 62 Stanford

-  Erf 62 Stanford (1321m²)
-  Residential Zone 1: Single Residential
-  Open Space Zone 2: Public Open Space
-  Transport Zone 2: Road and Parking

Tel: 028 313 1411  
 Email: admin@wrapgroup.co.za  
 Plan 2.1  
 Unit B, Corner of Royal and Dirkie Uys  
 Street Hermanus, 7200  
 Plan prepared by: Reallehile Jankie  
 All distances are approximate  
 and subject to a survey



**Project Office**  
 Town Planning & Project Management



# Plan 3: Inset of Site Development Plan

## Erf 62 Stanford

Based on drawings by Jan

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Plan 3.1

Unit B, Corner of Royal and Dirkie Uys

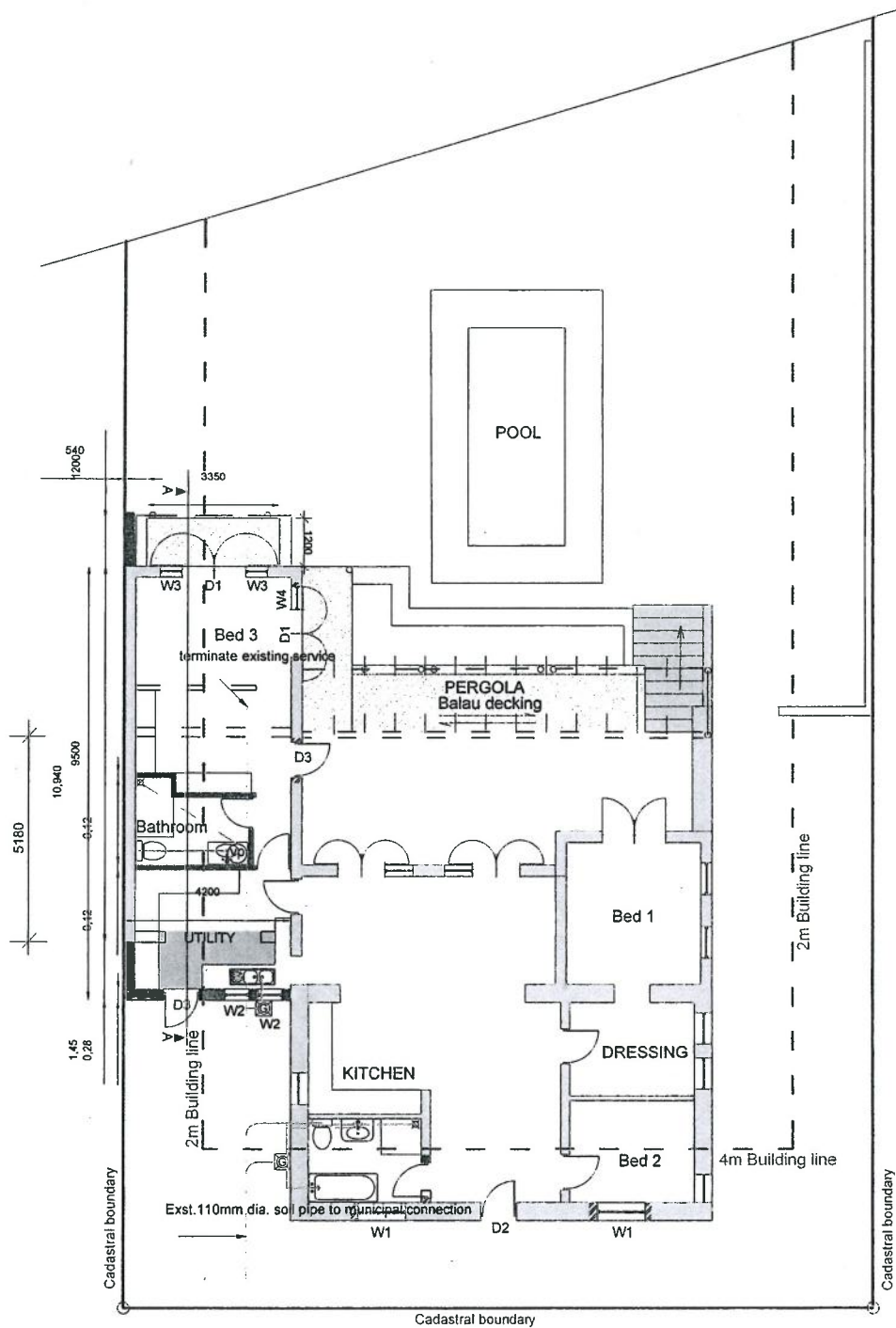
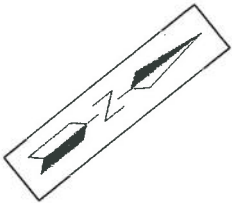
Street Hermanus, 7200

Plan prepared by: Reatlehile Jankie

All distances are approximate  
and subject to a survey



**Project Office**  
Town Planning & Project Management



Scale 1 : 125

# Plan 4: Site Development Plan

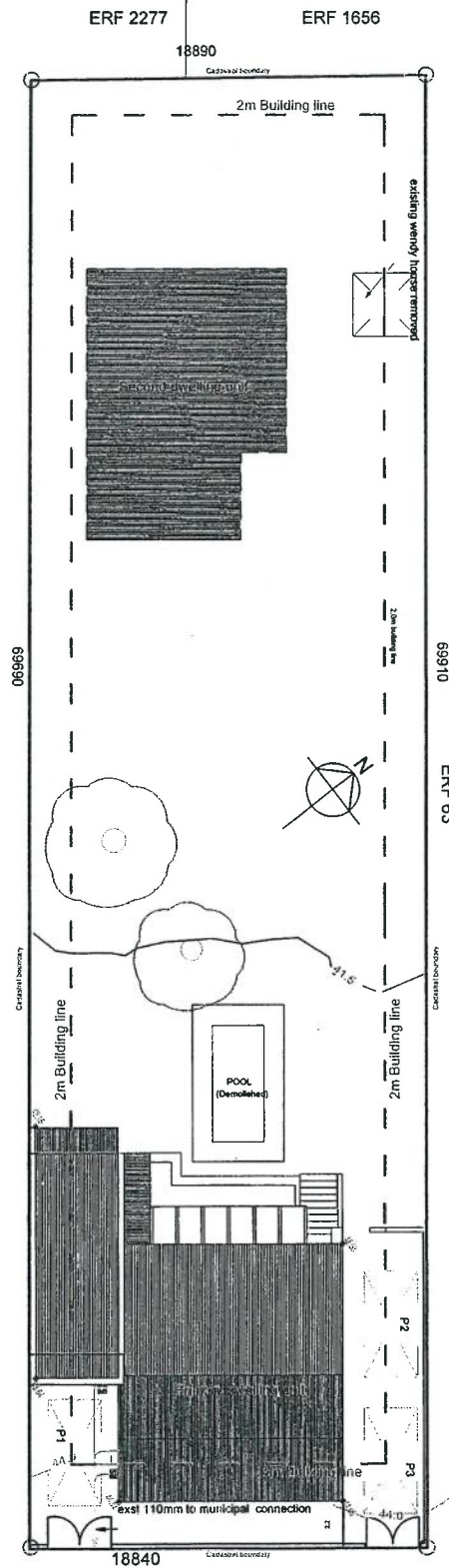
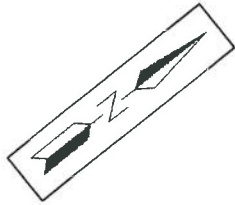
## Erf 62 Stanford

50% permissible coverage and 23.8% proposed

Based on drawings by Jan  
 Tel: 028 313 1411  
 Email: admin@wrapgroup.co.za  
 Plan 4.1  
 Unit B, Corner of Royal and Dirkie Uys  
 Street Hermanus, 7200  
 Plan prepared by: Reallehile Jankie  
 All distances are approximate  
 and subject to a survey



**Project Office**  
 Town Planning & Project Management



Scale 1 : 250

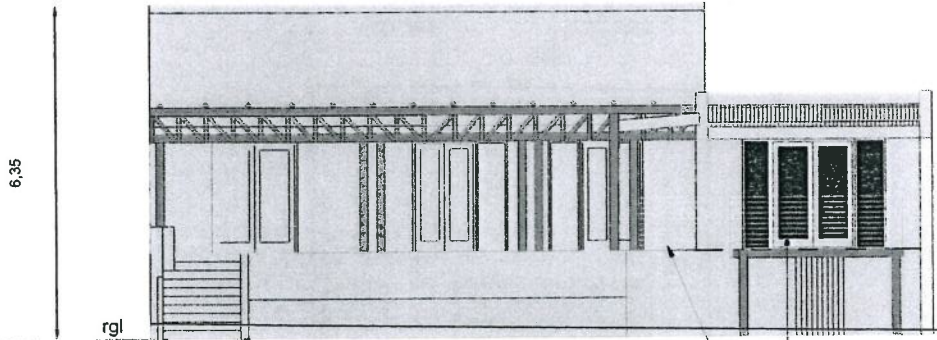
# Plan 5: Elevations Plan

## Erf 62 Stanford

Based on drawings by Jan  
 Tel: 028 313 1411  
 Email: admin@wrapgroup.co.za  
 Plan 5.1  
 Unit B, Corner of Royal and Dirkie Uys  
 Street Hermanus, 7200  
 Plan prepared by: Reatlehle Jankie  
 All distances are approximate  
 and subject to a survey

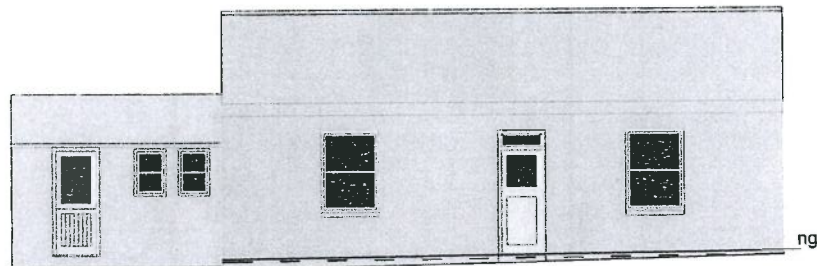


**Project Office**  
 Town Planning & Project Management



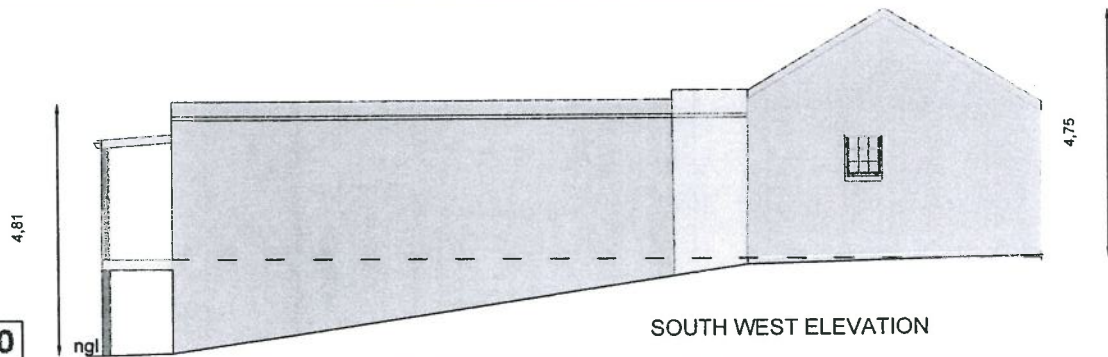
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NORTH WEST ELEVATION



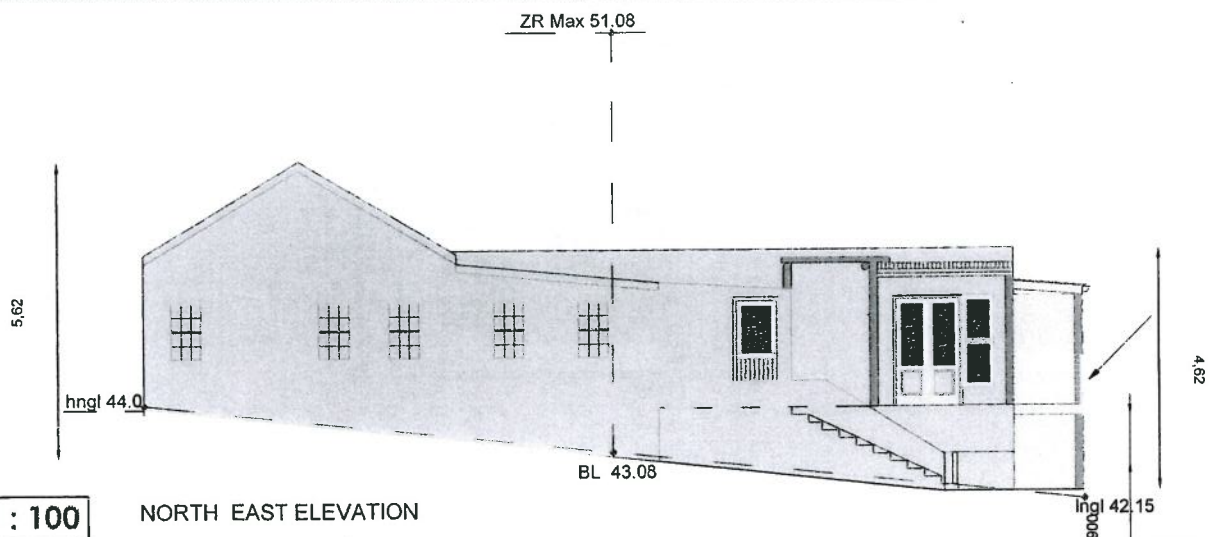
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SOUTH EAST ELEVATION



Scale 1 : 100

SOUTH WEST ELEVATION



Scale 1 : 100

NORTH EAST ELEVATION