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## 1. ABBREVIATIONS

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<b>OM</b>	Overstrand Municipality
<b>OMLUS</b>	Overstrand Municipality Land Use Scheme, 2020
<b>OM BY-LAW</b>	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
<b>DEADP</b>	Western Cape Department of Environmental Affairs and Development Planning
<b>PSDF</b>	Western Cape Provincial Spatial Development Framework, 2014
<b>SHC</b>	Stanford Heritage Committee
<b>OMSDF</b>	Overstrand Municipality Spatial Development Framework, 2020
<b>SDP</b>	Site Development Plan

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## 2. PROPERTY DETAILS

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<b>Consultant</b>	WRAP Project Office	
<b>Restrictive title deed conditions</b>	None	
<b>Property Information</b>	Erf 1772, Stanford	Remainder of Portion 13 of the Farm Riverside 644 Caledon
<b>Extents</b>	3,3306 ha	282,1367 ha
<b>Current zoning</b>	Agricultural Zone 1: Agriculture	
<b>Owners</b>	Erf 1772 owned by Sebumo Tude Guest Services and More (Pty) Ltd. It is important to note Sebumo Tude Guest Services and More CC has been converted from a CC to a (Pty) Ltd. (Refer <b>Annexure A</b> for the <b>Company Resolution and Power of Attorney</b> ).	Remainder of Portion 13 of the Farm Riverside 644 Caledon owned by Bonnybrae Property Holdings (Pty) Ltd. (Refer <b>Annexure A</b> for the <b>Company Resolution and Power of Attorney</b> ).

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## 3. BACKGROUND

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### 3.1 Stanford, Overstrand Municipality

Stanford is a flourishing farming community with the Klein River meandering through lush fields and village homes built along its banks. The rural atmosphere of the old village with its many historical features has been retained and preserved.

Stanford has a peaceful and quiet charm that has drawn many people from the city in search of the quality of life a small village and the surrounding area offers. Many of the old homes have been renovated and restored and countless new homes have been built in Stanford in the past decade.

With continuing pressures to provide adequate space for development, the Overstrand Municipality introduced new urban development areas to the East of Stanford by

expanding the Urban Edge<sup>1</sup>. One of the properties that were included in the Urban Edge is Erf 1772, Stanford. Erf 1772 Stanford is situated adjacent to the R326 and has an extent of 3,3306 ha.

Section 14.3.2 focuses on the relevant content of the OMSDF.

Figure 1 below, is an extract from the OMSDF illustrating the new area incorporated in the urban edge with specific reference to Erf 1772, Stanford.

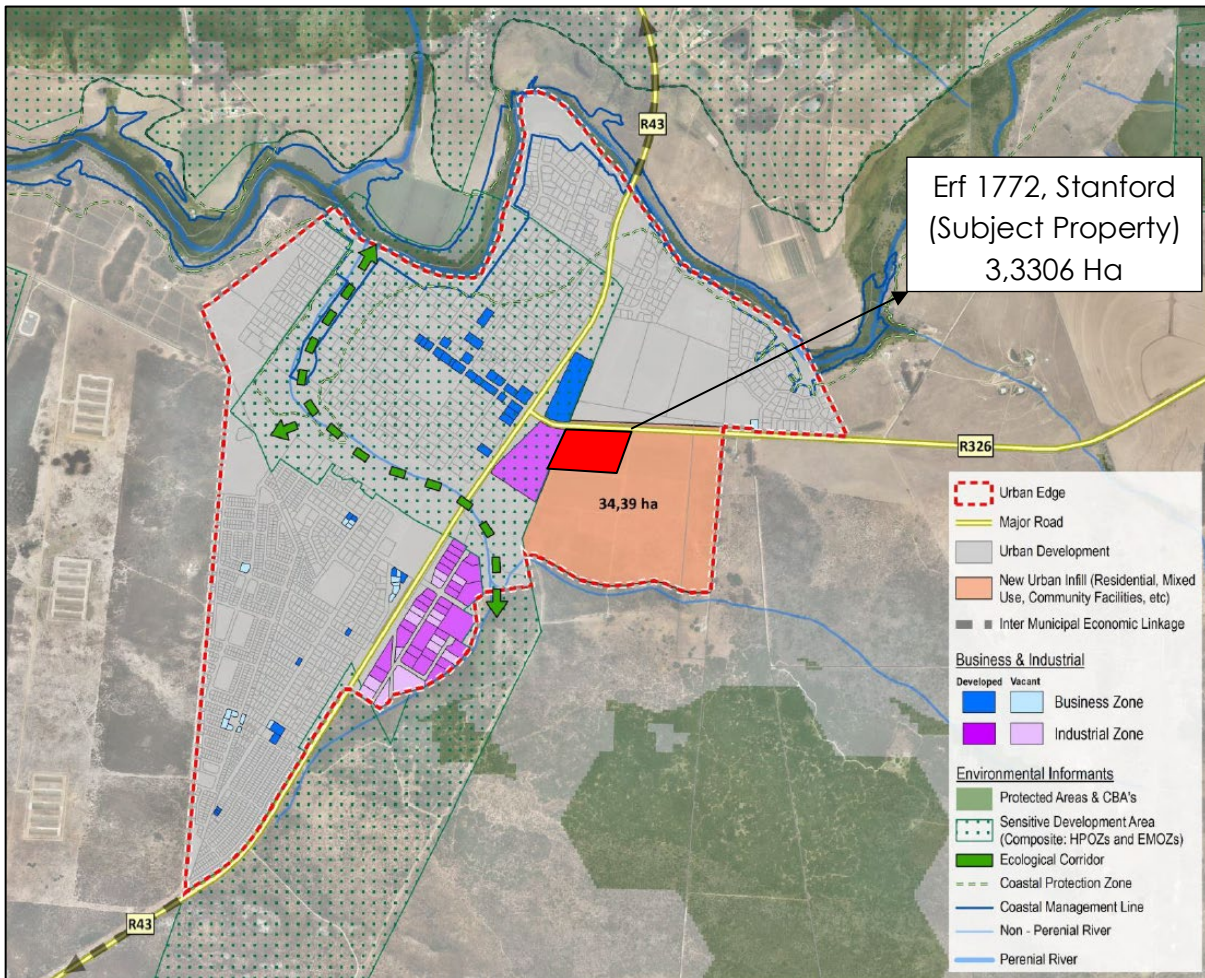


Figure 1: Stanford Spatial Proposal 2020 (Page 214, OMSDF)

### 3.2 Residential housing market

From the inclusion of the subject property in the urban edge, approximately 20 months have passed since South Africa and the rest of the world were hit by the Covid-19 pandemic that caused many lockdowns and restrictions. The impact of the pandemic forced many people to work from home which brought a different perspective to their residential situation and its immediate environment. In many cases people realised that working from home is not ideal, especially when dependent on Eskom power and other services such as water provision and refuse removal to be provided by poorly managed

<sup>1</sup> Overstrand Municipality, Spatial Development Framework, 2020 - p215



municipalities or non-functional municipalities. This made people realise that if they are forced to work from home, they can just as well do it in an environment where the quality of management of municipalities and the functioning thereof is of the highest standard, such as is the case with most municipalities in the Western Cape, especially Overstrand Municipality.

This brought about change in the South African housing market and created a wave of South Africans “semigrating,” to the Western Cape. Quoting Dr Andrew Golding of Pam Golding: “If you can live and work anywhere, it makes sense to live somewhere with a better quality of life in a more desirable location.”

The benefit to the municipality of the big movement to coastal areas is that such areas will become more developed with better infrastructure and amenities.<sup>2</sup> The pressures of an increased population includes that the Overstrand Municipality facilitates the development of new housing opportunities ensure adequate housing options are available.

Stanford specifically is already attracting semigrating families as it is child friendly and located in a safe and secure environment. Stanford also provides a peaceful, slow paced, outdoor lifestyle that families are escaping to from hustling cities.

Not only does Stanford provide a relaxed and peaceful lifestyle, but it is also located close to hospitals and world class medical facilities in Hermanus, good schools, and quality retail experiences. Airports are also accessible with a relatively short drive to ensure easy access to the rest of South Africa.

The criteria for housing of people moving to the Western Cape includes items such as:

- Affordable estate living with good security and access control to replace the accommodation type they were used to;
- Preferably new and modern residential units;
- Free standing, with small garden, but larger communal open space;
- Lesser dependence on Eskom for power supply;
- High speed internet such as fibre or satellite internet; and
- Communal recreational facilities.

It was found that people are also retiring and semi-retire younger which brought about “multi-generational living” where people of all ages and stages of their life such as younger families, semi-retired and retired people live in the same development.

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#### **4. APPLICANT’S BRIEF**

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The brief from the owners of Erf 1772 Stanford (the subject property) to the consultants was that the planning of the development must be approached on the basis of “not what Stanford can do for the development” but rather “what the development can do for Stanford”.

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<sup>2</sup> Ooba Home Loans. 2021. <https://www.ooba.co.za/resources/semigration/> Date of Access: 20 January 2022



The brief further included:

- The development must attract people with a disposable income that can be spent in Stanford.
- With the development being a multi-generational development, families need to be encouraged to send their children to local schools.
- The type of development needs to attract a wider market for which Stanford does not cater for at present.
- Land and services must be optimised as both are scarce commodities and cannot be wasted with large erven, low densities and large gardens requiring a lot of water.
- The dependence on Eskom for power provision must be minimised and solar power must be introduced as far as possible and supplemented by gas.
- An integrated solar system must be incorporated into the development to ensure equal distribution to all residents and any access must be able to be fed back into the grid.
- High speed internet to be planned with overall services design.'
- Functional open space and recreational areas must be incorporated and needs to serve a dual purpose as far as possible.
- Access control and high-quality security.
- Only indigenous vegetation to be used in landscaping and all effort must be made to use indigenous vegetation currently on site.
- Architectural style to be modern, but still containing the elements of the Overberg and Stanford Style.

To assist the applicants with the planning of the development, the following professional team was appointed:

- WRAP Project Office – Project Managers and Town Planners
- Rise Architecture – Architects
- AVDM Consulting Engineers – Civil engineers
- Driger Consulting - Electrical Engineers
- EFG Engineers - Transport Engineers
- GLS Consulting - Bulk Services Engineers
- Lornay Environmental Consulting- Environmental and Heritage Consultants
- Megan Anderson - Landscape Architects
- O Solar - Solar Energy Consultants and Suppliers
- Gas Hub - Gas Consultants and Suppliers

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## 5. PROCESS AND PROCEDURE TO ACHIEVE THE APPLICANT'S INTENT

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### 5.1 Project summary

Erf 1772, Stanford (hereafter referred to as the subject property) is 33306 m<sup>2</sup> (3,3306 ha) in extent (Refer **Plan 1 – Regional Plan & Plan 2 – Locality Plan**) and is currently zoned as Agricultural Zone 1: Agricultural (AGR2). The subject property was included in the Urban Edge with the 2020 revision of the Overstrand Municipality Spatial Development Framework (OMSDF).



This proposed development will consist of the following:

- 91 Residential Properties;
- 5 Private Open Spaces; and
- 3 Private Roads.




Access to the development will be taken from the R326 through a controlled entrance gate.

The current access to Erf 1772 Stanford is via a registered right of way servitude over Remainder of Portion 13 of Farm Riverside No 644, Caledon. Access to a development consisting of 91 residential opportunities via a right of way servitude is not desirable and it was agreed with the owners of the Remainder of Portion 13 of Farm Riverside 644, to exchange two portions of land on condition that the existing servitude is cancelled, and the Western Cape Department of Transport approves the new proposed access to Erf 1772 Stanford from the R326.

The execution of this agreement, included in the land use application, entails the following:

Approximately 94 m<sup>2</sup> will be subdivided from Erf 1772 Stanford and consolidated with the Remainder of Portion 13 of the Farm Riverside 644 Caledon and approximately 1909 m<sup>2</sup> will be subdivided from the Remainder of Portion 13 of Farm 644, Caledon and consolidated with Erf 1772, Stanford.

This will increase the property extent of Erf 1772, Stanford from 33306 m<sup>2</sup> to 35121 m<sup>2</sup> and the extent of the Remainder of Portion 13 of Farm Riverside 644, Caledon will decrease from 282,1367 ha to 281,9552 ha. The percentage of each component of the subject development, after completion of the abovementioned subdivisions and consolidations is summarised below:

Legend Colour	Zoning	Size (m <sup>2</sup> )	Percentage
	Open Space Zone 3: Private Open Space	6106	17,39%
	General Residential Zone 1: Town Housing	21564	61,4%
	Transport Zone 2: Road and Parking (A)	7451	21,2%
Total		35121	100,00%

The rezoning and subdivision of the subject property will introduce a new type of residential opportunity into the housing market in Stanford.

The proposed zoning and morphology are however aligned with development trends in other areas of the Overstrand Municipality.

This development proposal combines a modern feel to the historic Stanford in an attempt to attract and satisfy a market that is not being catered for within the current urban context of Stanford.

## 5.2 Land assembly approvals required

Approval of the following land assembly approvals are required for the implementation of this development:

- **Subdivision** of Erf 1772 Stanford into Portion A,  $\pm 94 \text{ m}^2$ , and the Remainder of Erf 1772 Stanford,  $\pm 33212 \text{ m}^2$ , in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- **Subdivision** of the Remainder of Portion 13 of the Farm Riverside 644 Caledon into Portion B,  $\pm 1909 \text{ m}^2$ , and the Remainder of the Remainder,  $\pm 281.9458 \text{ Ha}$  in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- **Consolidation** of the Portion A,  $\pm 94 \text{ m}^2$ , and the Remainder of the Remainder of Portion 13 of the Farm Riverside 644 Caledon,  $\pm 281,9458 \text{ Ha}$  in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- **Consolidation** of Portion B,  $\pm 1909 \text{ m}^2$ , and the Remainder of Erf 1772 Stanford,  $\pm 33212 \text{ m}^2$  in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

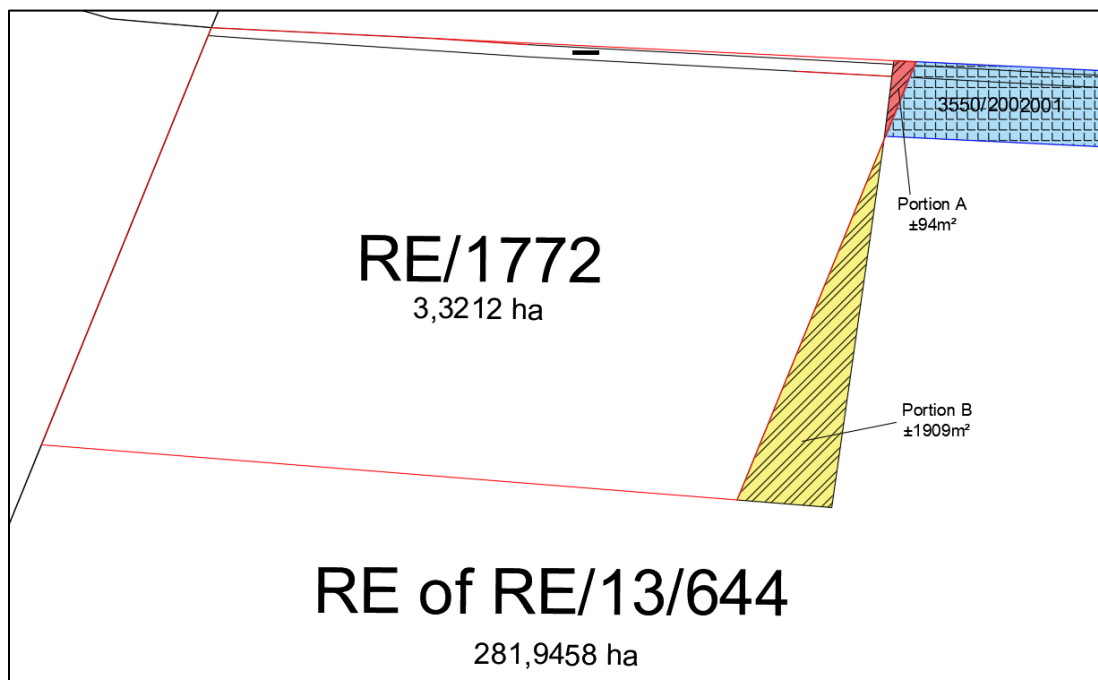


Figure 2: Proposed subdivision of Erf 1772 and Remainder of Portion 13 of the Farm Riverside 644, Caledon



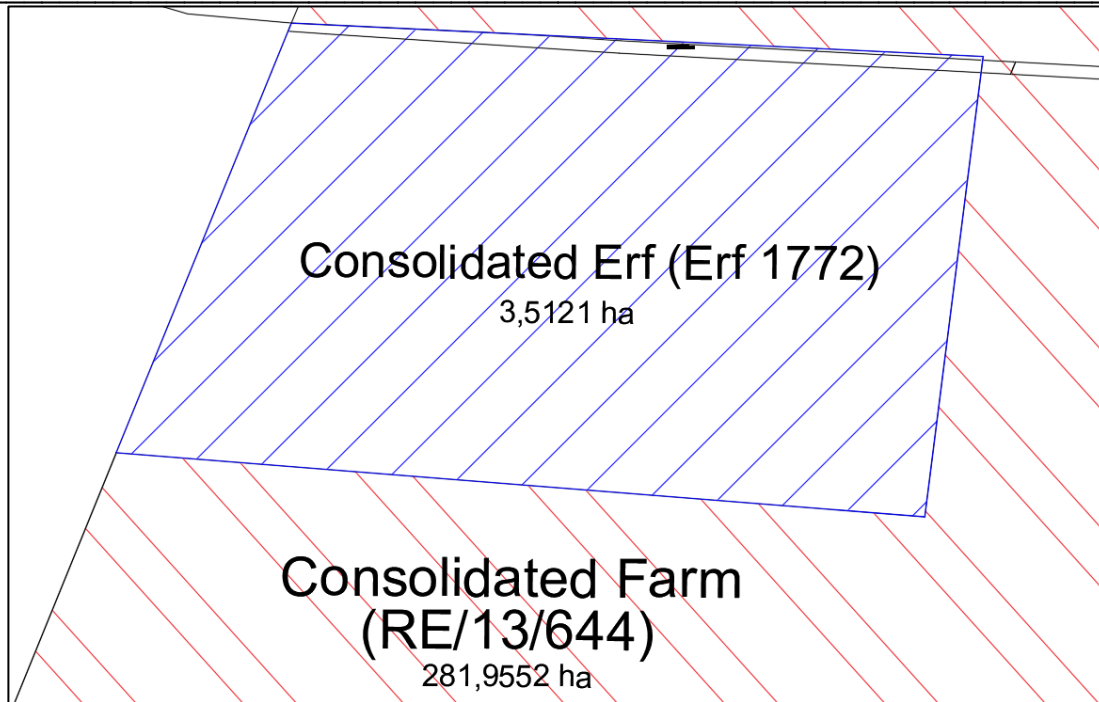


Figure 3: Proposed consolidation of Consolidated Erf and Consolidated Farm

### 5.3 Land Development

#### 5.3.1 Rezoning and subdivision

Once the proposed subdivision and consolidation is completed, the extent of Consolidated Erf 1772 Stanford will be 35 121 m<sup>2</sup> after which the following applications need to be considered for approval:

- **Rezoning** of the Consolidated Erf 1772 Stanford from Agricultural Zone 1 – Agriculture (AGR2) to Subdivisional Area Zone (SA) in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- **Subdivision** of the Consolidated Erf 1772 Stanford into ninety-one (91) General Residential Zone 1: Town Housing (GR1) erven, five (5) Open Space Zone 2: Private Open Space (OS3) erven and three (3) Transport Zone 2: Road and Parking (TR2) erven in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

(Refer **Plan 6 – Subdivision Plan** and **Plan 7: Proposed Zoning Plan**)

#### 5.3.2 Density

The OMSDF made calculations on the population growth for Stanford at different occasions in the past and the most recent calculation included projections up until 2031. The methodology used to calculate the population growth were based on the Statistics South Africa Census, 2011 and a 2016 community survey, which was used as the baseline population in 2016 (**OMSDF, p28**).



Year	Stanford	
	Total dwelling units (du) required	% growth
2011	330	6,4
2016	454	5,7
2021	604	4,9
2026	772	4,2
2031	953	

Based on information obtained within the OMSDF (OMSDF, p28)

The OMSDF determined that the housing demand for Stanford would be an additional 953 dwelling by 2031. Calculate at a density of 20du/ha, an additional ±48ha would be required to meet the housing demand.

In terms of the OMSDF only an additional 34,39 ha was included in the urban edge which is less than what is required to meet the current projected housing demand for 2031. To meet the 2031 housing demand with the available land included in the Urban Edge the following density would be required:

$$953 \text{ dwelling units} / 34,3900 \text{ ha} = \mathbf{27,71} \text{ dwelling units per hectare.}$$

The development proposal for Consolidated Erf 1772 Stanford includes 91 dwelling units on 3,5121ha of land which equates to the following:

$$91 \text{ dwelling units} / 3,5121 \text{ ha} = \mathbf{25.91} \text{ dwelling units per hectare.}$$

The proposed density is very close to the density required to be able to comply with the projected 2031 demand without including any additional land into the urban edge before 2031.

### 5.3.3 Layout

The layout of the development (Refer **Plan 8 for the SDP**) follows the grid layout of Stanford and the layout optimise on the northern aspect, providing each erf with a view of the majestic Klein River mountains.

The layout was designed to ensure that ample functional green open spaces are created, and that each property can house a free-standing dwelling unit, with a front and back garden.

The largest of the open space provided (Erf 92), will house club house which will be utilised as a day care centre during the day, a swimming pool as well as a Padel court. Open air gym equipment will be placed on all open spaces to be used as an open-air exercise area for circuit training for residents.

A distributor road with a 13m road reserve will carry traffic into and out of the development. All other roads will have an 8m road reserve.



**5.3.4 Green, well-being focussed development**

The foundation of the proposed development is sustainability with strong green aspects focussed on the wellbeing of its residents. It is proposed to include solar panels to the roof of each dwelling unit and communal buildings in the development which will generate electricity that will feed to a central distribution and storage point from where electricity will be fed back to each dwelling. Excess power not used within the development will feed back into the municipal grid.

The solar panels will however be part of the roof design of each unit and incorporated into the roof as far as possible.

Each dwelling will be connected to a pre-paid gas supply and each owner will pre-pay for its gas supply and a gas service provider will ensure that there is a constant supply of gas fed from manifolded bottles placed on each erf. Stormwater will be directed towards a low-lying detention pond to harness the stormwater generated on site and to re-use the water onsite.

The plumbing of each house will be designed in such a way that grey water and black water is separated. Grey water will be directed to a sperate tank in which the water will settle and treated for re-use as irrigation water.

The boundary wall, proposed to be built along the R326 will be a “green living boundary wall”. The wall will be broken into sections of green living sections that will utilise indigenous plans. The wall will be 2,1 m high. The wall sections will soften the visual impact of the proposed development on the natural area surrounding Stanford as well as protecting the R 326 being a scenic route.

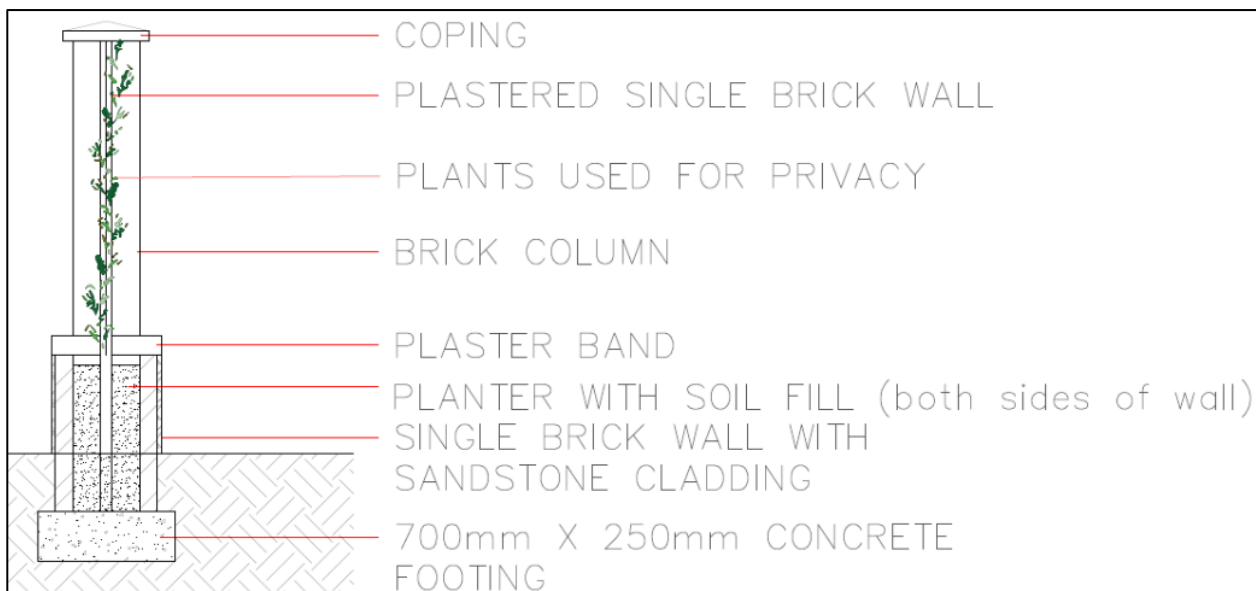


Figure 4: Green living boundary wall example



The proposed development will have various communal facilities which include an outdoor swimming pool and a club house which is allowed in terms of the OMLUS on a Private Open Space. It is however required to obtain consent from the OM to allow a recreational facility, namely a Padel court and a day care centre.

Padel tennis is a sport, which is a combination of tennis and squash, played on a small 10m x 20m court encircled in glass that allows the ball to be contained. It is the fastest-growing sport in the world that will add to facilities the community can enjoy and will further contribute to outdoor amenities the development offers.

Open air gym equipment will also be placed strategically on open space areas allowing circuit training where residents can jog or walk from one open space area to another and using the open-air gym equipment to exercise.

It is also proposed to include a day care centre into the proposed development that will add an additional feature that will draw families to relocate to the proposed development. The day care centre will adhere to the OMLUS' guidelines and will allow for the appropriate amount of parking to be accommodated on-site.

The day care centre will have a floor area of  $\pm 101\text{m}^2$  and is proposed to accommodate 20 children that will be cared for by two teachers. To ensure compliance with the OMLUS 2 parking bays will be provided for the teachers and two parking bays for 20 children with a functional drop off facility.

Both facilities are proposed to add value to the entire development and will ensure various land uses are incorporated into the proposed development.

Approval of the following applications will be required:

- **Consent Use** to allow a "recreational facility" on Erf 92 (Open Space) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- **Consent Use** to allow a "day care centre" on Erf 92 (Open Space) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

### 5.3.5 Right of Way Servitude Exemption

Erven 23 and 77 requires that an access servitude be registered over Erf 78 in their favour. Erf 77 will also require a servitude over Erf 23 to ensure access. The proposed right of way servitude will be 5.0 m wide.

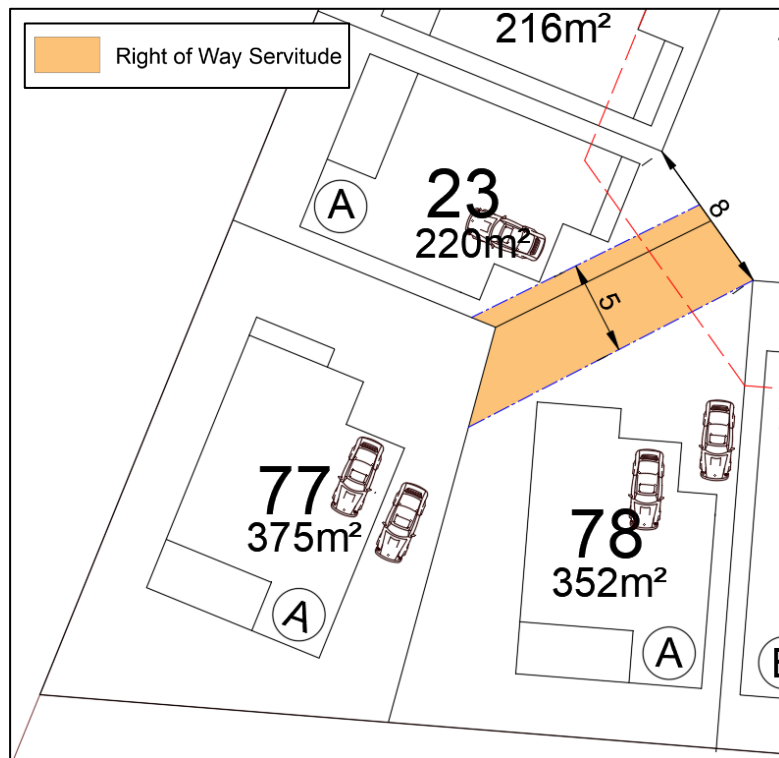


Figure 5: Proposed Right of Way Servitude

The following approval is required:

- **Exemption of the registration of a right of way servitude** in terms of Section 26(1)(h)(v) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

### 5.3.6 Phasing Plan

As the development will be implemented in phases, it is required that approval be obtained for a **phasing plan of subdivision**.

To ensure the development is being developed in a conscientious way the development is proposed to be developed in three (3) phases (refer **Plan 9 – Phasing Plan**).

The development will be implemented in the following phases:

- Phase 1: Erven 1 to 37 & Erven 93 to 97**
- Phase 2: Erven 38 to 64 & Erven 92 and 98**
- Phase 3: Erven 65 to 91 & Erf 99**

Approval will be required for a:

- **Phasing Plan of Subdivision** in terms of Section 16(2)(k) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



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### 5.3.7 Street names

Application is also made in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020. for the approval of the naming of streets and numbering of erven within the development.

The proposed street names and numbers are indicated on the Street Name and Numbering Plan (refer **Plan 10**). The plan has already been circulated to the Overstrand Municipality GIS Department and their preliminary comments were incorporated into **Plan 10**.

The proposed street names are in keeping with the theme of the surrounding area, containing various water elements. The river and waterfalls in the surrounding area are the motivation for the street names.

The name of the streets also refers to water in different forms. To ensure compliance with the OMLUS the names have no reference to any person or historical figure and forms part of the theme of the development.

- **Allocation of street names** in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

### 5.3.8 Architectural Design Guidelines

The development will feature various erf options and house types that can be accommodated on each erf. Five different house designs were developed which may be adjusted by the purchaser who will be able to choose fittings and finishes (refer **Annexure B**).

The extent of the proposed dwelling units varies between  $\pm 95\text{m}^2$  and  $\pm 220\text{m}^2$ . All units will be fully detached or free-standing, requiring no departure from building lines as each unit is contained within the allowable building area. The units will have two- and three-bedrooms, single and double garages and there will be a choice between single and double storey. Architectural Design Guidelines will control all building work within the development (refer **Annexure C**).

- **Approval** of the Architectural Design Guidelines.

### 5.3.9 Establishment of a Homeowner's association

To ensure the development and residential estate is properly managed, a homeowner's association is required to be established which includes the approval of a homeowners' constitution by the Municipality in terms of Section 31 of the By-Law (Refer **Annexure D**).

- **Establishment** of an owner's association and approval of constitution in terms of Section 31 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



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## 6. APPLICABILITY OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 70 OF 1970

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Erf 1772 Stanford was subdivided from Remainder of Portion 13 of the Farm Riverside 644, Caledon during 2002. The Department of Agriculture made it a condition of approval that the area be included in the jurisdiction of the “Stanford Municipality” by incorporating therein the agricultural land and portions thereof in respect of which a township may be established in terms of the Consent from the Minister of Agriculture (refer **Annexure E – Historic Department of Agriculture approval**).

During 2017 it was confirmed by the Surveyor-General that Erf 1772 Stanford is exempt from the provisions of the Subdivision of Agricultural Land Act 70 of 1970.

The Remainder of Portion 13 of the farm Riverside 644, Caledon from which  $\pm 1909\text{m}^2$  is proposed to be subdivided and to be consolidated with Erf 1772 Stanford, is however still subject to the provisions of The Subdivision of Agricultural Land Act, 70 of 1970 and will a separate application specifically for the subdivision and consolidation of the portion of land be submitted to the National Department of Agriculture.

The same applies to the approximately  $94\text{ m}^2$  to be subdivided from Erf 1772 Stanford and to be consolidated with Remainder of the Remainder of Portion 13 of Farm Riverside 644, Caledon.

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## 7. APPLICATION

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Considering the above, application is made for the following:

- 7.1 Subdivision** of Erf 1772 Stanford into Portion A,  $\pm 94\text{ m}^2$ , and the Remainder of Erf 1772 Stanford,  $\pm 33212\text{ m}^2$ , in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.2 Subdivision** of the Remainder of Portion 13 of the Farm Riverside 644 Caledon into Portion B,  $\pm 1909\text{ m}^2$ , and the Remainder of the Remainder of Portion 13 of the Farm Riverside 644 Caledon,  $\pm 281.9458\text{ Ha}$ , in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.3 Consolidation** of Portion B,  $\pm 1909\text{ m}^2$ , and the Remainder of Erf 1772 Stanford,  $\pm 33212\text{ m}^2$  in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.4 Consolidation** of the Portion A,  $\pm 94\text{ m}^2$  and the Remainder of the Remainder of Portion 13 of the Farm Riverside 644 Caledon,  $\pm 281,9458\text{ Ha}$  in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.5 Rezoning** of the Consolidated Erf 1772 from Agricultural Zone 1 – Agriculture (AGR2) to Subdivisional Area Zone (SA) in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



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- 7.6 Subdivision** of the Consolidated Erf 1772 Stanford into ninety-one (91) General Residential Zone 1: Town Housing (GR1) erven, five (5) Open Space Zone 2: Private Open Space (OS3) erven and three (3) Transport Zone 2: Road and Parking (TR2) erven in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.7 Consent Use** to allow a “recreational facility” on Erf 92 (Open Space) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.8 Consent Use** to allow a “day care centre” on Erf 92 (Open Space) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.9 Exemption of the registration of a right of way servitude** over Erf 78 in favour of Erven 23 and 77 in terms of Section 26(1)(h)(v) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.10 Phasing Plan of Subdivision** in terms of Section 16(2)(k) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.11 Allocation of street names** in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 7.12 Approval** of the Architectural Design Guidelines.
- 7.13 Establishment** of an owner's association and approval of constitution in terms of Section 31 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

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## **8. CHARACTER OF THE ENVIRONMENT**

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The proposed residential development will be located on the Eastern periphery of the Stanford settlement, abutting the R326 to the North agricultural land on the East and South and a property zoned for industrial purposes to the West.

A perusal of the locality and zoning plan (Refer **Plan 2 – Locality Plan & Plan 3 – Zoning Plan**) reveals that the vacant subject property is located adjacent to properties with various different zonings in the Stanford settlement. With the urban edge recently being expanded, it left the subject property in an ideal location for the proposed development.

The subject property is located adjacent to industrially zoned, agriculture and undeveloped residential properties. A portion of the undeveloped properties to the South of the subject property were also included in the expanded urban edge with the implication that future development will inevitably be proposed in these undeveloped areas.





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The development is located  $\pm 500\text{m}$  from the center of Stanford, ensuring the proposed development has access to all the amenities available inside Stanford. These included the community facilities such as schools and local businesses.

The character of the area is of great importance to the Stanford community and the planning of the proposed development took cognizance of this. Several attributes were important to be upheld with the proposed residential development which included the environment, character, visual impact and to protect the tranquillity of the Stanford area which will be addressed in detail, later in the report.

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### 9. TITLE DEED

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The title deeds of the two subject properties were perused. Title deed T23937/2016 – Erf 1772, Stanford and Title deed T110767/2002 – Remainder of Portion 13 of the Farm Riverside 644 Caledon (refer **Annexure F – Title Deeds**), contains no restrictive title deed conditions that prohibits the approval of the proposed applications.

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### 10. ZONING

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The following zoning parameters were assessed in conjunction with AGR, GR2, TR2 and OS3, OMLUS zonings as this is a relevant consideration in terms of Section 66 (1)(q) of the OM By-Law:



The **current zoning** of the subject properties is:

<b>Agricultural Zone 1: Agriculture</b>		
	<b>Use of the property</b>	<b>Current Use</b>
<b>Primary uses</b>	Agriculture, Crèche, Dwelling House, Guest Rooms and Home Occupation.	Undeveloped
<b>Consent uses</b>	Additional Dwelling Units, Agricultural Industry, Animal Care Centre, Aquaculture, Day Care Centre, Farm Shop/Stall, Fertiliser Plant, Guest House, Hotel, Institution, Intensive Animal Farming, Intensive Horticulture, Lodge, Mining, Place of Assembly, Place of Entertainment, Place of Instruction, Plant Nursery, Riding Stables, Service Trade, Tourist Accommodation, Tourist Facilities, Transmission Apparatus, Utility Services, Wellness Centre and 4x4 Trail.	Not applicable

The **proposed zonings** of the subject property are:

<b>GENERAL RESIDENTIAL ZONE 1: TOWN HOUSING (GR1)</b>			
	<b>Use of the property</b>	<b>Proposal</b>	<b>Comply/ deviate</b>
<b>Primary use</b>	Town Housing, Private Road and Private Open Space	Town Housing	Applied for and motivated
<b>Consent uses which may be applied for</b>	Crèche, Day Care Centre, Dwelling House in accordance with 6.1.2, Flats, Green House, Home Occupation, Residential Building, Retirement Village and Tourist Accommodation.	N/A	Comply
<b>Development Parameters</b>			
<b>Density</b>	<ul style="list-style-type: none"> <li>i. The maximum gross density in this zone is 35 units a hectare.</li> <li>ii. A minimum erf size of 3000 m<sup>2</sup> is applicable for densification.</li> </ul>	<ul style="list-style-type: none"> <li>i. The subject property has an extent of 3,5121ha. The result if the maximum density is applied 3,5121x 35 unit = 123 units that may be allowed in terms of the zoning.</li> </ul>	Comply



**MOTIVATION**

		<p>Only 91 dwelling units are proposed, which equates to a density of <b>25,91 units per hectare</b> dwelling units per hectare.</p> <p>This is also aligned with the OMSDF as 953 dwelling units are required to be provided by 2031 to meet the housing demand.</p> <p>With the additional 34,39ha included into the Urban Edge it equates to – <math>34,39 / 953 = 27,71</math> units per hectare.</p> <p>To meet the 2031 housing demand a density of 27,71 units per hectare is required.</p> <p>ii. The consolidated erf has an extent of 35121m<sup>2</sup> that meets the minimum requirement of 3000 m<sup>2</sup>.</p>	
<b>Coverage</b>	The maximum coverage for all buildings on the land unit is 65%.	The erven within the development range from 210 m <sup>2</sup> and although house sizes will range between 95 m <sup>2</sup> and 220 m <sup>2</sup> <u>none</u> of the proposed dwellings will exceed the maximum allowed coverage of 65%.	Comply
<b>Height</b>	The maximum height of a building (other than flats), measured from the base level to the top of the structure, is 8,0 m, provided that the maximum height for flats, measured from the base level to the top of the structure, is 9,0 m.	None of the proposed buildings will be higher than 8m.	Comply
<b>Building lines on the perimeter of</b>	i. The building line on the perimeter of the property is 3,0 m; and	i. A 3m building line on the perimeter will be enforced.	Comply



**MOTIVATION**

<b>a town housing development</b>	ii. The general building line exemptions of 16.1 apply.		
<b>Building lines within the town housing site</b>	<p>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;</p> <p>ii. The lateral and rear building line is 1,0 m;</p> <p>iii. A garage 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</p> <p>iv. The general building line exemptions of 16.1 apply.</p>	<p>i. Comply</p> <p>ii. Comply</p> <p>iii. Comply</p> <p>iv. Not applicable</p>	Comply
<b>Parking</b>	<p>i. Parking and access shall be provided on the land unit in accordance with 17.1; and</p> <p>ii. Parking may be provided at the group house concerned, or form part of a communal parking or a combination of the two. window shall be permitted in the wall concerned.</p>	<p>Two parking bays are provided for each property – minimum one garage and one parking bay.</p> <p>Day Care Centre – 4 Parking bays &amp; drop-off facility (2 Parking bays for teachers and 2 Parking bays for children)</p>	Comply
<b>Internal roads</b>	The minimum internal road reserve width is 8,0 m, provided that the Municipality may require a greater road reserve width where it is of the opinion that the vehicular use or length of the road requires a greater road reserve width.	The internal roads proposed are minimum 8.0m and 13m wide.	Comply
<b>Flats within a town housing development</b>	a) Flats, if provided, must form an integrated component of the town housing development, and the development parameters for town housing apply, provided that;	N/A	N/A



**MOTIVATION**

	1. the total floor area of flats shall not exceed 60% of the total floor space of all buildings on the town housing site; and 2. the open space requirements for town housing units in a town housing site apply.		
<b>Day care centre</b>	The provisions of Chapter 16.10 apply.	N/A	N/A
<b>Home occupation</b>	The provisions of Chapter 16.10 apply.	N/A	N/A
<b>Site development plans</b>	The Municipality may require that a site development plan be submitted for approval in accordance with 16.3.	Refer to <b>Plan 8</b> for the SDP.	Comply
<b>Open space provision</b>	The following requirement to the satisfaction of the Municipality is applicable: Communal open space of at least 10% of the whole property must be provided as outdoor recreational/garden areas as one functional space.	A total of <b>17,37%</b> of the property is provided as Open Space and although it is composed of different areas, it is one functional space.	Comply

<b>OPEN SPACE ZONE 3: PRIVATE OPEN SPACE (OS3)</b>			
	<b>Use of the property</b>	<b>Proposal</b>	<b>Comply</b>
<b>Primary uses</b>	Private Open Space	Private Open Space	Comply
<b>Consent uses</b>	Cemetery, Environmental Facilities, <b>Recreational Facilities</b> , Tourist Accommodation, Tourist Facilities, Transmission Apparatus (Subject to the provisions of chapter 16.10), Urban Agriculture, Utility Services <b>and any other related uses permitted by the Municipality.</b>	<b>Recreational Facility (Padel Court)</b>  <b>Day Care Centre</b>	Applied for and motivated
<b>Development Parameters</b>			
a) A site development plan must be submitted in terms of 16.3 to the satisfaction of the Municipality. – <b>Refer to Plan 8 for the SDP.</b> b) The Municipality may require an environmental study and/or environmental management plan in terms of 16.4. – <b>This is noted</b>			



**MOTIVATION**

c) Prior to the approval of any building plans or engineering services, the Municipality must determine the development parameters that apply when:

- i) the zoning of a land unit to this zone is approved;
- ii) any environmental impact report is considered;
- iii) any environmental management plan is considered; and
- iv) any site development plan is approved. - **This is noted**

d) No structure shall be erected, or use practised except such as is compatible with the “private open space” as defined. – **No additional structures will be built on the private open spaces that are not being applied for and motivated.**

e) Structures/buildings may be erected with the written consent of the Municipality, should the Municipality deem it necessary, provided that the Municipality may impose conditions relating to design, architecture and development parameters.

<b>TRANSPORT ZONE 2: ROAD AND PARKING (TR2 B)</b>			
	<b>Use of the property</b>	<b>Proposal</b>	<b>Comply/ deviate</b>
<b>Primary use</b>	Private Parking and Private Road	Private Parking and Private Road	Comply
<b>Consent uses which may be applied for</b>	Informal Trading (subject to the provisions of Chapter 16.10), Transmission Apparatus (subject to the provisions of Chapter 16.10) or any other uses determined by the Municipality, provided that: <ul style="list-style-type: none"> <li>i. such other use does not detract from the transport use as the predominant use; and</li> <li>ii. the property shall be rezoned if the other use constitutes a significant and permanent change from the primary use and if this land use scheme provides a more suitable alternative.</li> </ul>	Not applicable	
<b>Development Parameters</b>			
<b>Deemed zoning</b>	Any public road and/or street or any portion of land indicated as a public road on an approved subdivision plan that has not lapsed	Not applicable	Not applicable





**MOTIVATION**

	shall be deemed to be zoned as Transport Zone 2 B: Public Road.		
<p><b>Construction and deposit of materials</b></p>	<p>Except when written permission was acquired from the Municipality and requirements of the Municipality adhered to, no person may:</p> <ul style="list-style-type: none"> <li>i. construct a private crossing, bridge or culvert onto or across a public street;</li> <li>ii. construct or lay a sidewalk on a public street;</li> <li>iii. construct a veranda, stoep, wall, steps or other projection in or over a public street; or</li> <li>iv. deposit or leave any goods, articles, building materials or waste in a public street, other than for a reasonable period of time during the course of loading, off-loading or removal of these goods, articles, building materials or waste.</li> </ul>	<p>Not applicable</p>	<p>Not applicable</p>



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## 11. NOTIFICATION OF INTEND TO DEVELOP (NID)

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Section 38 of the National Heritage Resources Act, contains the following provisions and the proposed development will necessitate a Notice of Intent to Develop to Heritage Western Cape:

*"Heritage resources management*  
38.

(1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as—

- a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- b) the construction of a bridge or similar structure exceeding 50 m in length;
- c) any development or other activity which will change the character of a site
  - i. **exceeding 5 000 m<sup>2</sup> in extent**; or
  - ii. involving three or more existing erven or subdivisions thereof; or
  - iii. involving three or more erven or divisions thereof which have been consolidated within the past five years; or
  - iv. the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
- d) **the re-zoning of a site exceeding 10 000 m<sup>2</sup> in extent**; or
- e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority,

An NID will was submitted to Heritage Western Cape by Lornay Environmental Consulting. The Record of Decision (ROD) is attached as **Annexure L - Notification of Intend to Develop: Record of Decision**.

The conditions of the HWC ROD are that a Heritage Impact Assessment (HIA) be conducted to address Section 38(3) of the National Heritage Resources Act (Act 25 of 1999) (NHRA).

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## 12. HERITAGE IMPACT ASSESSMENT (HIA) & VISUAL IMPACT ASSESSMENT (VIA)

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As indicated in Section 12 above, HWC requested that an HIA be conducted. The property owners duly appointed a Heritage Specialist, Mr Henry Aikman from Aikman Associates Heritage Management to conduct the HIA. Refer to **Annexure M - Heritage Impact Assessment**.

The HIA was required to comply with Section 38(3) of NHRA, which may be in Annexure M. The HIA continued to state –

*"There are no tangible heritage resources on Erf 1772 or in the immediate vicinity, no structures, botanical, or geological resources."*

At the request of the HWC a VIA was required to determine the visual impact that the proposed development may have. The VIA was compiled by Antionette de Beer from ARLA Consulting Landscape Architects. Refer to **Annexure N - Visual Impact Assessment**.



The HIA continues to state –

*“The only heritage resource identified is the current rural landscape of this part of the Klein River Valley. This is in transition as has been recognised in the ORSDF where Erf 1772 has been included within the Urban Edge and is designated as part of a large area as Urban Infill.*

*The VIA found that... The visual absorption capacity (VAC) of the broader landscape varies between the village and the rural landscape. Within the village or vineyards, the VAC is moderate-high however, when covered with crops such as wheat or canola, used for pasture, vacant or abandoned fields have a low VAC. The site therefore has an overall moderate VAC.*

*The VIA concluded... From a visual perspective, the development should be endorsed on the condition that the mitigation measures for the proposed development are implemented as per the Architectural Design Guidelines and Landscape Report prepared for this development.”*

The HIA concluded that with the proposed development being recommended by the Visual Specialist that the proposed development should be endorsed. It was however mentioned that it is important that the mitigation measures for the proposed development are implemented as per the Architectural Design Guidelines and Landscape Report prepared for this development.

The HIA will be submitted to the Overstrand Heritage and Aesthetics Committee and the Stanford Heritage Committee for comment.

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### **13. 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:

#### **13.1 Electricity**

An electrical services report was compiled by Driger Consulting and this report addresses the electricity requirements of the proposed development.

The OM will provide access to their grid to ensure the proposed development has adequate electricity back up should it be required when the solar system may be unable to supply maximum demand (Refer **Annexure G – Electricity Report**).

#### **13.2 Water and Sewage**

A report compiled by AVDM Consulting Engineers provides clear services information incorporating GLS Consulting’s capacity report, which confirmed the availability of bulk water and sewer capacity. The report confirmed that the network capacity, reservoir capacity and the bulk supply all have sufficient capacity to accommodate the



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proposed development, subject to certain upgrades required. (Refer **Annexure H – GLS Bulk Services Investigation** & Refer **Annexure I – Civil Services Report**).

### 13.3 Access, Egress, Parking and Traffic Impacts

Vehicular access and egress to the subject property will be obtained from the R326. The applicant has appointed Transport Engineers (EFG Engineers) to provide a Traffic Impact Statement (TIS) (Refer **Annexure J – Traffic Impact Statement**).

The TIS concluded that the R326 will be able to accommodate and absorb the additional traffic from the proposed development.

Referring to the SDP (Plan 8), the plan indicates two access points. EFG had preliminary discussions with the Provincial Department of Transport to, for the development, on a temporary basis, gain access directly from the R326 until such time that the remainder of the land included in the urban edge is developed. Once the remaining surrounding areas commence with development, the access will move to the Eastern side of the development to connect to an access on the R 326, opposite the existing access to Birkenhead Brewery. The gate structures will be relocated to the Eastern boundary and access to the development will be gained via this gate.

In terms of parking, 2 parking bays will be provided on each erf as required in terms of the OMLUS. The parking options may consist of a double garage or a single garage and one covered or uncovered parking bay.

### 13.4 Stormwater

The services report compiled by AVDM Consulting Engineers addresses the stormwater management of the development (refer **Annexure H – Civil Services Report**). As mentioned within the report, a retention pond will be constructed in the north-west corner of the subject property to retain the stormwater on site.

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## 14. ENVIRONMENTAL CONSIDERATIONS

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Lornay Environmental Consulting (Pty) Ltd was appointed to ensure the proposed residential development is compliant with the provisions of the Regulations promulgated in terms of the National Environmental Management Act (NEMA).

Lornay Environmental Consulting applied for clarification to the Western Cape Department of Environmental Affairs and Development Planning (DEADP). The outcome of this submission is that no listed activities are triggered by the proposed development and that no Environmental Authorisation will therefore be required in terms of NEMA (refer **Annexure K – Environmental Clarification**)



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## 15. NEED AND DESIRABILITY

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

### 15.1 Need

The need for the residential development arose from the applicant's vision to respond to the need set out within the OMSDF. It is important to note, that even though the housing demand today is not seen as an issue, the future as projected by the OMSDF, holds a different reality.

To only address the housing demand issue once it becomes a problem is not feasible and requires a proactive response. The municipality took the first step by including additional land into the Urban Edge. This application serves as the second step by ensuring the land has the applicable land use rights to be develop into a residential development.

### 15.2 Desirability

The desirability is more often a personal feeling or personal gain, but with regard to the proposed development, the applicant is attempting to address the future housing demand for the Stanford area. This will also allow the applicant to maximise the subject property to its full potential.

The applicant's vision may in the future benefit others including the OM, by providing space for 91 families to live in a unique residential development. These families will be paying rates and taxes towards the OM which will generate additional income that may be used to upgrade public infrastructure. To achieve this desire, the applicant has appointed WRAP Project Office to submit this application to ensure the application is in line with the relevant policies and legislation.

### 15.3 Impact on views, sunlight and character of the area

Most of the surrounding properties are not yet fully developed and there will be little to no impact on the surrounding properties. To ensure the proposed development does not impede on the above mentioned these will be addressed individually:

#### Views

The proposed development is part of the area recently incorporated in the urban edge, creating a supplementary character to the existing urban area of the Stanford area.

The applicant has employed RISE Architects that designed the proposed dwellings as illustrated in **Annexure B – Design Layouts**. These designs are conscious about the views and other natural elements of the area.

During the planning phase of the development, it was ensured that the proposed development is aligned with the development parameters set out by the Overstrand



Municipality. These include compliance with building lines, coverage, height etc, all of which will have an impact on how the proposed development will be perceived.

#### Sunlight

With the proposed development being aligned with the development parameters of the Overstrand Municipality, it is not predicted to negatively affect any other user's sunlight.

The maximum height of the structures will be below the maximum height of 8m allowed, with a maximum of 2 storeys.

#### Character

With regards to character, it was of great importance to ensure the proposed development does not disrupt the character of the broader Stanford area. Even though the proposed residential development is not located in the core Stanford area it is important to ensure the Stanford character is not affected.

The proposed development has open spaces located next to the R326 to create a buffer along the route to lessen the impact that the development may have. In addition to the open space, the green 'living' boundary wall is also proposed against the R326 to minimise visual impact.

### **15.4 Economic impact**

The proposed development will have both a short- and long-term economic impact on the surrounding area and the Overstrand Municipality.

In the short term, once the approval has been received the construction phase will commence, creating construction jobs and providing income to several residents of Stanford and the municipal area in general.

Long term economic impact will be in terms of the additional rates and taxes that will be payable to the Overstrand Municipality.

Calculated at a ratio of only 3 people per dwelling unit the **residential additionality** was calculated at **273** which means that the development will bring at least 273 new people to Stanford. These people will spend money in Stanford on various items such as food, petrol, restaurant, repairs etc, contributing to the local economy.

The **initial direct investment** into the development was calculated to be approximately **R 220 000 000**.

Based on this investment the additional **basic charges** payable to the Municipality will be approximately **R 1 051 246 per annum**.

The **annual rates payable** to the Overstrand from the development, calculated at the entry level value of dwellings in the development, will be approximately **R 987 168.00 per annum**.





The **bulk services levy** that the development will need to pay to the Overstrand Municipality is approximately **R 6 048 497**.

In terms of the GLS report approximately **R 1 840 000** will be required to upgrade bulk water and sewer networks to accommodate the proposed and other developments, leaving approximately **R 4 200 000** for the Municipality to upgrade other services in and surround the Stanford area.

**15.5 Opportunity cost**

An opportunity cost in the context of land use planning refers to a development proposal which leads to the devaluation or foregoing valued land use rights of interested and affected parties when an application is approved.

The proposed development is not foreseen to negatively affect any surrounding landowners as the development is aligned with what the new urban area is being earmarked for. The development is a starting point for the future of Stanford and will enable the OM to ensure that the projected housing demand is met.

**16. COMPLIANCE WITH POLICIES AND REGULATIONS**

**16.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)**

The subject property is not located within this zone.

**16.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)**

**16.2.1 Scenic Route**

The subject property is located adjacent the R326, identified as a 'Route of Regional Scenic Significance'. The applicant acknowledges the significance of the route and would not want to impact on the scenic nature thereof.

To ensure compliance, the HPOZ has guidelines in place to ensure new developments do not impact the scenic route as indicated in Section 8.2.6:

Protection of scenic corridors	Compliance
8.2.6.1 - New buildings must not block views from scenic routes, particularly views towards the mountains and the coastline and towards places/sites identified as having visual or heritage significance, where possible.	<p>The subject property is located on the southern side of the R326, and the mountains are located to the north of Stanford and the subject property. The proposed development will therefore not block the view of the mountains from the scenic route.</p> <p>To ensure compliance with the HPOZ, it was ensured in the planning phase, that the proposed development is aligned with the provisions of the HPOZ.</p>



## MOTIVATION

<p>8.2.6.2 - Comment must be obtained from the Overstrand Heritage and Aesthetics Committee, Stanford Heritage Committee and/or a registered conservation body on potential visual impacts before the Municipality approves any applications within this HPOZ.</p>	<p>This application will be circulated to the relevant departments and committees for comment.</p> <p>The Overstrand and Stanford Heritage Committees will be afforded the opportunity to comment on the application during the public- and authority commenting period.</p>
<p>8.2.6.3 - Development on ridge lines and on steep slopes greater than 1:4 must be avoided in this zone.</p>	<p>This is noted and is <u>not</u> applicable to this application as the development is almost flat.</p>
<p>8.2.6.4 - New interventions must be modest and restrained in scale, limited in height, recessive in character and appropriate to the natural and cultural landscape.</p>	<p>As previously mentioned, the development was designed in such a way to ensure compliance with the Overstrand Municipality's by-laws, zoning scheme, etc in order to ensure that the application is appropriate in scale and height.</p>
<p>8.2.6.5 - New developments must be associated and linked with existing settlements, rather than being built on isolated sites on undeveloped land.</p>	<p>The proposed development is approximately 500m from the centre of Stanford and closer to the centre of Stanford than for instance Stanhaven Estate.</p> <p>The geographical locations of the land recently incorporated in the urban edge makes it impossible to directly link to the existing settlement, but forms part of a new urban area.</p>
<p>8.2.6.6 - Buildings must be aligned parallel to the contours. Hard and soft landscaping must be used to tie the buildings into the landscape.</p>	<p>With the typography of the subject property, this is not applicable as the subject property is almost flat.</p>
<p>8.2.6.7 - Building platforms on sloping sites must be kept to a minimum. Buildings on high stilts in excess of 2,4 m, as measured from the base level and as defined in the land use scheme, must be avoided. New levels must be designed to fit into the surrounding landform. Mitigation measures must be identified to limit visual impacts.</p>	<p>With the typography of the subject property, this is not applicable as the subject property is almost flat.</p>
<p>8.2.6.8 - Outdoor spaces must be designed so that the landscape appears to flow throughout the site. Extensions on coverage will be discouraged.</p>	<p>The proposed development is within the coverage limit of the development parameters. Open spaces were designed to be functional and integrated.</p>
<p>8.2.6.9 - The layout and design of new buildings must respect local traditions and</p>	<p>The layout of the proposed development follows the "grid layout" of Stanford and</p>

settlement patterns in terms of the placement and alignment of buildings on sites.	the architectural style incorporates the elements of the Overberg and Stanford Styles.
8.2.6.10 - Access roads and pathways must be designed to avoid excessive cutting and filling and to ensure harmonious adaptation to the existing topography.	This is noted and all access roads will be constructed engineering standards and will meet the requirements of the OM.

**16.2.2 Significant landscape**

A portion of the subject property is located in the Heritage Protection Overlay Zone as a 'Significate landscape' as illustrated by the figure below:

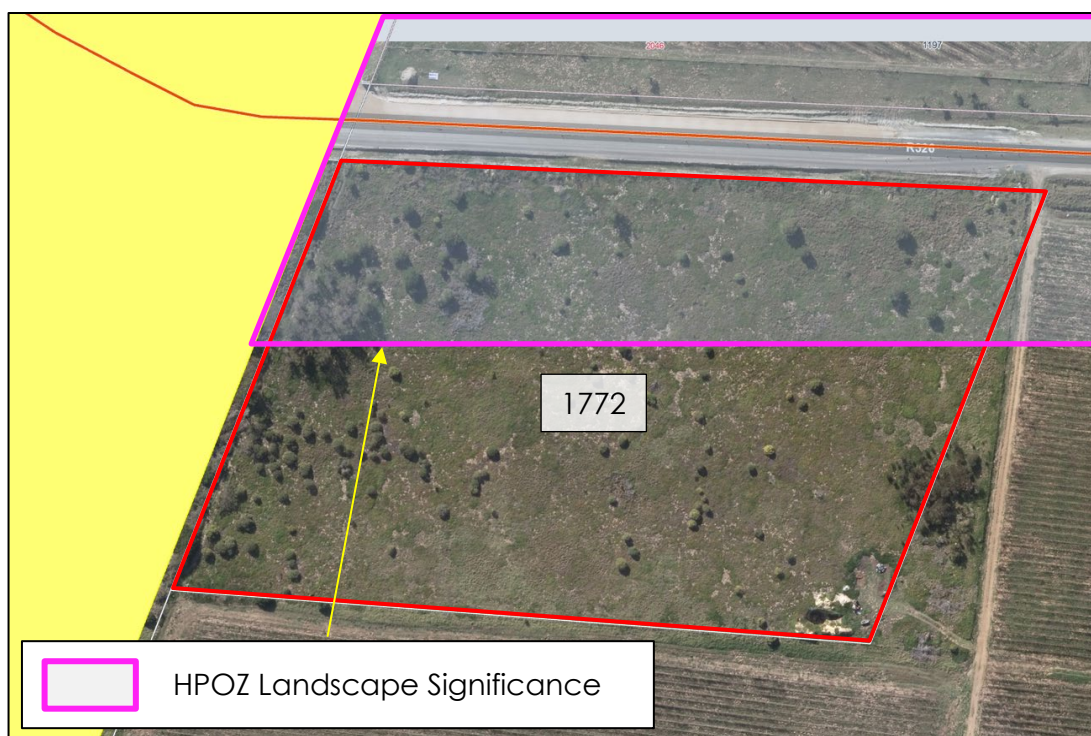


Figure 6: HPOZ Landscape Significance

The portion of the subject property is located within a significant landscape area, and it is predicted the subject property will not have a further impact on the HPOZ.

To ensure the application may be considered, compliance with the HPOZ it is of importance and certain aspects need to be provided and addressed in terms of Overstrand Municipality Heritage Protection Overlay Zone Regulations, 2020:

Section 20 – 22 states the following -

“20

*The Overstrand Municipality By-Law on Municipal Planning, 2020, will apply in respect of all applications, processes and decisions contemplated in these regulations.*



21

*In considering an application for written consent in order to undertake an activity in terms of the Heritage Protection Overlay Zone, the Municipality may require from an applicant whatever information it deems necessary in order for an informed decision to be made regarding the application.*

22 *This could include, inter alia:*

22.1 *statements of significance;*

22.2 *heritage research;*

22.3 *photographs, including contextual photographs;*

22.4 *results of public consultation;*

22.5 *impact assessments; and*

22.6 *comment from affected and interested bodies."*

### Statements of Significance

The heritage significance of the subject property is not large. The area has been included into the urban edge for development. It is however important to ensure the heritage aspect is appropriately addressed.

The steps to ensure heritage significance is respected, steps were taken such as a 5m buffer between the scenic route (R326), as well as a green "living" boundary wall. This will also have a positive impact to minimise the impact of the proposed development viewed from the scenic R 326 route.

### Heritage Research

The relevant heritage research was done as part of the requirements set out by HWC. Refer to Section 12 of this motivational report.

### Photographs, Including Contextual Photograph

Aerial maps were included into the application, refer to **Plan 11 – Aerial Plan**. As illustrated by the Aerial map the site is empty and not developed. Further photographs will be included in the NID, HIA and VIA.

### Results of Public Consultation

Regarding this application an extensive public participation process will be held. If any comments are received with regard to the heritage aspect it will be addressed accordingly.

### Impact Assessments

Refer to Section 12 of this motivational report.

### Comment From Affected and Interested Bodies

This application will be circulated to affected and interested bodies for comment.

### Stanford Heritage Committee

The application will be circulated to the Stanford Heritage Committee for comments. It is of importance to note that heritage is of great importance to the applicants.



**17. 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:

<b>PSDF</b>
<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>
<b>OMSDF</b>
<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. To focus on provincial and local policies will ensure alignment with the above-mentioned higher hierarchy of legislation and policies.

**17.1 Spatial Planning Policies**

**17.1.1 PSDF**

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

<b>Provincial settlement policy objective</b>	<b>Alignment of the proposal with the policy objectives.</b>
Protect and enhance sense of place and settlement patterns	The proposed development is located to the southern side of the R326, being the first residential development, south of the R326.



	<p>It is of great importance to ensure the proposed development is incorporated into the Stanford urban area and have access to all the heritage and history of the area.</p> <p>This was done by respecting the location of the development and ensuring the residents have access to the surrounding area. While creating a new place of attraction through the wellbeing emphasised by the development.</p>
<p>Improve accessibility at all scales</p>	<p>The subject property has adequate accessibility to the Stanford centre and also access to Hermanus through the routes in the area. The proposed development was designed to fall into the Stanford area and form part of the extended town.</p> <p>While ensuring access is granted to larger towns and cities such as Hermanus and Cape Town.</p>
<p>Promote an appropriate land use mix and density in settlements</p>	<p>The mix of land use is predominantly residential with smaller land uses available for the residents these included outdoor gym equipment as well as a day care centre. While ensuring the development has access to nature through the use of specifically placed open spaces.</p> <p>The density is approximately 25 dwelling units per hectare which is regulated by the OMLUS.</p>
<p>Ensure effective and equitable social services and facilities</p>	<p>With Hermanus being a regional service centre as indicated by the PSDF, the importance to ensure access to the area is important.</p> <p>There are adequate road networks between the proposed development and Hermanus which have been upgraded recently.</p>

**17.1.2 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 and provides a shared spatial vision which 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 proposed residential development was aligned with the OMSDF to ensure that policy requirements are met. The OMSDF focussed on the increasing pressure to provide





adequate housing options to the increasing population. This includes the Stanford area. Refer to **Table 1** for an indication of the population growth within the Stanford area. The following was identified within the OMSDF, p90:

*“A survey in terms of the availability of vacant land was undertaken in 2019. A total of 225 vacant residential erven were identified. A total amount of 2 828 additional people will need to be accommodated from 2019 to 2031, based on the aforementioned population total. Based on an average household size of 2.6 persons per household, this amounts to a total requirement of **1 088 additional dwelling units by 2031.**”*

The increase in population is based on the growth indicated by Table 2.7 p25 of the OMSDF. The proposed development will add 91 additional dwelling units to the Stanford area, addressing 8,36% of the estimated demand identified by the OMSDF within the Stanford Area. These 91 dwelling units are located within the area recently incorporated within the urban edge as discussed in Section 3 of this document, refer **Figure 1**.

The application is aligned with the OMSDF as the proposal would assist the OM to be able respond to the future housing demand and ensure adequate residential options are available within the Stanford area.

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## 18. PLANNING PRINCIPLES

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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 below:

### 18.1 Spatial justice

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. This proposal for new a residential development is not proposed to contribute to the perpetuation of apartheid spatial development imbalances.

The development aims to provide housings options for all within the Stanford area, and the position of the development is located close to the current urban centre.

### 18.2 Spatial sustainability

Spatial sustainability refers to planning proposals that result in communities that are viable. This proposal is intended to increase the economic power of the Stanford area, increasing the tax base collectable by the OM, (refer to **Section 14** of this report). The proposal is to establish a residential development in an area where there is access to the Stanford centre and also located close to distributor routes that lead to Hermanus and other towns in the Overberg.



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**18.3 Efficiency**

This proposal is intended to maximise the usage of the subject property and ensure the entire area is used in a manner that will assist the entire Stanford area. The new proposal will also ensure the whole property is utilised in a sustainable way that will ensure efficient usage of services required by the development.

**18.4 Spatial resilience**

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience. The policies identified earlier in Section 16.1 are guided by a higher hierarchy of several policies and legislation that the proposal is aligned with.

**18.5 Good administration**

The OM has a credible track record of good administration regarding the method of public participation which accepts comments from the public to make an informed decision as well as complying with the prescribed time frames pertaining to the processing of applications.



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### 19. EVALUATION

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With the promulgation of the revised OMSDF in 2020, the applicants instructed a professional team to commence with investigations to determine the “**highest and best use**” of the subject property within the provisions of the OMSDF. It was clear that residential development was required as the OMSDF identified the need clearly throughout the OMSDF as identified several times throughout this report.

The applicants approached WRAP Project Office to facilitate and coordinate all the relevant professionals and studies to identify if the proposal would be a feasible development.

The proposed development is in-line with the spatial frameworks, legislation and policies of the OM. The OMSDF clearly included the new urban areas to allow for urban development to occur.

The land uses are not out of the context of the surrounding area and is not seen as a development that is undesirable. The development aims not to impede on views, sunlight or negatively affect the character of the area. In several years' time once developed the proposed development will form part of Stanford and become an integral part in reviving the affluent town. By accommodating 91 new families and new “blood” into the Overberg area and ensuring a positive impact on not only Stanford but the whole region.

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### 20. RECOMMENDATION

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

- 20.1 Subdivision** of Erf 1772 Stanford into Portion A,  $\pm 94\text{m}^2$  and the Remainder of Erf 1772 Stanford,  $\pm 33212\text{m}^2$  in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.2 Subdivision** of the Remainder of Portion 13 of the Farm Riverside 644 Caledon into Portion B,  $\pm 1909\text{m}^2$  and the Remainder of the Remainder Portion 13 of the Farm Riverside 644 Caledon,  $\pm 281.9458\text{Ha}$  in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.3 Consolidation** of Portion B,  $\pm 1909\text{m}^2$  and the Remainder of Erf 1772 Stanford,  $\pm 33212\text{m}^2$  in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.4 Consolidation** of the Portion A,  $\pm 94\text{m}^2$  and the Remainder of the Remainder of Portion 13 of the Farm Riverside 644 Caledon,  $\pm 281,9458\text{Ha}$  in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



- 20.5 Rezoning** of the Consolidated Erf 1772 from Agricultural Zone 1 – Agriculture (AGR2) to Subdivisional Area Zone (SA) in terms of Section 16(2)(e) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.6 Subdivision** of the Consolidated Erf 1772 Stanford into ninety-one (91) General Residential Zone 1: Town Housing (GR1) erven, five (5) Open Space Zone 2: Private Open Space (OS3) erven and three (3) Transport Zone 2: Road and Parking (TR2) erven in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.7 Consent Use** to allow a “*recreational facility*” on Erf 92 (Open Space) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.8 Consent Use** to allow a “*day care centre*” on Erf 92 (Open Space) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.9 Exemption of the registration of a right of way servitude** over Erf 78 in favour of Erven 23 and 77 in terms of Section 26(1)(h)(v) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.10 Phasing Plan of Subdivision** in terms of Section 16(2)(k) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.11 Allocation of street names** in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 20.12 Approval** of the Architectural Design Guidelines; and
- 20.13 Establishment** of an owner's association and approval of constitution in terms of Section 31 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.