

REMAINDER ERF 1656, 6 VLEI STREET, STANFORD, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF NM HOLDCROFT

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 that an application has been received for the following:

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law in order to:
 - relax the southern lateral building line from 2m to 1m to accommodate the existing garage, and
 - exceed the permissible maximum length restriction applicable to garages from 9m to 9.630m to accommodate the existing garage.
- ❖ **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law.

Full detail regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Division: Town and Spatial Planning at 16 Paterson Street, Hermanus, Stanford Library, Queen Victoria Street, Stanford and on the municipal webpage at the following link <https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/>. Any written comments may be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law to the Municipality (16 Paterson Street, Hermanus / (e) landuse@overstrand.gov.za) on or before **14 August 2026**, quoting your name, address and contact details, interest in the application and reasons for comments. 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 Division: Town and Spatial Planning where a municipal official will assist them in order to formalize their comment.

Please note that in terms of the Protection of Personal Information Act (POPIA), you will be entering into a public process and as such agree and consent to your name, surname, contact details and comment(s) may be disclosed / used in the (application) process.

RESTANT ERF 1656, VLEISTRAAT 6, STANFORD, OVERSTRAND MUNISIPALE AREA: AANSOEK OM AFWYKING EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: PLAN ACTIVE STADS- EN STREEKBEPLANNERS NAMENS NM HOLDCROFT

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek soos volg ontvang is:

- ❖ **Afwyking** ingevolge Artikel 16(2)(b) van die Verordening ten einde die:
 - suidelike lateraleboulyn vanaf 2m na 1m te verslap om die bestaande motorhuis te akkommodeer, en
 - toelaatbare lengtebeperking van toepassing op motorhuise vanaf 9m na 9,630m te oorskry om die bestaande motorhuis te akkommodeer.
- ❖ **Bepaling van 'n administratiewe boete** ingevolge Artikel 16(2)(q) van die Verordening.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Afdeling: Stads- en Streekbeplanning, Hermanus, Stanford Biblioteek, Queen Victoriastraat, Stanford en op die munisipale webtuiste by die volgende skakel <https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/>. Enige kommentaar op die voorstel moet skriftelik ingedien word in terme van Artikels 51 en 52 van die voorgeskrewe Verordening na die Munisipaliteit (Patersonstraat 16, Hermanus / landuse@overstrand.gov.za) voor of op **14 Augustus 2026**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. 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 Afdeling: Stads- en Streekbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

U aandag word gevestig op die Bepalinge van die "POPI" Wet, en aangesien u opmerking deel sal uitmaak van 'n openbare deelname proses, u derhalwe toestem dat u naam, van en kontakbesonderhede openbaar gemaak mag word.

INTSALELA YESIZA U-ERF 1656, 6 VLEI STREET, STANFORD, LUMASIPALA WASE-OVERSTRAND: ISICELO SOKWAHLULA NENGQIKELELO YOMDLIWO WOBHALISO: NGABAKWAPLAN ACTIVE TOWN NABACWANGCISI BENGINGQI EGAMENI LIKA NM HOLDCROFT

Kukhutshwe isaziso esimayela gnemiba yeSoloty lama-48 loMthethwana Osisihlomelo sikaMasipala waseOverstanda NgeziCwangciso Zokusetyenziswa koMhlaba kaMasipala ku2020, isaziso esi sifunyenweyo simayela nale miba ilandelayo:

- ❖ **Ukwahlula** ngokwemiba yeSoloty le16(2)(b) loMthethwana ukuze:
 - kunyenyiswe umgca wesakhiwo omelene nesakhiwo kwicala elisemazantsi ukuze kwiimitha ezili-2m ukuya kwi-1m ukulungiselela igaraji esele ikhona, kunye
 - nokudlula kumqobo wobude ovunyelweyo kwiigaraji ezisebenza kubude beegaraji ukusuka kwiimitha ezimitha ezi- 9m ukuya kwezi-9.630m ukulungiselela igaraji esele ikhona.
- ❖ **Ingqikelelo yobhaliso lomdliwo** ngokwemiba yeSoloty le16(2)(q) loMthethwana.

linkcukacha ezipheleleyo Mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku eziphakathi evekini ukusukela phakathi kwentsimbi ye-08:00 neye16:30 kwiCandelo: LeziCwangciso zeDolophu noBume beNdawo kwa16 Paterson Street, Hermanus, Stanford Library, Queen Victoria Street, Stanford nakwiwebhpheji kaMasipala kweli qhakamshela ilandelayo <https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/>. Naziphi na izimvo ezibhaliweyo zingangeniswa kwaMasipala ngokwezibonelelo zeSoloty lama-51 nelama-52 loMthethwana kaMasipala ochazwe ngentla (16 Paterson Street, Hermanus / (e) landuse@overstrand.gov.za) ngomhla okanye ngaphambi komhla **14 Agasti 2026**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla kwakho. Imibuzo ngefowuni ingathunyelwa ku**Mnu. P. Roux** kwa-028-313 8900. UMasipala angala ukwamkela izimvo izimvo ezifunyenwe emva komhla wokuvala. Naziphi na ongakwazi ukufunda okanye ukubhala angahambela iCandelo: LeziCwangciso zeDolophu noBume beNdawo apho igosa likamasipala liza kumnceda ukuze afake izimvo zakhe ahlomle ngokusemthethweni.

Nceda uqaphele ukuba ngokwemiba yoMthetho Wokhuselo Lwengxelo Yomntu (POPIA), uza kube ungena kwinkqubo yoluntu ngoko ke uyavuma ukwamkelana nokusetyenziswa kwegama lakho, ifani, iinkcukacha zakho nolu(nezimvo) zingadizwa /zingasetyenziswa kwinkqubo(yesicelo) yokwenza isicelo.



MOTIVATION REPORT

Building Line Departure & Administrative Penalty

In terms of Sections 16(2)(b) and 16(2)(q) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2020

ERF 1656 (REMAINDER) | STANFORD | CALEDON DIVISION | OVERSTRAND MUNICIPALITY

6 VLEI STREET, STANFORD, 7210

Applicant / Owner	Nicholas Michael Holdcroft
Identity Number	661126 5035 087
Title Deed	T10890/2025
Property	Remainder Erf 1656 Stanford
Address	6 Vlei Street, Stanford, 7210
Extent	2 271 m ²
Zoning	Single Residential
Application Type	Building Line Departure (s 16(2)(b)) & Administrative Penalty (s 16(2)(q))

1. BACKGROUND

The property known as the Remainder Erf 1656 Stanford, situated at 6 Vlei Street, Stanford, in the Overstrand Municipality, was purchased by Nicholas Michael Holdcroft and registered in his name by Deed of Transfer T10890/2025.

The property is 2 271 square metres in extent and is zoned Single Residential in terms of the Overstrand Municipality Zoning Scheme Regulations. The existing improvements consist of a dwelling house, an existing garage, and two covered stoeps.

A new garage structure designed by Richard Hamilton Architects and constructed by Hoffman and Du Plessis Projects (Pty) Ltd was recently erected on the property. The architectural plans (Drawing Nos. 1656/101, 1656/201 and 1656/301, Rev 6) were prepared and submitted to the Overstrand Municipality Building Control department on 24 March 2026 (Plan No. 52585). Prior to that submission, the architect

engaged with the Stanford Conservation Committee, which provided its written support for the design on 16 February 2026.

1.1 Building Control Refusal and Grounds Thereof

On 8 May 2026, the Overstrand Municipality Building Control department issued a formal refusal of Plan No. 52585 (Reference 52585; enquiries: Russell Dickson; meeting date: 8 May 2026). The refusal was issued on the following grounds:

#	Ground	Description
1	Town Planning	The existing garage is already over the lateral building line, and therefore the total garage space will be more than 9 metres over the building line. A departure application is required (not consent from the property owners) should the applicant seek to retain the structure over the 2.0 m building line.

The Building Control refusal of 8 May 2026 confirmed that a formal building line departure application under the By-law is required to regularise the New Garage's position relative to the southern lateral building line, and that the combined garage length along that boundary exceeds the 9-metre threshold. This motivation report and the accompanying land use application directly address both grounds of refusal. The architectural drawings are to be revised to correct the elevation scale and to accurately reflect the as-built boundary wall height.

This motivation report is accordingly submitted in support of an application for:

- A building line departure in respect of the southern lateral building line and departure from the total length of an outbuilding that encroaches a building line and that is more than 9m in length or 1/3 of the length of a boundary, in terms of Section 16(2)(b) of the Overstrand Municipality By-law on Municipal Land Use Planning, 2020 (hereafter “the By-law”); and
- The determination of an administrative penalty for the construction of the structure without prior building plan approval, in terms of Section 16(2)(q) of the By-law.

2. APPLICATION

This application seeks approval for a building line departure, departure from the total length of an outbuilding that encroaches a building more than 9m or 1/3 of the length of a boundary and the determination of an administrative penalty in respect of the New Garage constructed on Erf 1656, 6 Vlei Street, Stanford, in terms of Sections 16(2)(b) and 16(2)(q) of the By-law respectively. Full details of the application are set out in Section 4 below.

3. DESIRABILITY

3.1 Property Location

Erf 1656 Stanford is situated at 6 Vlei Street, Stanford, within the Overstrand Municipality, Caledon Division, Province of the Western Cape.

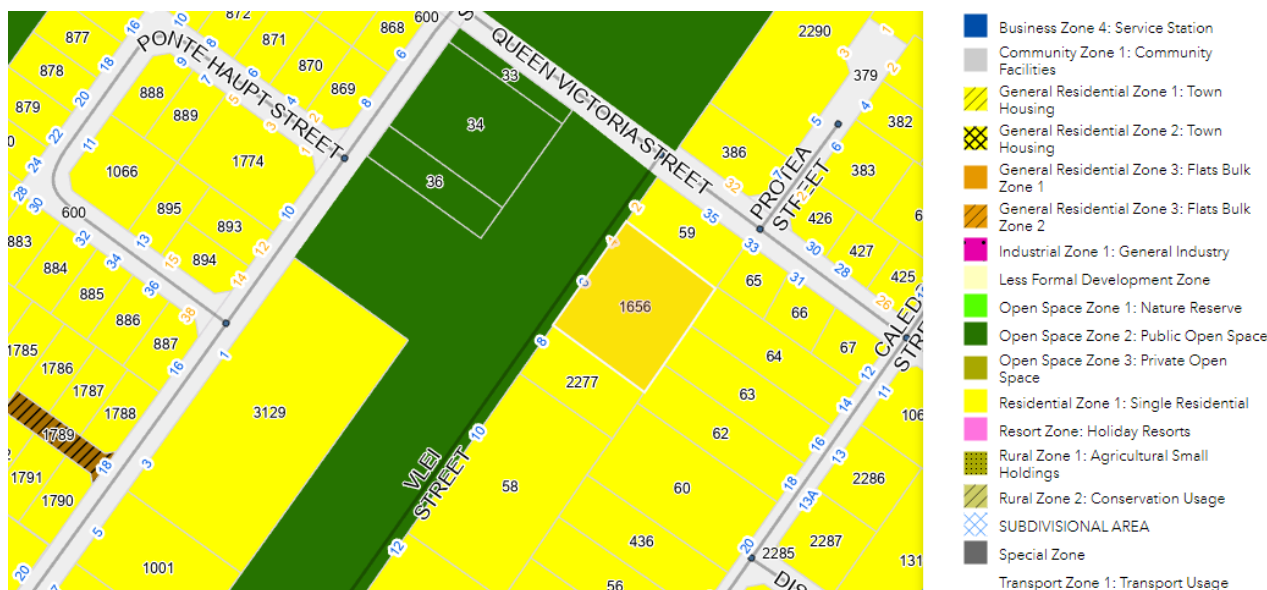


The property is located in an established residential area within the recognised heritage core of the Stanford village, in close proximity to the Kleinrivier. Stanford is positioned approximately 22 kilometres east of Hermanus along the R43 Provincial Road.

The surrounding land use is predominantly single residential, consistent with the Single Residential zoning of the subject property. The immediate neighbourhood consists of established homes with garden settings typical of the historic Stanford townscape.

3.2 Zoning

The property is zoned Single Residential in terms of the Overstrand Municipality Zoning Scheme. This zoning permits, inter alia, a single dwelling house and associated outbuildings such as garages, subject to compliance with applicable development parameters.



The applicable development parameters for Single Residential zoning include a 4.0 metre street building line, a 2.0 metre lateral building line, a 2.0 metre rear building line, a maximum coverage of 50% and a maximum height of 8.0 metres. The site coverage achieved by the existing and proposed structures, at 11.54%, is well within the permitted maximum.

3.3 Existing Land Use

The property is improved with a dwelling house (168 m²), an existing garage (26 m²), two covered stoeps (totalling 39 m²), a New Garage (42 m²), a dam, and landscaped garden areas. The combined footprint of 262 m² yields a site coverage of 11.54% against the permitted 50%.

The New Garage, the subject of this application, is positioned adjacent to the southern lateral boundary of the property, accessed via the existing driveway off Vlei Street. It is designed in a style sympathetic to the existing dwelling and the heritage character of Stanford.

4. PROPOSAL

The proposal involves a building line departure in respect of the New Garage structure, departure from the total length of an outbuilding that encroaches a building more than 9m in length or 1/3 of the length of a boundary, and the determination of an administrative penalty for its construction without prior building plan

approval. The New Garage was constructed by Hoffman and Du Plessis Projects (Pty) Ltd at a total contract cost of R156 000,00, as evidenced by Quotation No. Quote-21 dated 15 May 2026.

Note on Classification: The structure, referred to as a “carport” in the architectural drawings submitted to Building Control, is properly classified as a garage for the purposes of this application. The structure is enclosed on three sides. A structure enclosed on three sides does not meet the regulatory definition of a carport, which requires the structure to be open on at least two sides. The correct classification as a garage is therefore applied throughout this report.

4.1 Departure A: Southern Lateral Building Line

The prescribed lateral building line in terms of the Overstrand Municipality Zoning Scheme is 2.0 metres. The New Garage is positioned 1.0 metre from the southern lateral boundary, resulting in a departure of 1.0 metre from the prescribed building line.

Parameter	Prescribed	Proposed / As Built
Southern lateral building line	2.0 m	1.0 m
Departure required	—	1.0 m

The 1.0 metre setback is sufficient to maintain access alongside the structure for maintenance and servicing purposes. The boundary wall along the southern boundary provides screening and is not located within the servitude of access registered over the south-western boundary.

In terms of building height, the southern elevation of the proposed garage measures ±2.881 metres from natural ground level. The roof is a mono-pitch design that pitches upward towards the north, meaning the southern wall presents the lowest point of the structure to the boundary. This low profile, rising away from the neighbouring property, further reduces the visual bulk experienced from the southern side and demonstrates that the 1.0 metre departure has minimal impact on the adjoining property. The building itself is 9.630 metres in length; including the roof overhangs at both ends, the total roof length is 10.7 metres.



4.2 Departure B: Total Outbuilding Length Along Southern Lateral Boundary

The Overstrand Municipality Zoning Scheme regulates the total length of outbuildings along a lateral boundary. The applicable threshold is the lesser of 9.0 metres or one-third of the boundary length. In this instance:

- The southern lateral boundary measures approximately 44.58 metres.
- One-third of 44.58 metres equals approximately 14.86 metres.
- The more restrictive threshold of 9.0 metres therefore applies.

The New Garage has a length of approximately 9.630 metres along the southern lateral boundary. Including the roof overhangs at both ends, the total roof length is 10.7 metres. The existing garage has a length of approximately 6.718 metres along the same boundary. The combined length of the two structures along the southern lateral boundary is therefore approximately 16.348 metres, which exceeds the 9.0 metre threshold by approximately 7.348 metres.

Parameter	Prescribed	As Built
Maximum outbuilding length (1/3 of boundary)	14.86 m	—
Maximum outbuilding length (absolute cap)	9.0 m	—
Applicable threshold (more restrictive)	9.0 m	—
New Garage length along boundary	—	9.630 m
Existing Garage length along boundary	—	6.718 m
Combined outbuilding length	—	±16.348 m
Departure required	—	±7.348 m

4.3 Administrative Penalty

4.3.1 Nature, Duration and Gravity of the Contravention

The contravention consists of the construction of the New Garage without prior building plan approval from the Overstrand Municipality, the structure was constructed after the property was acquired by the current owner in March 2025 and was completed and in place at the time of submission of this application. The contravention was therefore of relatively short duration. The gravity of the contravention is mitigated by the fact that an architect was engaged to design the structure, that building plans were submitted promptly, and that the structure is compatible with its surroundings and does not constitute a safety hazard.

4.3.2 Conduct of the Person Involved

The owner, Nicholas Michael Holdcroft, engaged a registered professional architect (Richard Hamilton Architects) and a reputable contractor (Hoffman and Du Plessis Projects (Pty) Ltd) for the project. Building plans were submitted to the Municipality on 24 March 2026. The owner co-operated with the Building Control department following the refusal and has engaged a town planner to regularise the matter through the appropriate departure and penalty process. There is no evidence of wilful disregard of the approval processes.

4.3.3 Whether the Unlawful Activity Has Been Stopped

Construction of the New Garage has been completed. No further construction activity in contravention of the By-law is taking place or proposed. The application before the Municipality constitutes the owner's effort to regularise the existing situation within the framework of the By-law.

4.3.4 Impact on Adjacent Owners and the Surrounding Area

The New Garage is positioned along the southern lateral boundary of the property and is screened by the boundary wall from the adjacent property. The structure does not obstruct views, impede access, or diminish the amenity of neighbouring properties. No objections have been received from adjacent owners. The design has received the written support of the Stanford Conservation Committee (letter of 16 February 2026 signed by Chairperson James Aling).

4.3.5 Construction Cost and Penalty Calculation

The total construction cost of the New Garage is R156 000,00 as per Quotation No. Quote-21 (Hoffman and Du Plessis Projects (Pty) Ltd, dated 15 May 2026). The total floor area of the New Garage is 42 m². The contravening area (being the portion of the New Garage falling within the 1.0 metre departure zone) is represented by a strip of 1.0 metre in width along the full length of 9.630 metres, yielding a contravening area of approximately 9.630 m².

The proportional construction value attributable to the contravening area is calculated as follows:

Item	Value
Total construction cost	R156 000,00
Total floor area of New Garage	42 m ²
Cost per m ²	R3 714,29/m ²
Contravening area (1.0 m x 9.630 m)	9.630 m ²
Proportional value of contravening area	R35 768,57
Recommended administrative penalty (5%)	R1788.43

The applicant submits that an administrative penalty of R1788.43 — representing 5% of the proportional construction value of the contravening area of the New Garage — is reasonable and appropriate in the circumstances, having regard to the mitigating factors set out above.

4.3.6 History of Previous Contraventions

There is no known history of previous building regulation contraventions on the property or by the current owner. This is a first and isolated instance.

5. ACCESS AND PARKING

The property is accessed via Vlei Street. The existing driveway provides vehicular access to both the existing garage and the New Garage. Adequate on-site parking is provided within the garages and on the driveway. The proposal does not affect the existing access or parking arrangements. No new vehicle crossings are required.

6. MUNICIPAL SERVICES

Erf 1656 Stanford is connected to all municipal services, including potable water, sewerage, electricity and solid waste collection. The proposed development does not increase the demand on municipal services beyond the existing connection capacity. No upgrading of services infrastructure is required as a result of this application.

7. TITLE DEED

The property is held under Deed of Transfer T10890/2025, registered at the Deeds Office, Cape Town. The title deed records the following conditions and encumbrances:

7.1 General Conditions (Deed of Transfer T 142, 8 September 1858)

The property is subject to the conditions referred to in Deed of Transfer Number T142/1858. These conditions are of historical origin and do not impose any restriction relevant to this application.

7.2 Municipal Conditions (Deed of Transfer T 50702/2002, Section 25 of Ordinance 15 of 1985)

The following conditions were imposed by the Overstrand Municipality in terms of Section 25 of Ordinance No. 15 of 1985:

The owner of this erf is obliged, without compensation, to permit the laying of main gas pipelines, electricity and television cables and/or wires, main and other water pipes and the sewage drain, including stormwater from any other erf or even through this erf and to permit underground installations such as mini-substations, meter kiosks and service poles to be installed thereon, if required by the local authority or any other statutory authority from time to time, and to permit access at all times to the property for purposes of laying, amending, removing or inspecting any works related to the above.

The owner of this erf is obliged, without compensation, to accept material or permit excavations on the erf as may be required so that the full width of the street can be used and to make any necessary slopes and to construct retaining walls within a period determined by the local authority.

The New Garage does not conflict with these conditions. The 1-metre setback from the lateral boundary maintains sufficient access alongside the structure for service maintenance if required.

7.3 Servitude of Access in Favour of Erf 2277 Stanford (T 57107/2013)

A 1-metre wide servitude of access in favour of Erf 2277 Stanford is registered over Erf 1656, running the length of and parallel to line A–B on Diagram SG No. 10/2013 along the south-western boundary. No fence or other structure may be erected along the south-western boundary within the servitude area.

The proposed New Garage and boundary wall are not located within or across the registered servitude of access area. The servitude runs alongside the opposite lateral boundary. This application does not seek to alter or extinguish the said servitude.

7.4 Water Rights — Leiwater (T 57107/2013)

Erf 2277 Stanford (Dominant Tenement) holds a right to one-third (1/3) of any canalized natural flowing irrigation water (leiwater) available on Erf 1656 (Servient Tenement). The owner of Erf 1656 is required to allow the owner of Erf 2277 to erect a catchpit and to have reasonable access to maintain the catchpit and associated pipes. The proposed development does not interfere with this right.

8. FORWARD PLANNING

The proposed development is in keeping with the residential character of the area. No rezoning or change of land use is sought. Should the owner elect to install a garage door in future, the approvals sought in this application will remain valid without the need for a further land use application.

8.1 Overstrand Growth Management Strategy

Erf 1656 falls within Planning Unit 1 of the Overstrand Growth Management Strategy — the original heritage core of Stanford, centred on Market Square and the Klein River. Planning Unit 1 is to be retained in its existing residential format with no densification proposed. The New Garage is an ancillary outbuilding consistent with this approach: no rezoning, no densification, and no change of land use is sought. The

application is aligned with the Growth Management Strategy's objectives and with the Overstrand IDP's goal of promoting orderly residential development within existing urban areas.

8.2 Overstrand Municipal Spatial Development Framework (2020)

The Overstrand Draft MSDF (Urban Dynamics South Cape, January 2020) is the overarching spatial planning policy document for the municipal area, compiled in terms of Section 21 of SPLUMA and forming a core component of the IDP.

8.2.1 Nodal Classification

Stanford is classified as a Local Node (Order 3) in the MSDF settlement hierarchy — a smaller-scale heritage village distinguished from the Regional Node of Greater Hermanus and Sub-Regional Node of Greater Gansbaai by its rural character and historic significance.

8.2.2 2050 Vision for Stanford

The MSDF's 2050 Vision for Stanford is underpinned by protection of its heritage character and natural environment. The key objectives relevant to this application are to protect environmentally sensitive areas, significant cultural landscapes and heritage sites; ensure that new development reflects and enhances the built and natural heritage context; and confine development within the urban edge. The MSDF identifies Stanford's heritage precincts, the Klein Rivier corridor, wetland and vlei systems, and the Town Square as special places to be protected and managed with conservation in mind.

8.2.3 Local Spatial Development and Growth Management Principles

The MSDF's local growth principles for Stanford direct the Municipality to promote the village's rural and heritage character through adherence to the draft HPOZ and EMOZ; to restrict industrial and non-agricultural development; to contain the urban footprint within the defined urban edge; and to maintain the historical townscape and a balanced residential mix. This application is entirely consistent with those principles.

The proposed development on Erf 1656 is fully aligned with the Overstrand MSDF (2020). No rezoning, change of land use, commercial development, industrial activity, or greenfield expansion is proposed. The application concerns a secondary residential outbuilding, in a Single Residential zone within an established heritage village, designed in accordance with the heritage character of the area and supported by the Stanford Conservation Committee. The application gives effect to, rather than detracts from, the MSDF's overarching objective of protecting and enhancing the heritage and natural character of Stanford.

9. OTHER RELEVANT LEGISLATION

9.1 Heritage Protection Overlay Zone (HPOZ)

Stanford is a town of recognised heritage significance in the Western Cape. The Stanford Conservation Committee (NPO 024-867; PBO 930079535) is an active civil society organisation that monitors and advises on development proposals within the village to ensure they are sympathetic to its historic character. The committee reviewed the architectural drawings for the New Garage and boundary wall (Drawing Nos. 1656/101, 1656/201 and 1656/301) at its meeting on 12 February 2026 and provided written support for the proposed design on 16 February 2026.

The design of the New Garage, utilising horizontal hardwood timber planks in a shiplap style and Diamondek profile roof sheeting, is considered to be contextually appropriate and sympathetic to the heritage character of Stanford village.

The draft Stanford HPOZ has been delineated to protect the historical grid layout and Cape vernacular townscape of the village. The HPOZ imposes specific guidelines regarding scale, massing, materials, and design character for new development and alterations within the heritage precinct. The guiding principle is that new development must reflect and enhance the distinct built heritage context in which it is located. Erf 1656 falls within the area governed by the draft Stanford HPOZ. The New Garage has been designed by a professional architect in direct response to these heritage guidelines, incorporating horizontal hardwood timber cladding in a shiplap style and Diamondek profile roof sheeting, materials and techniques sympathetic to the historic building fabric of Stanford. The design has been formally endorsed by the Stanford Conservation Committee, which serves as the recognised heritage advisory body for the HPOZ area. No formal heritage impact assessment is required for this application, as the structure does not constitute a heritage resource as defined in the National Heritage Resources Act 25 of 1999, and the Stanford Conservation Committee has confirmed its support.

9.2 Environmental Management Overlay Zone (EMOZ)

The Overstrand Municipal Spatial Development Framework (2020) and the Overstrand Municipality Zoning Scheme provide for an Environmental Management Overlay Zone (EMOZ) applicable to environmentally sensitive areas within the municipal area. In Stanford, the draft EMOZ encompasses the area south of the natural spring known as “Die Oog” and the area connecting to the non-perennial river that bisects the town, including the Kleinrivier and its associated wetland and vlei systems. The EMOZ is intended to protect the biophysical environment, ecological corridors, and natural drainage systems that contribute to the distinctive character and ecological functioning of the Stanford village.

The primary objectives of the draft Stanford EMOZ are to protect and manage the sensitive biophysical environment of the Kleinrivier and its tributaries; to preserve wetland and vlei systems from further urban

encroachment; to maintain ecological corridors and open space linkages; and to ensure that development within or adjacent to environmentally sensitive areas is subject to appropriate assessment and conditions. The MSDF specifically identifies the Klein Rivier, its tributary, wetland and vlei systems as areas that “should be managed with conservation objectives in mind, and should be protected from further urban development”, and further provides that the natural spring “Die Oog” should be protected as a resource that contributed to the historical growth and development of the town.

Erf 1656 Stanford is situated within the established residential grid of Stanford village and is not located within the boundaries of the draft EMOZ. The property does not form part of the Kleinrivier corridor, wetland buffer, or vlei system. The New Garage is an ancillary structure constructed on an already developed residential erf, within an existing building footprint, and does not affect any natural drainage feature, watercourse, wetland or riparian zone. No indigenous vegetation was cleared beyond the immediate building footprint, and no impact on the ecological functioning of the Kleinrivier system or any other environmentally sensitive area has arisen or is anticipated.

The proposed development on Erf 1656 does not fall within the draft Stanford EMOZ and does not affect any environmentally sensitive area, watercourse, wetland or ecological corridor. The application is consistent with the EMOZ’s objectives of confining urban development to within the existing urban fabric and protecting the natural environment of the Kleinrivier system. No formal environmental authorisation or EMOZ departure is triggered by this application.

9.3 Environmental Considerations

The property is located within the Stanford urban area and is not situated within or immediately adjacent to any formally protected environmental area. The Kleinrivier wetland system lies in the vicinity of the village, but the property itself is not within a wetland buffer zone or sensitive environmental corridor.

The proposed development involves a structure already constructed on an existing residential property. No vegetation clearing beyond the footprint of the structure was required. The proposal does not give rise to any significant environmental impact that would trigger a formal environmental authorisation process under the National Environmental Management Act 107 of 1998 or the associated Environmental Impact Assessment Regulations.

10. PLANNING PRINCIPLES

Section 2 of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) sets out the development principles that must guide land use management decisions. The following principles are applicable to this application:

10.1 Spatial Justice

The application seeks to regularise an existing residential structure, ensuring that the owner's rights in respect of the property are formally acknowledged and that the structure is brought into compliance with the planning framework through an appropriate departure and penalty process. This is consistent with the principle of spatial justice in that it addresses a pre-existing non-conformity in a proportionate and constructive manner.

10.2 Spatial Sustainability

The proposed development involves the regularisation of an ancillary residential structure within an established urban area. No greenfield land is affected. The proposal does not increase urban sprawl, impact on agricultural land, or place unreasonable demands on municipal infrastructure. It is consistent with the principle of spatial sustainability.

10.3 Efficiency

The application utilises existing infrastructure and services. The New Garage is located on an already developed residential property and does not require the extension of roads, services or utilities. The departure application constitutes the most efficient regulatory mechanism available to address the building line non-compliance.

10.4 Spatial Resilience

The application does not affect the resilience or adaptive capacity of the local spatial environment. The structure is modest in scale and character, and its approval would not create precedents incompatible with the character of Planning Unit 1 as defined in the Growth Management Strategy.

10.5 Good Administration

The applicant and professional team are committed to full cooperation with the Overstrand Municipality to ensure a transparent, efficient, and procedurally compliant land use planning process. The application follows the due process prescribed by the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, LUPA, and SPLUMA.

11. RECOMMENDATION

Having regard to the full record before the Municipality, it is respectfully submitted that the following approvals be granted:

- **Departure A** — a 1.0 metre departure from the prescribed 2.0 metre southern lateral building line — be approved in terms of Section 16(2)(b) of the By-law.
- **Departure B** — a departure from the prescribed 9.0 metre maximum outbuilding length along the southern lateral boundary, to permit a combined outbuilding length of approximately 16.348 metres — be approved in terms of Section 16(2)(b) of the By-law.

- **Administrative Penalty** — a penalty in the amount of R1 788,43 (representing 5% of the proportional construction value of the contravening area) be determined in terms of Section 16(2)(q) of the By-law.

The following grounds collectively support approval of this application:

- **Contextual appropriateness.** The New Garage is a modest ancillary residential structure consistent with the character and scale of the surrounding neighbourhood. Its design, horizontal hardwood timber cladding in a shiplap style with Diamondek profile roofing is sympathetic to the Cape vernacular building tradition and the established residential fabric of Stanford village.
- **Heritage endorsement.** The Stanford Conservation Committee, the recognised heritage advisory body for the draft HPOZ area formally reviewed and supported the design on 16 February 2026. This endorsement confirms that the structure is compatible with the heritage character of Planning Unit 1 and the objectives of the draft Stanford HPOZ.
- **Compliance with zoning parameters.** Aside from the two specific departures sought, the proposal fully complies with all Single Residential zoning parameters. The total site coverage of 11.54% is well within the permitted 50% maximum, and the structure does not exceed the 8.0 metre height restriction. No other non-compliances arise.
- **No adverse impact on neighbours or the public.** The structure is screened from the adjacent property by the boundary wall, does not obstruct views or access, and does not diminish the amenity of neighbouring properties. No objections have been received from any adjacent owner or member of the public.
- **No interference with servitudes or title deed conditions.** The New Garage and boundary wall are not located within or across the registered 1-metre servitude of access in favour of Erf 2277, and the leiwaterrights held by that property are unaffected. No title deed condition is contravened by this application.
- **No environmental impact.** The property does not fall within the draft Stanford EMOZ. The structure is built on an already-developed residential erf with no clearing of indigenous vegetation beyond the building footprint, and no impact on any watercourse, wetland or ecological corridor. No formal environmental authorisation is required.
- **Good faith and prompt regularisation.** The owner engaged a registered professional architect and a reputable contractor, submitted building plans promptly after acquiring the property, and has co-operated fully with the Municipality's Building Control department. There is no evidence of wilful disregard of the regulatory process. This application reflects a genuine and proactive effort to regularise the situation through the proper legal mechanism.
- **Proportionate administrative penalty.** The recommended penalty of R1 788,43, representing 5% of the proportional construction value of the contravening area, is reasonable and proportionate, having regard to the short duration of the contravention, the absence of any prior contraventions, the owner's co-operative conduct, and the fact that no harm has resulted to any person or property.
- **Alignment with spatial planning frameworks.** The application is consistent with the Overstrand Zoning Scheme, the Growth Management Strategy (Planning Unit 1), the MSDF (2020), and the

SPLUMA development principles of spatial justice, sustainability, efficiency and good administration. No rezoning, densification or change of land use is sought.

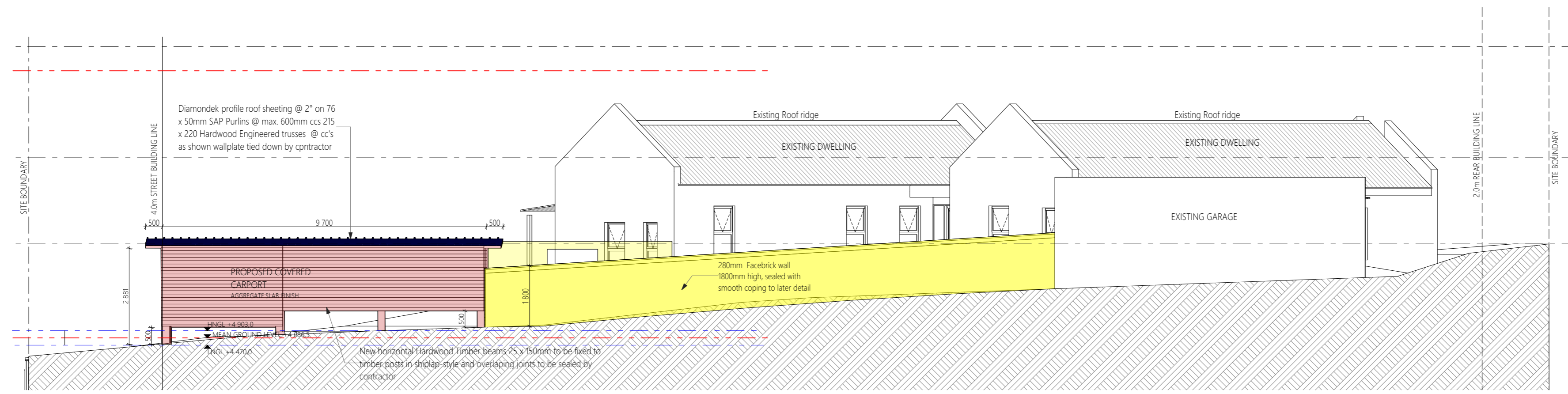
- **No precedent risk.** Approval of these departures on a 2 271 m² Single Residential erf at 11.54% site coverage does not set a precedent incompatible with the residential character or planning objectives of Planning Unit 1. The substantial underdevelopment of the site, combined with the screened position of the structure, means the departures have no discernible effect on the streetscape or surrounding area.

It is respectfully submitted that approval of this application is warranted on planning, heritage, environmental and procedural grounds. The proposed development regularises an existing residential outbuilding that is appropriately designed, contextually sensitive, professionally executed, and supported by the relevant heritage advisory body. Approval will bring the property into full compliance with the By-law and applicable spatial planning frameworks in a manner consistent with the principles of SPLUMA.

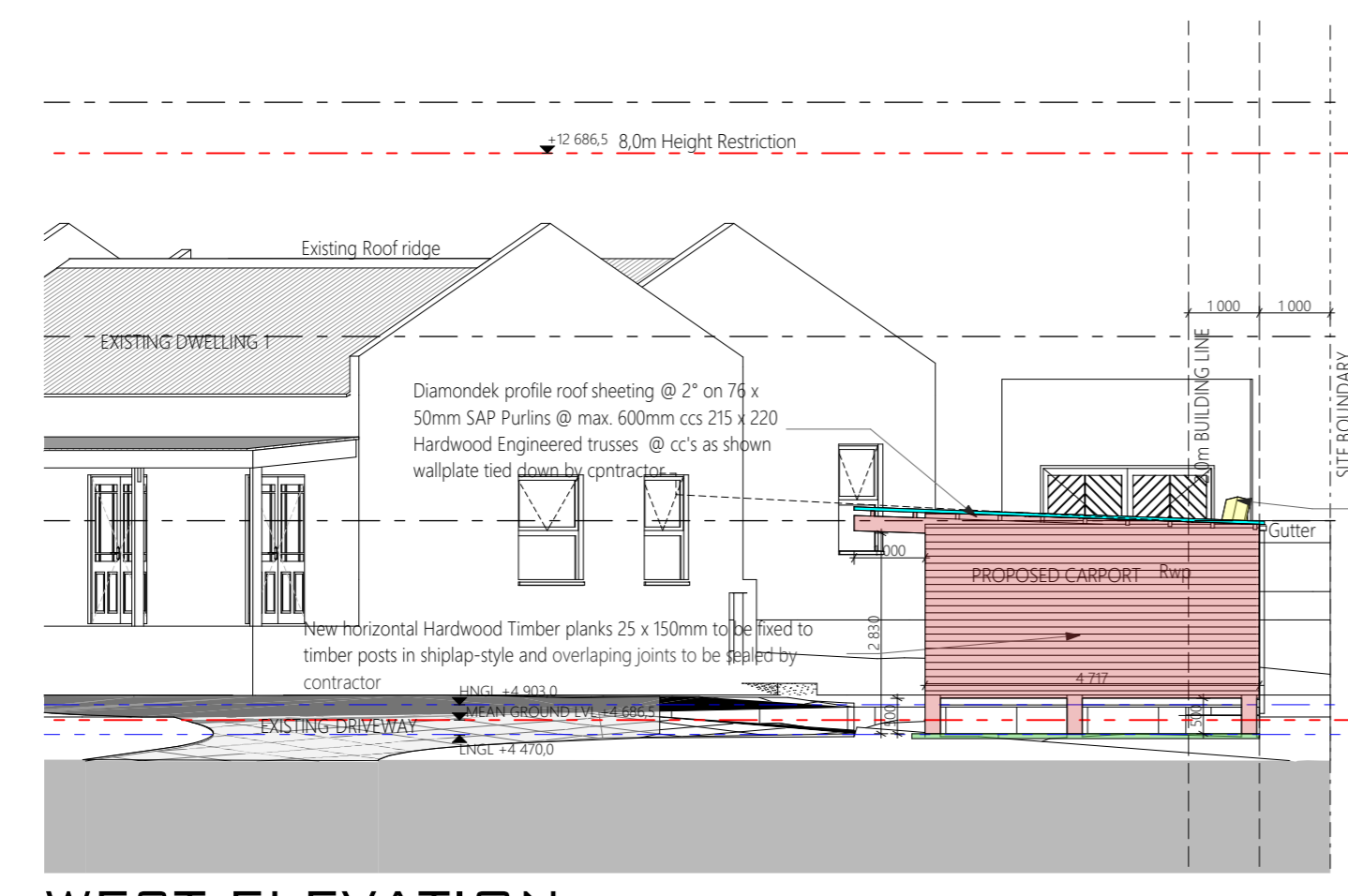
GENERAL NOTES

- The design of the drawing remains the property of the Architect
- All work to be carried out with strict accordance with the National Building Regulations, Municipal Regulations and SANS 600
- All relevant details, levels, dimensions and positions must be checked and verified on site before commencing any building work
- Site observations and reports to be forwarded to the Designer immediately
- All Architectural drawings to be read in conjunction with all relevant structural, mechanical, electrical, civil Engineers and all other Specialist drawings
- Only signed dimensions to be used and not scaled
- Consultant to ensure compliance with safety regulations at all times

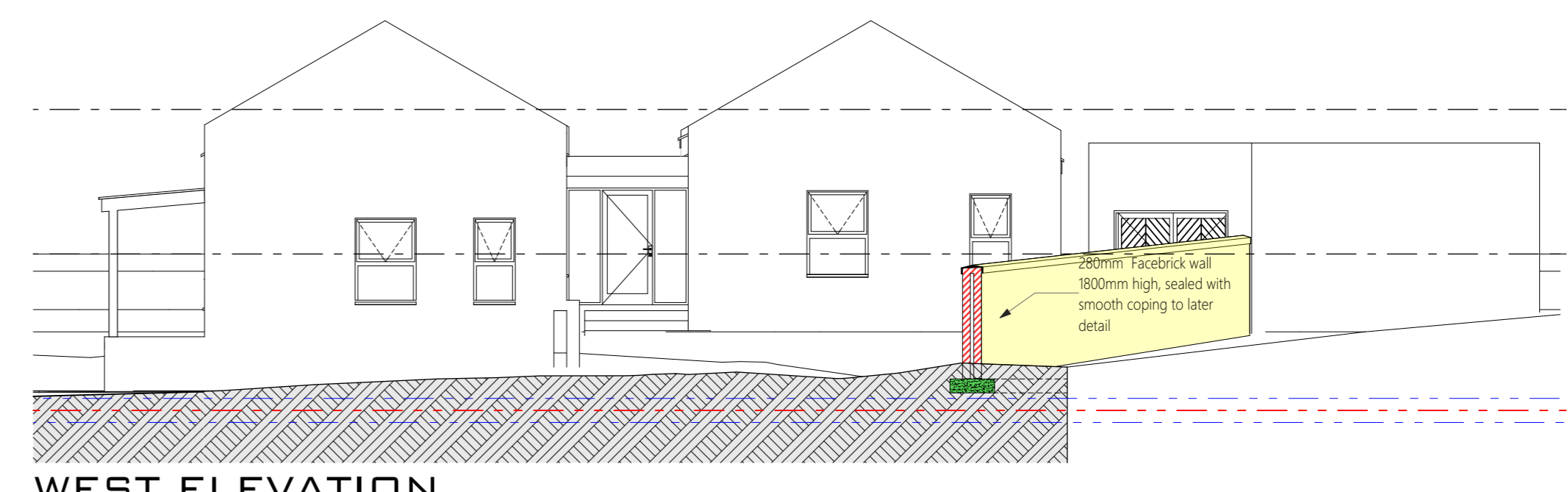
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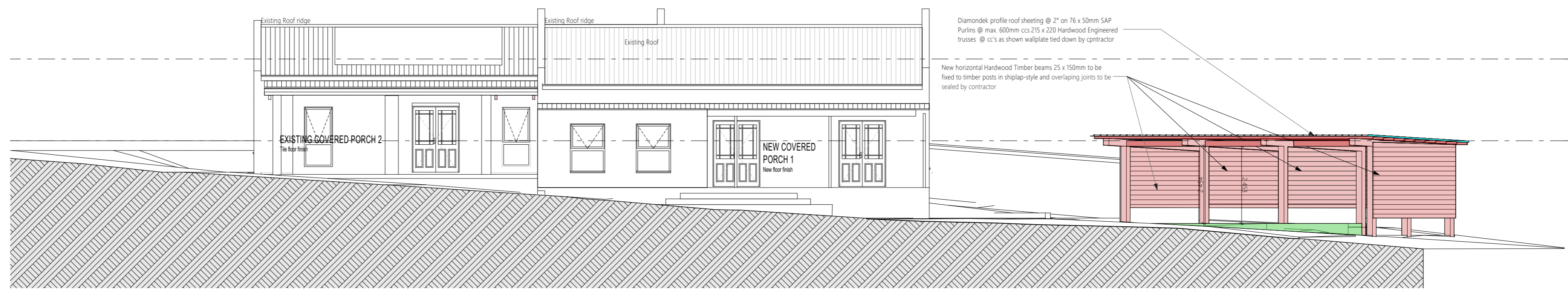
SOUTH ELEVATION
SCALE 1:100



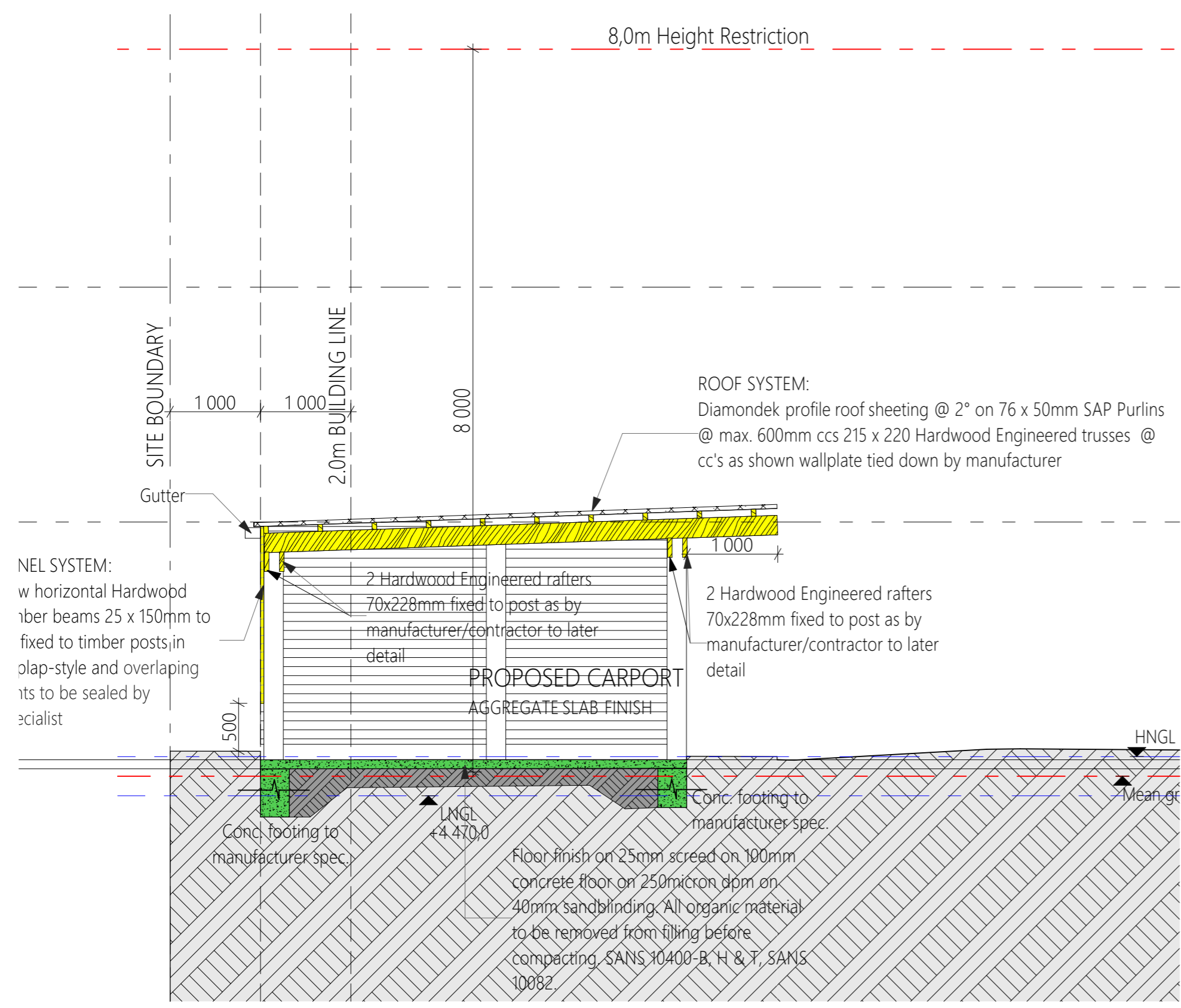
WEST ELEVATION
SCALE 1:100



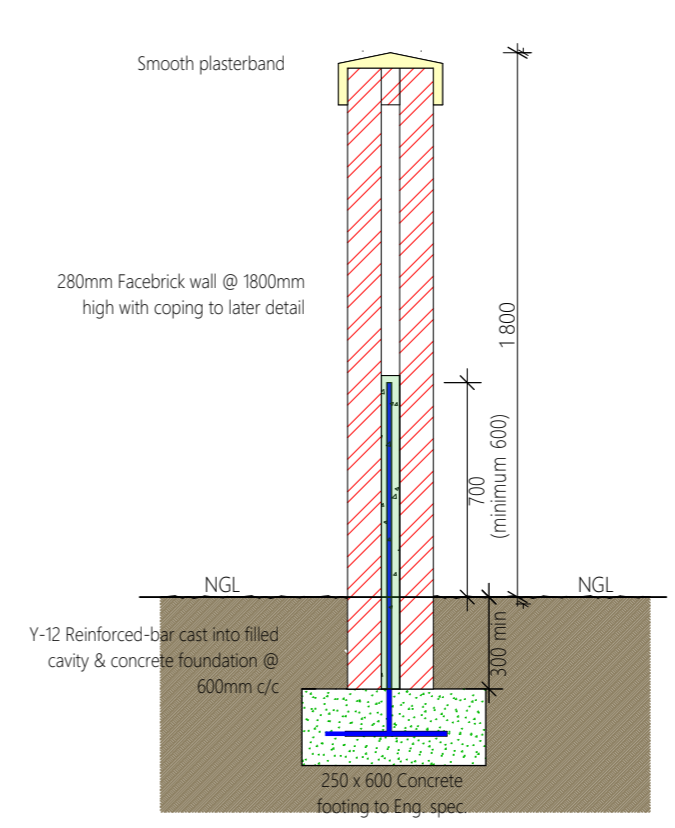
WEST ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100



SECTION ELEVATION
SCALE 1:50



SECTION THRU WALL
SCALE 1:25

ERF 1656, 6 VLEI STREET, STANFORD, OVERSTRAND

Exist. Dwelling	= 168m ²
Exist. Open Sloep 1	= 14m ²
Exist. Open Sloep 2	= 25m ²
Exist. Garage	= 26m ²
New Carport	= 42m ²
Total	= 275m²

Coverage	
Site	2271m ²
Foot print	262m ²
Total Coverage	11.54%

Zoning: Single Residential

Richard Hamilton
Member of S.A Institute Architects,

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6 VLEI STREET

ALL DRAWINGS COPYRIGHT

CLIENT: 6 VLEI STREET

PROJECT: VARIATIONS & ADDITIONS

ADDRESS: 6 VLEI STREET, STANFORD 7210

DRAWING: ELEVATIONS / SECTION / DETAIL

PROFESSIONAL ARCHITECT

RICHARD JOHN FRANCIS HAMILTON

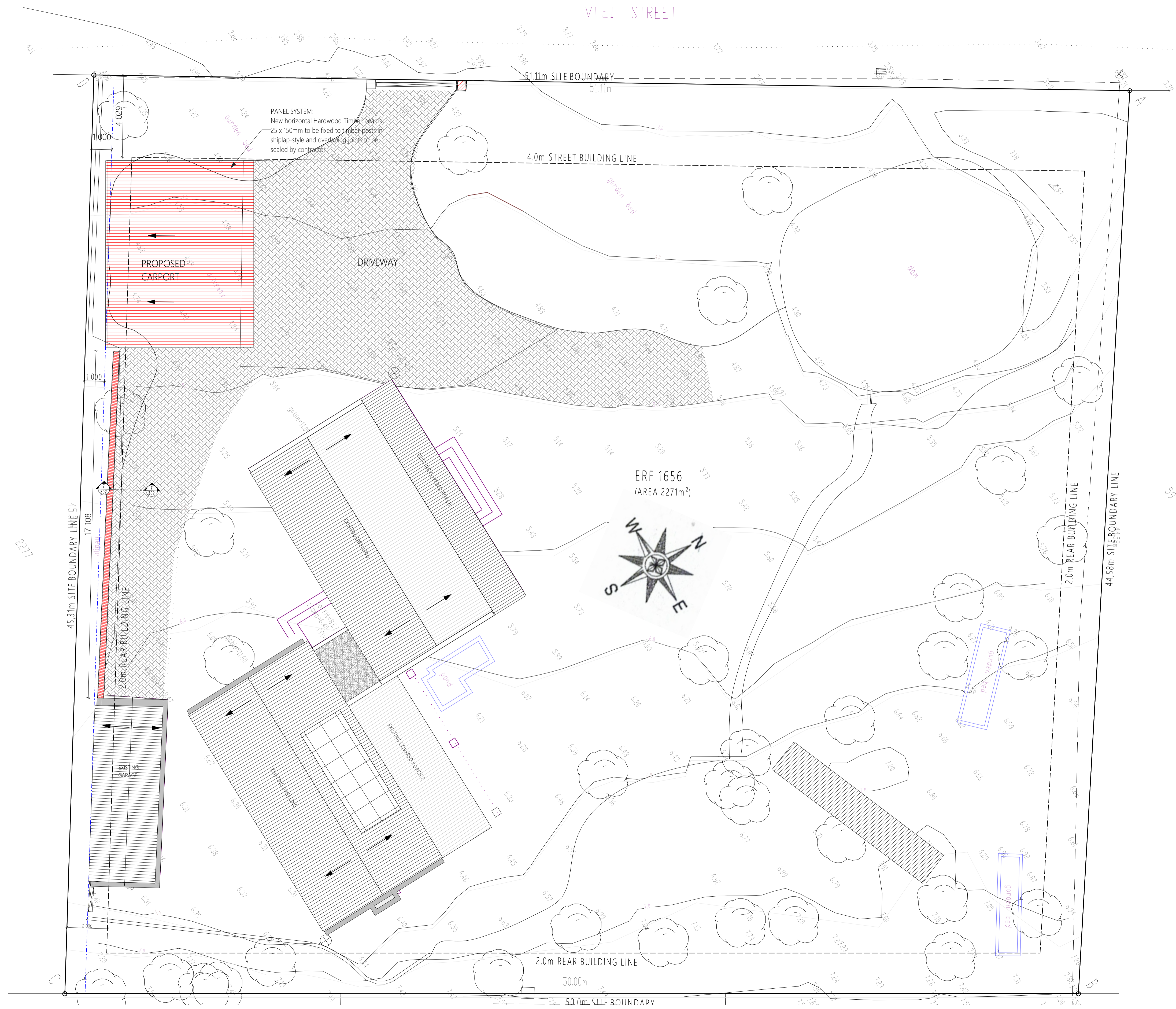
13-20 PM (Africa/Johannesburg) on 19 Feb 2026

DESIGNED:	R HAMILTON	DATE:	SCALE: AS SHOWN
DRAWN:	R HAMILTON	2026/02/18	
CHECKED:	R HAMILTON	2026/02/18	
DATE ISSUED:	2026/02/17	DRAWING NO:	1656/2026

GENERAL NOTES

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- Any discrepancies and queries to be forwarded to the Designer immediately
- All Architectural drawings to be used in conjunction with all relevant structural, mechanical, electrical and Engineer's and all other Specialist drawings
- Only Approved dimensions to be used and not scaled
- Consultant to ensure compliance with safety regulations at all times

NOTES



SITE PLAN : CARPORT
SCALE 1:100

ERF 1656, 6 VLEI STREET, STANFORD, OVERSTRAND

Exist. Dwelling :	= 168m ²
Exist. Open Sloep 1 :	= 14m ²
Exist. Open Sloep 2 :	= 25m ²
Exist. Garage :	= 26m ²
New Carport :	= 42m ²
Total :	= 275m²

Coverage :	
Site :	2271m ²
Foot print :	262m ²
Total Coverage :	11.54%

Zoning: Single Residential

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South Africa RIBA & AIA Associate

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ALL DRAWINGS COPYRIGHT

CLIENT :	6 VLEI STREET
PROJECT :	ALTERATIONS & ADDITIONS
ADDRESS :	6 VLEI STREET, STANFORD T210
DRAWING :	SITE PLAN

PROFESSIONAL ARCHITECT

RICHARD JOHN FRANCIS HAMILTON

13:20 PM (Africa/Johannesburg) on 19 Feb 2026

DESIGNED:	R HAMILTON	DATE:	2026/02/16	SCALE:	1:100
DRAWN:	R HAMILTON	CHECKED:	R HAMILTON	DATE:	2026/02/17
DATE ISSUED:	2026/02/17	DRAWING NO:	1056/2026	REV:	