

**ERF 2197, 62 NINTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: GALLAGHER LOURENS ARCHITECTS ON BEHALF OF EM TURNLEY – JONES**

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 eastern lateral building line from 2m to 1.430m to convert the existing bedroom into a single garage;
  - relax the eastern lateral building line from 2m to 1.430m to accommodate a pergola on the existing first floor balcony.

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 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](mailto: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.*

**ERF 2197, NEGENDESTRAAT 62, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM AFWYKING: GALLAGHER LOURENS ARCHITECTS ON BEHALF OF EM TURNLEY - JONES**

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:
  - oostelike lateraleboulyn vanaf 2m na 1.430m te verslap om die bestaande slaapkamer in 'n enkelmotorhuis te omskep;
  - oostelike lateraleboulyn vanaf 2m na 1.430m te verslap om 'n priel op die bestaande eerstevloer balkon te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Afdeling: Stads- en Streekbeplanning, Hermanus 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](mailto: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 Bepalings 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.*

**ISIZA 2197, 62 Ninth Street, Voëlkliip, HERMANUS, INDAWO KAMASIPALA WASE OVERSTRAND: ISICELO SOKUHAMBA: GALLAGHER LOURENS ARCHITECTS EGAMENI LE EM TURNLEY – JONES**

Isaziso ngoko ke sinikezelwa ngokwemiqathango yeCandelo lama-48 loMthetho kaMasipala wase-Overstrand oLungisiweyo woCwangciso loSetyenziso loMhlaba kaMasipala, ka-2020 sokuba isicelo sifunyenwe kwezi zinto zilandelayo:

- ❖ **Ukuhamba** ngokwemiqathango yeCandelo 16(2)(b) loMthetho kaMasipala ukuze:
  - kunciphiswe umgca wesakhiwo osecaleni osempuma ukusuka kwi-2m ukuya kwi-1.430m ukuze kuguqulwe igumbi lokulala elikhoyo libe yigaraji enye;
  - kunciphiswe umgca wesakhiwo umgca wesakhiwo osecaleni osempuma ukusuka kwi-2m ukuya kwi-1.430m ukulungiselela i-pergola kwi-balcony ekhoyo ekumgangatho wokuqala.

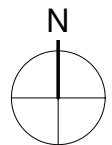
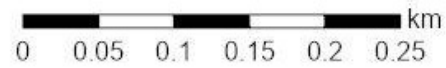
Iinkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini ukusukela phakathi kwentsimbi ye08:00 neye16:30 kwiCandelo: Izicwangciso noBume beDolophu kwa-16 Paterson Street, Hermanus and on the municipal webpage at the following link <https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/>. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zeeSoloty lama-51 nelama-52 loMthethwana ochazwe ngentla (16 Paterson Street, Hermanus / (e) [landuse@overstrand.gov.za](mailto:landuse@overstrand.gov.za)) ngomhla okanye ngaphambi komhla we nge **14 EyeThupha 2026**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla kwakho. Imibuzo ngefowuni ingabuzwa ku**Mnu. P. Roux** kwa-028-313 8900. The Municipality may refuse to accept comments received after the closing date. Nabani na ongakwazi ukufunda nokubhala angahambela iCandelo: Lezicwangciso noBume beDolophu apho igosa likamasipala liza kumncedisa afake iizimvo zakhe ukuze ahlomle ngokusemethethweni.

*Nceda uqaphele ukuba ngokwemiba ngokoMthetho woKhuselo lweNgxelo ngoMntuetha Act (POPIA), uza kuba ungana kwinkqubo kawonkewonke ngoko ke uvumelana kwaye uvumeal ukuseteyniziswa kwagama lakho, ifani, iinkcukacha zakho noluvo/nezimvo zingadizwa /zingasetyeniswa kwinkqubo (kwisicelo) yokwenza isicelo.*

# ERF 2197 - 62-9th Street, Voëlklip, Hermanus



Date created: 2026/04/21



## Locality Map

scale 1:5000

### PROJECT

Additions and Alterations to ERF 2197- 62-9th Street - Hermanus

<b>DWG no:</b>	LUM 001	<b>DRAWING</b>	Locality Plan	<b>DRAWN</b>	JDV	<b>DATE:</b>	04/21/26
<b>REVISION:</b>	0	<b>STATUS</b>	Council Submission	<b>CHECKED</b>	JDV	<b>SCALE:</b>	

### GALLAGHER LOURENS ARCHITECTS

103 HOUT STREET | CAPE TOWN  
tel: 021 422 2019  
www.gallagherlourens.co.za





05-05-2025

Dear Sir/Madam

**ERF 2197 VOËLKLIP - HERMANUS: MOTIVATION FOR LAND USE APPLICATION TYPE - SECTION 16(2)(b) IN TERMS OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.**

**1. Land Use Planning Applications:**

**1.1 Application for Section 16(2)(c) – Permanent Departure from the provisions of the Land Use Scheme.**

- Eastern Common boundary line relaxation from 2M to 1.43 M for a proposed wall to enclose an existing opening, and for a pergola structure on an existing balcony. .

**2. Proposed Development**

The proposed development is for additions and alterations to the existing dwelling on ERF 2197, Voëklip – Hermanus. As part of the additions, it is proposed to brick up an existing opening on the Eastern Common Boundary in order for the existing bedroom to be converted into a single garage. According to the bylaws, this implies that the use would be changed if the bedroom is converted into a single garage. The current use of the property is for a single residential dwelling, which in most cases includes a garage as an additional use to shelter a vehicle.

The walls of the existing dwelling in question are 1.43M from the Common Boundary. The proposal seeks to enclose the existing opening to utilize the existing area, the existing wall surface and existing floor above to enclose the space. Closing the existing opening that encroaches over the 2M building line will not have any negative effects on the neighboring property or the street scape.

A lightweight pergola structure is proposed on the existing first floor balcony facing the street. A structural post is required to support this structure which will need to be located on the existing eastern wall of the balcony at 1.430M from the eastern boundary. This will not have any negative impact on the neighbouring properties or the streetscape.

### **3. Character of the environment**

The area is characterized by single and double story residential dwellings that are set back at +/- 4M from the street boundary. The Erf sizes in 9<sup>th</sup> street are similar and approximately 495m<sup>2</sup> in size. The area is not considered a historical/conservation worthy area.

The proposed work does not detract from the residential character and/or use of the area. The change of use from a bedroom to a single garage will also not have any negative impact on the surrounding context as the use of a garage within the residential zoning in the area is fairly common. The proposed pergola will be fixed to the existing wall and balcony on the first floor.

### **4. Desirability of the proposed utilization**

Not applicable to this application. There are no changes to the land use, and/or any other use other than being a dwelling house.

### **5. Investigations carried out in terms of other laws which are relevant to the consideration of the application.**

Not applicable to this application.

### **6. The impact of the proposed land development on municipal engineering services.**

No additional engineering services will be required for this type of application.

### **7. Consideration of forward planning and Land Use Documents**

This application is for a departure to encroach the existing 2M common boundary building line to 1.43M to (a) brick up an existing opening, and (b) to build a new pergola on the existing balcony. Therefore, consideration of forward planning and Land Use documents are not applicable to this application.

### **8. Planning Principles**

The policies, principles and planning and development norms and criteria set out in Section 42 of the Spatial and Land Use management Act, 2013 (Act 16 of 2013)(SPLUMA) and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)(LUPA) were studied and are not applicable to this application.

I trust that the above information is in order and that you will give this application your positive consideration

Yours Faithfully,

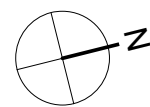
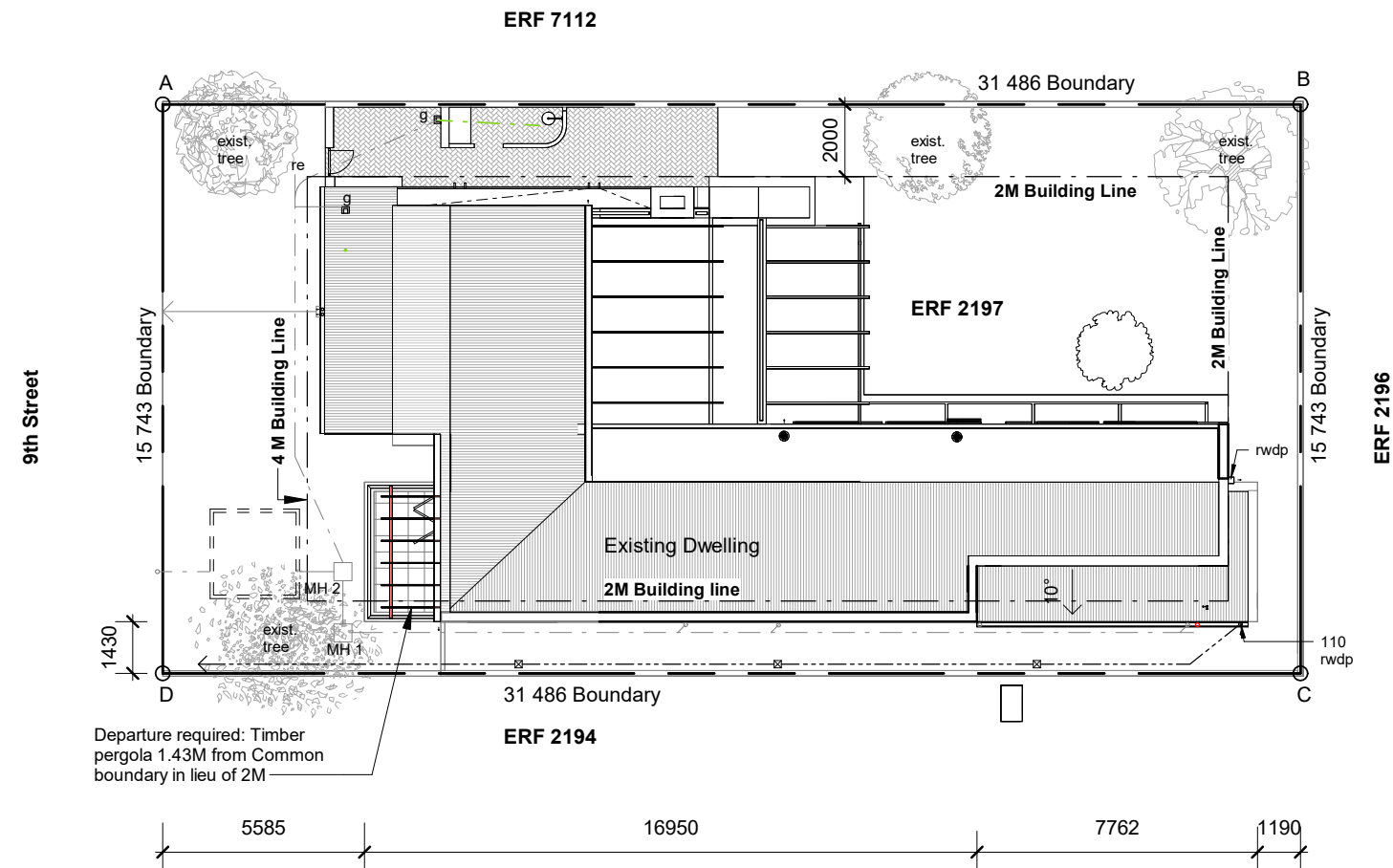
A handwritten signature in black ink, appearing to read 'Henk Lourens', written in a cursive style.

Henk Lourens

**GALLAGHER LOURENS ARCHITECTS**

SCHEDULE OF RIGHTS		
PROPERTY DESCRIPTION		
ERF / portion	ERF 2197	Site area 497.8m <sup>2</sup> (495m <sup>2</sup> Title Deed)
Township	Overstrand	Title deed no. T 33531-2014
ZONING INFORMATION		
Town Planning scheme	Overstrand Municipal Planning Land use scheme, 2020	
Primary use zone	Single Residential Zoning 1: Conventional Housing (SR1)	
Additional use zone	N/A	
Consent use	N/A	
DEVELOPMENT CONTROL MEASURES		
PERMISSIBLE	CONTROL	ACTUAL
1	no. of dwelling units on the erf	1
8m	Height of buildings (meters)	refer to elevations
50%	Coverage	213m <sup>2</sup> /497.8% = 42.8%
n/a	Floor area ratio	0.17
N/A	Total floor space	268m <sup>2</sup>
2 bays per dwelling unit	Parking requirements	2 bays

FLOOR SPACE SCHEDULE		
LAND USE	FLOORS	AREA
SR-1: Single residential	Ground Floor - As Proposed	167.00m <sup>2</sup>
	Ground Floor - Existing	
	First Floor - As Proposed	101.00m <sup>2</sup>
	First Floor - Existing	
	<b>Total Gross Floor Area:</b>	<b>268.00m<sup>2</sup></b>



Site and Roof Plan\_LUM

scale 1 : 200

<b>ARCHITECT</b>	<b>REGISTRATION NO.</b>
Henk Lourens	Pr. Arch 7246
<b>SIGNATURE</b>	<b>DATE</b>
	31-03-2026
<b>CLIENT</b>	
Elizabeth-Marie Turnley-Jones	
<b>SIGNATURE</b>	<b>DATE</b>
	31-03-2026

PROJECT

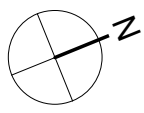
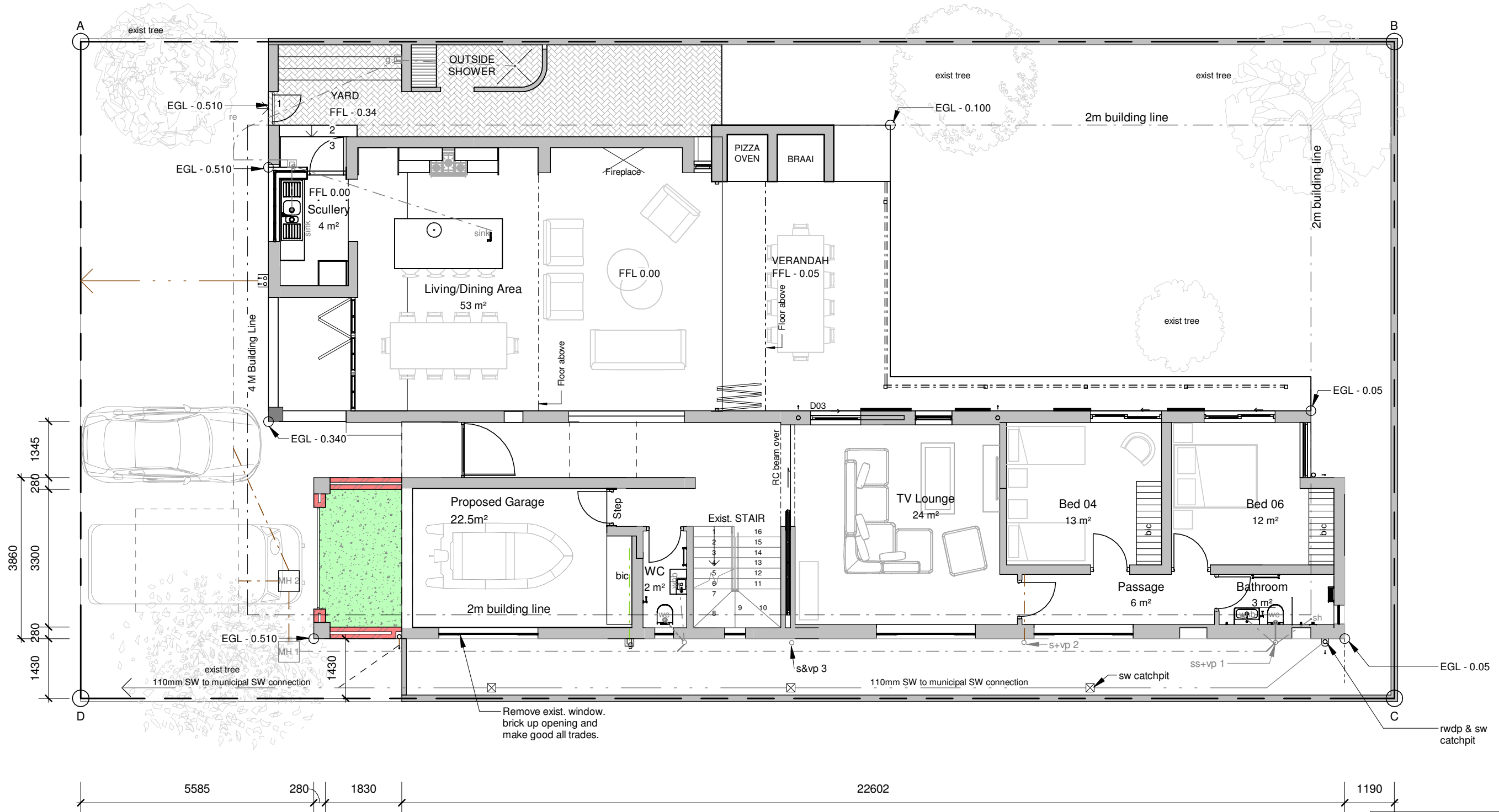
Additions and Alterations to ERF 2197- 62-9th Street - Hermanus

DWG no:	LUM 100	DRAWING	Site and Roof Plan	DRAWN	JDV	DATE:	31-03-2026
REVISION:	0	STATUS	Council Submission	CHECKED	JDV	SCALE:	As indicated

**GALLAGHER LOURENS ARCHITECTS**

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**Ground Floor Plan - LUM**

scale 1 : 100

<b>ARCHITECT</b>	<b>REGISTRATION NO.</b>
Henk Lourens	Pr. Arch 7246
<b>SIGNATURE</b>	<b>DATE</b>
<i>[Signature]</i>	31-03-2026
<b>CLIENT</b>	
Elizabeth-Marie Turnley-Jones	
<b>SIGNATURE</b>	<b>DATE</b>
<i>[Signature]</i>	31-03-2026

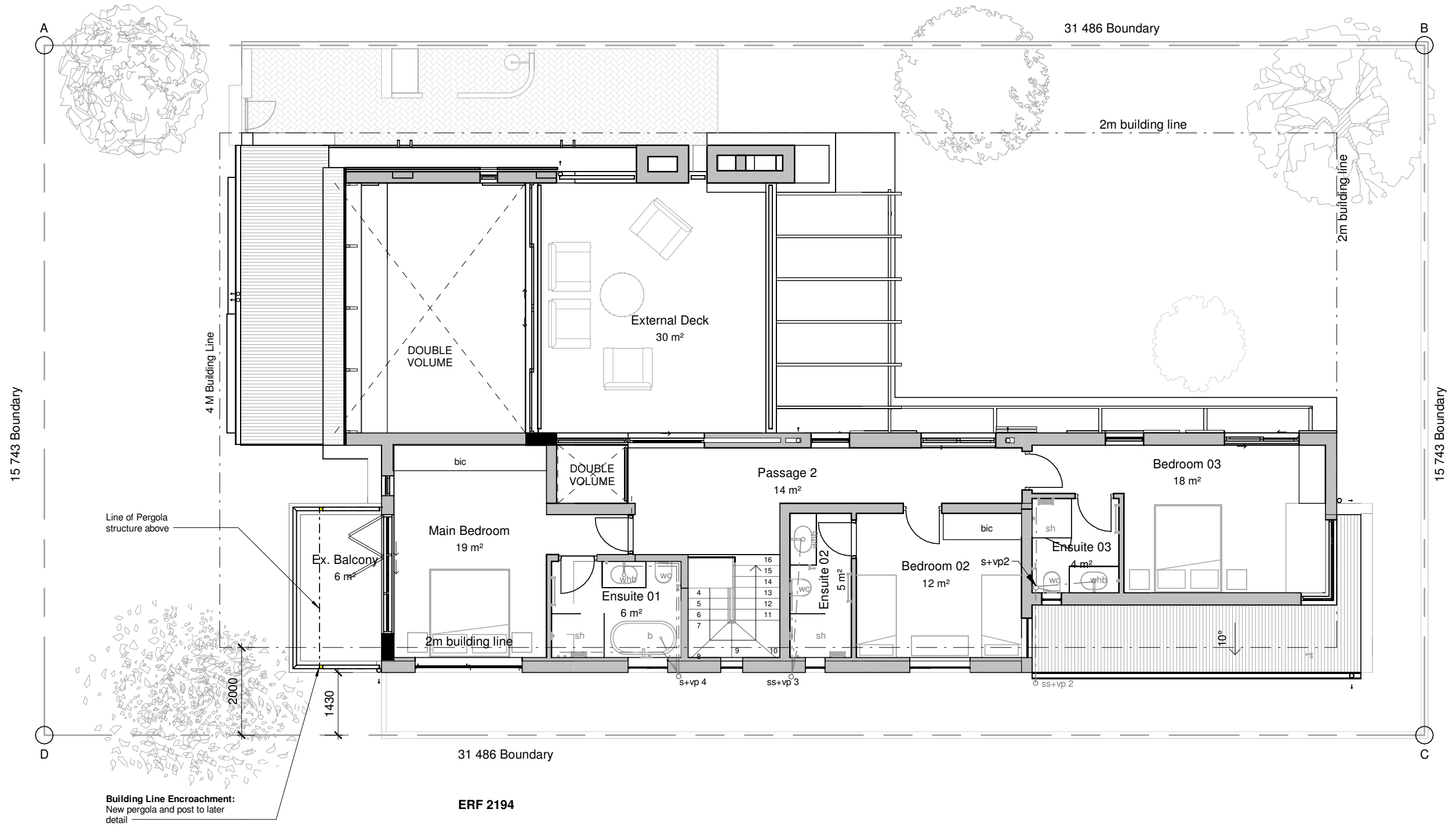
PROJECT						
Additions and Alterations to ERF 2197- 62-9th Street - Hermanus						
<b>DWG no:</b>	LUM 200	<b>DRAWING</b>	Ground Floor Plan	<b>DRAWN</b>	JDV	<b>DATE:</b> 31-03-2026
<b>REVISION:</b>	0	<b>STATUS</b>	Council Submission	<b>CHECKED</b>	JDV	<b>SCALE:</b> 1 : 100

**GALLAGHER LOURENS ARCHITECTS**

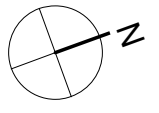
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ERF 7112



**Building Line Encroachment:**  
New pergola and post to later detail



PROJECT  
Additions and Alterations to ERF 2197- 62-9th Street - Hermanus

DWG no:	LUM 201	DRAWING	First Floor Plan	DRAWN	JDV	DATE:	01/21/26
REVISION:	0	STATUS	Council Submission	CHECKED	JDV	SCALE:	1 : 100

**GALLAGHER LOURENS ARCHITECTS**

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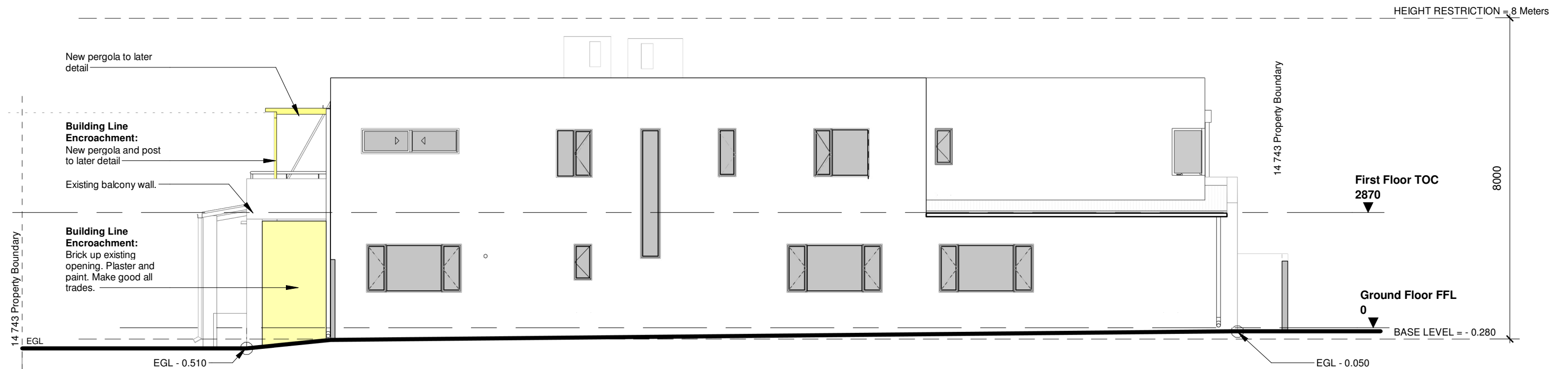


<b>ARCHITECT</b>	<b>REGISTRATION NO.</b>
Henk Lourens	Pr. Arch 7246
<b>SIGNATURE</b>	<b>DATE</b>
	31-03-2026
<b>CLIENT</b>	
Elizabeth-Marie Turnley-Jones	
<b>SIGNATURE</b>	<b>DATE</b>
	31-03-2026



**South Elevation - LUM**

scale 1 : 100



**East Elevation - LUM**

scale 1 : 100

PROJECT  
Additions and Alterations to ERF 2197- 62-9th Street - Hermanus

<b>DWG no:</b>	LUM 400	<b>DRAWING</b>	Elevations	<b>DRAWN</b>	JDV	<b>DATE:</b>	31-03-2026
<b>REVISION:</b>	0	<b>STATUS</b>	Council Submission	<b>CHECKED</b>	JDV	<b>SCALE:</b>	1 : 100

**GALLAGHER LOURENS ARCHITECTS**

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