



ERF 2914, 57 ATLANTIC DRIVE, ONRUSTRIVIER, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: ENGELBRECHT & SCORGIE ARCHITECTURAL OFFICE ON BEHALF OF P.L. & E.D VAND SCHALKWYK

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) that an application, applicable to Erf 2914, Onrustrivier, has been received in terms of Section 16(2)(b) of the By-Law for the following:

- Relaxation of the eastern lateral building line from 2m to 0m to accommodate the proposed double garage.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, Paterson Street, Hermanus. 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 / (f) 0283132093 / loretta@overstrand.gov.za) on or before **03 May 2024**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to the **Town Planner, Mr. H. Olivier** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 2914, ATLANTIC DRIVE 57, ONRUSTRIVIER, OVERSTRAND MUNISIPALE GEBIED: AANSOEK VIR AFWYKING: ENGELBRECHT & SCORGIE ARCHITECTURAL OFFICE NAMENS P.L. & E.D VAND SCHALKWYK

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) dat 'n aansoek, van toepassing op Erf 2914, Onrustrivier ingevolge Artikel 16(2)(b) ontvang is vir die volgende:

- Verslapping van die oostelike syboullyn vanaf 2m tot 0m om die voorgestelde dubbel motorhuis te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weksdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus. 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 / (f) 0283132093 / loretta@overstrand.gov.za) voor of op **03 Mei 2024**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr. H. Olivier** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA 2914, 57 ATLANTIC DRIVE, ONRUSTRIVIER, UMMANDLA WOMASIPALA WASE-OVERSTRAND: ISICELO SOPHAMBUKO: ENGELBRECHT & SCORGIE ARCHITECTURAL OFFICE EGAMENI P.L. & E.D VAND SCHALKWYK

Isaziso sinikwe ngokwemiqathango yeCandelo 48 loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala) sokokuba isicelo, esisebenza kwiSiza 2914, e-Onrustrivier, sifunyenwe ngokwemiqathango yeCandelo 16(2)(b) loMthetho kaMasipala kulungiselelwa okulandelayo:

- Ukunyenysiswa komda ongasempuma ecaleni lesakhiwo ukususela kwi-2m ukuya kwi-om ukulungiselela ulwakhiwo lweegaraji ezimbini ezicetywayo.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: Town Planning, Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho kaMasipala uchaziweyo zithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla **03 kuMeyi 2024**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Imibuzo ngemfono-mfono unokutsalela umnxeba **kuMcwangcisi weDolophu, uMnu H. Olivier** kule nombolo 028-313 8900. UMasipala angala ukwamkela izimvo ezifunyenwe emva komhla wokuvalwa. Nawuphi na umntu ongakwaziyo ukufunda okanye ukubhala unokutyelela iSebe loCwangciso lweDolophu apho igosa likamasipala linokumnceda ukuqulunqa izimvo zakhe.



1. INTRODUCTION TO THE DEPARTURE APPLICATION:

1.1 BACKGROUND:

The owners of the property, Mr. PL. and Ms. ED. van Schalkwyk has instructed Gerhard Engelbrecht from the firm Engelbrecht & Scorgie Architectural office to apply for a building line departure from the Overstrand Municipality's Zoning Scheme Regulations. Refer to Annexure D for the enclosed Power of Attorney.

Erf 2914, referred to in this document as the application area, measures 495.49m² in extent and is held by Title Deed no. T000042701 / 2018. Refer to Annexure C for the enclosed Title Deed.

1.2 APPLICATION DETAIL:

1.2.1 The Overstrand Municipality's By-Laws on Municipal Land Use Planning, Chapter 4, Section 16(2)(b), 2020, state that an owner of an erf may apply to the Overstrand Municipality for a permanent departure from the provisions as stated in the Overstrand Municipality's Zoning Scheme Regulations; therefore, an application is made in terms of;

Section 6.1.2 (b)(ii) of the Overstrand Municipality's Zoning Scheme Regulations for the permanent departure from the side building line applicable to the application area.

According to the Overstrand Municipality's Zoning Scheme Regulations, the side and rear building lines is determined in accordance with the net erf area, as listed in the table below:

Net erf area:	Side and rear building line
400m ² and greater	2.0m

1.3 PROPERTY DESCRIPTION, ZONING AND PROPERTY ANALYSIS:

1.3.1 PROPERTY DESCRIPTION:

Erf 2914, the application area situated at 57 Atlantic Drive, Onrus River, measures 495.49m² in extent and is currently a vacant erf. The application area faces Southwards toward the sea, taking access off Atlantic Drive. The application area lies adjacent to similar type single storey and double storey dwellings on the Western and Eastern sides of the application area. All properties to the rear of the application area are elevated due to the natural topography of the area and generally overlook the application area, or alternatively, have views towards the sea looking down through the open areas between some of the sea-facing properties on Atlantic Drive. All directly adjoining properties West and East of the application area are similar in size.

Our clients, Mr. PL. and Ms. ED. van Schalkwyk, intend to erect a dwelling house of approximately 401.49m² on the property. As indicated on the enclosed floor plans, the proposed dwelling house on the application area is a double storey dwelling house comprising typical family-type living accommodation, which includes a double garage, kitchen, scullery, dining area, living area on ground floor, and 4 bedrooms with en-suites on first floor.

Refer to Annexure I and J for the enclosed drawings of the proposed dwelling on the application area

1.3.2 ZONING:

Erf 2914, the application area, has the following land use rights:

Erf number:	Zoning:
Erf 2914, Onrust River	Residential Zone 1: Single Residential

All erven directly surrounding the application area are also zoned as Residential Zone 1: Single Residential erven, with the exception of Erf 581/0, which is located South of the application area and zoned as Open Space Zone 2: Public Open Space, and the surrounding roadway zoned as Transport Zone 2: Road and Parking. Please refer to the zoning map abstract provided below.

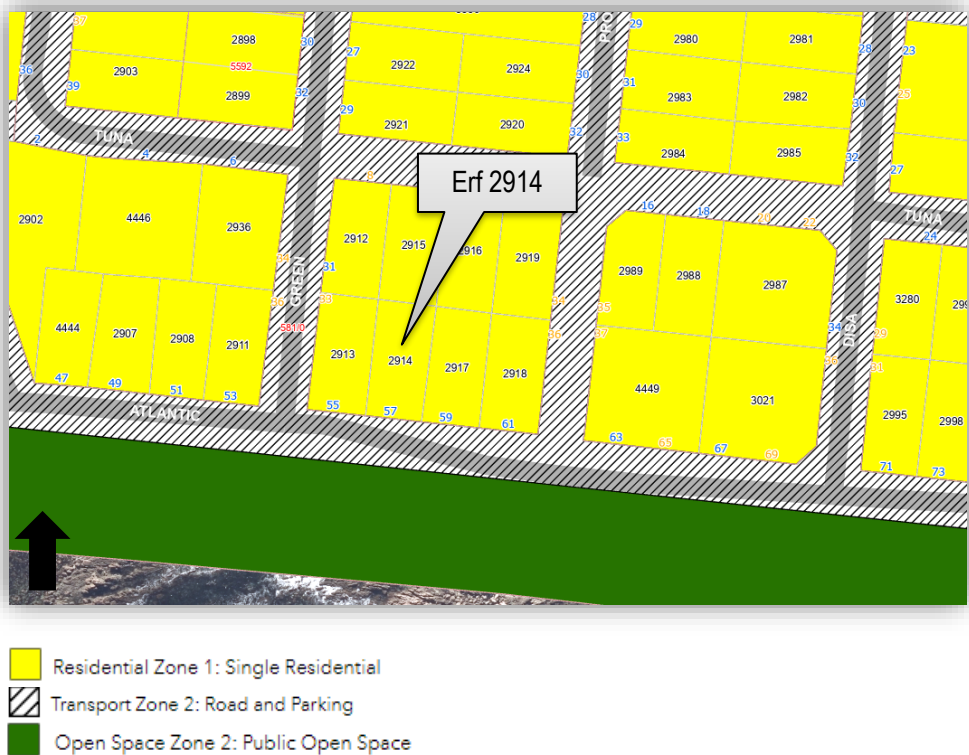


Figure 1: Zoning, an extract from the Overstand Public Viewer – NOT TO SCALE

1.3.3 **PROPERTY ANALYSIS AS PER THE OVERSTRAND MUNICIPALITY'S ZONING SCHEME REGULATIONS:**

The development parameters for the application area as per the Overstrand Municipality Land Use Scheme, 2020 can be summarized as follows:

Design parameters:		Overstrand Municipality's Zoning Scheme Regulations:	Proposal:	Comments:
Zoning		Residential Zone 1: Single Residential (SR1)	Residential Zone 1: Single Residential (SR1)	Unchanged
Primary Use		Crèche, dwelling house, guest rooms, home occupation, second dwelling unit and self - catering	Dwelling house	Unchanged
Consent Use		Day care centre, green house, guest house, house shop, institution, place of instruction, place of worship, residential building and intensive horticulture	None	Unchanged
Coverage		50%	46.84%	Unchanged
Height Restriction		8.0m	8.0m	Unchanged
Building lines	Street	4.0m	4.0m	Unchanged
	Side (North)	2.0m	0m	Application for a departure
	Side (South)	2.0m	2.0m	Unchanged
	Rear	2.0m	2.0m	Unchanged
Parking		Dwelling house: 2 bays	Dwelling house: 2 bays	Unchanged

1.3.4 **PROPERTY ANALYSIS AS PER THE TITLE DEED OF THE APPLICATION AREA:**

Refer to Annexure C for the enclosed Title Deed for Erf 2914, Onrust River.

Title Deed No. T000042701 / 2018 was perused and there are no restrictive conditions that prohibits the proposals being made.

There is no bond registered against Erf 2914.

2. CONTEXTUAL SITE INFORMATION:

2.1 LOCATION:

2.1.1 APPLICATION AREA WITHIN A REGIONAL CONTEXT:

Within a regional context, the application area is located in Onrust River.

Refer to Annexure G for the enclosed Locality layout



Figure 2: Erf 2914 within a Regional Context, an extract from Google Maps – NOT TO SCALE

2.1.2 APPLICATION AREA WITHIN A LOCAL CONTEXT:

Within a local context, the application area consists of a residential erf within Onrust River. The application area is located at 57 Atlantic Drive, Onrust River.

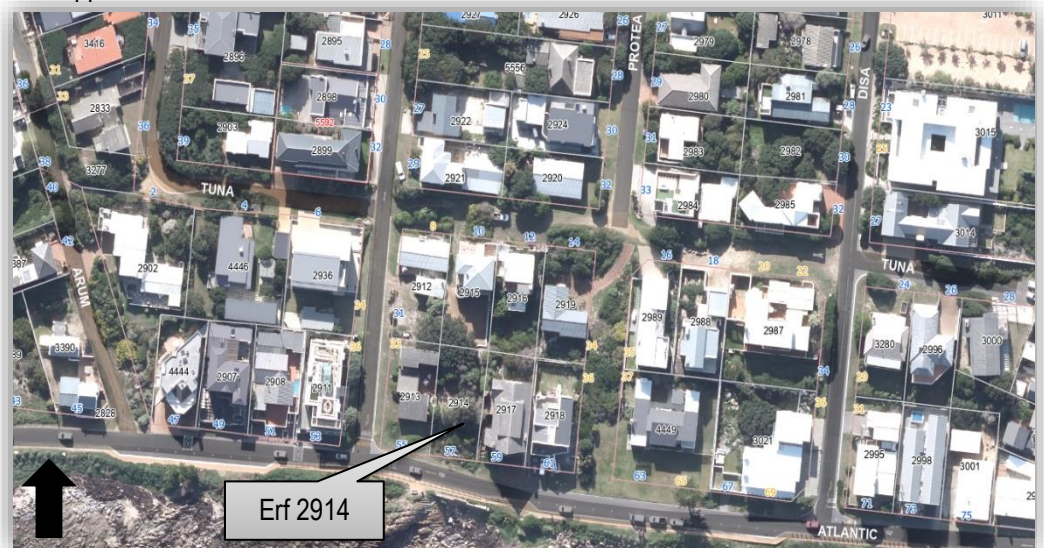


Figure 3: Erf 2914 within a Local Context, an extract from the Overstrand Public Viewer – NOT TO SCALE

3. **BACKGROUND AND INTRODUCTION TO THE APPLICATION AND THE ACTUAL APPLICATION:**

3.1 **BACKGROUND AND INTRODUCTION TO THE APPLICATION:**

Our clients, Mr. and Ms. van Schalkwyk, have acquired this highly sought-after vacant seafront plot at a significant cost. Their explicit intention is to construct their retirement residence by the sea that aligns seamlessly with their current associated lifestyle.

Our firm, Engelbrecht & Scorgie Architectural Office, was appointed in mid-2023 by Mr. and Ms. van Schalkwyk to develop sketch plans for a new dwelling on Erf 2914, the application area. Subsequently, our office will prepare the council submission drawings and manage the contractual aspects of the project.

The proposed new dwelling on the property measures approximately 400m² in size. As depicted in the floor plans provided, this double-storey dwelling offers typical family-type living accommodation. The ground floor includes a double garage, kitchen, scullery, dining area, and living area. On the first floor, there are four bedrooms, each with its own en-suite bathroom.

Refer to Annexures I and J for the enclosed drawings of the proposed new dwelling on the application area.

The placement of the proposed dwelling and the double garage structure was based on three main factors, as this will have a direct impact on the outcome of this Departure Application:

1. To minimize the effect on nature and the environment:

The Overstrand Municipality encourages Town Planners and Architects to minimize the effects that new building work may have on nature and the environment, as this plays an important role in forming the visual image of a sustaining town.

With this in mind, it was important for us and our client, Mr. and Ms. van Schalkwyk to respect this and construct the new dwelling and the double garage structure on the Eastern side of the erf, on top of the existing rocky outcrops. By doing this, it eliminates the number and extent of the rocky outcrops that must be demolished. Please refer to the below Land Surveyor's diagram and photos indicating the existing rocky outcrops on the application area.

The portion of the Milkwood tree, as shown on the below Land Surveyor's diagram and photos, consists solely of tree branches extending over the application area. The Milkwood tree itself is situated on the adjacent erf, Erf 2915. Notwithstanding the above-mentioned, the existing Milkwood tree will not be removed. Instead, only an extend of its branches will be trimmed to allow for access into the garage.

2. Feasibility of the project towards the owner:

From a feasibility standpoint, the dwelling and double garage were intentionally placed on the Eastern side of the property, atop the existing rocky outcrops. This strategic placement allows for the property entrance and driveway to be located on the Western side of the erf, where no rocky crops exist. By adopting this approach, we effectively minimized both the quantity and extent of the rocky outcrops that would otherwise necessitated removal during construction.

Considering the substantial costs associated with removing rocky outcrops, this decision contributes to the overall financial viability of the project for our clients.



Figure 4-7: Existing site conditions

3. Optimizing maximum sea views

As mentioned earlier in this document, our clients, Mr. and Ms. van Schalkwyk, acquired this coveted vacant seafront erf at considerable expense with the explicit purpose of constructing their long-awaited retirement house by the sea. Given this context, it was imperative for us to meticulously align with our client's requirements and diligently fulfill our office mandate by ensuring that the proposed new dwelling optimally captures the natural beauty of its surroundings, being the sea.

Taking the above-mentioned factors into account, we strategically positioned the proposed double garage structure on the North-Eastern corner of the property. This deliberate placement ensures that both the entire ground floor and a portion of the first-floor benefit from uninterrupted sea views.

Considering the three main factors related to the placement of the dwelling and double garage, it becomes evident that the proposed dwelling is strategically placed. This positioning achieves a balance between cost-effectiveness, spatial consciousness, and minimal impact on nature and the environment.

In any normal circumstance, applying for a permanent departure for the encroachment of a side building line to accommodate vehicles is not strictly necessary. The Overstrand Municipality's Land Use Scheme, 2020, specifically Chapter 16 (16.1)(C), provides provisions in this regard.

Prior to submitting this Departure Application, Gerhard Engelbrecht from our firm, Engelbrecht & Scorgie Architectural Office, prepared a proposal for the proposed new dwelling. This proposal was presented to the immediate neighbouring owner of Erf 2914, who has expressed willingness to provide consent for this Departure Application.

However, following a meeting with Mr. H. Olivier, the Onrust River Town Planner, it was advised that our approach to seeking approval from adjacent neighbours should not be limited solely to Erf 2917. Therefore, in addition to developing sketch plans, preparing council submission drawings, and overseeing the contractual aspects of the project, our services were then further extended by preparing and submitting a Departure Application on behalf of our client.

3.2 THE ACTUAL APPLICATION:

As stated elsewhere in this Departure Application Document, the Overstrand Municipality's By-Laws on Municipal Land Use Planning, Chapter 4, Section 16(2)(b), 2020, state that an owner of an erf may apply to the Overstrand Municipality for a **permanent building line departure** from the provisions as stated in the Overstrand Municipality's Zoning Scheme Regulations; therefore, an application is made for the relaxation of the 2.0m Eastern Municipal building line to accommodate a double garage structure that will encroach the subject building line.

Refer to Annexure A for the enclosed Town Planning application form.

4. DESIRABILITY OF THE APPLICATION:

The term "desirability" in the land use planning context may be defined as the degree of acceptability of the land uses on the land unit concerned. The desirability of the intended departure application shall be discussed with reference to the aspects listed below:

- Physical characteristics pertaining to the property,
- Proposed land use,
- The compatibility and impact of the proposed development with surrounding properties,
- The impact on streetscape,
- The impact on heritage and heritage value,
- The impact on municipal engineering services.

It will be outlined in the following paragraphs that the proposal being made within this document can be regarded as being desirable as far as the mentioned aspects are concerned.

4.1 **PHYSICAL CHARACTERS PERTAINING TO THE PROPERTY:**

4.1.1 **Topography**

The application area slopes downward from North to South towards the sea. All properties to the rear of the application area are elevated due to the natural topography of the area and generally overlook the application area, or alternatively, have views towards the sea looking down through the open areas between some of the sea facing properties on Atlantic Drive.

The topography is of such a nature that it will not have a negative impact on the proposed development as applied for in this Departure Application.

4.1.2 **Surface conditions**

Little information concerning the soil conditions in the area is available. The soil condition of the application area seems stable. The existing structures in the vicinity of the application property do not appear to have construction anomalies relating to unstable soil conditions. It can therefore, be accepted that the soil condition is suitable to accommodate the proposed development as applied for in this Departure Application.

There is, as such, no reason why the application cannot be supported.

4.1.3 **Vegetation**

Little information concerning the current vegetation on the application area is available, but it appears that the vacant erf has been overgrown by veld grass and weeds.

Vegetation will therefore have no influence on the proposed development as applied for in this Departure Application.

4.1.4 **Other characteristics**

There are rocky outcrops on the application area, which does not affect the proposed development as applied for in this Departure Application. As mentioned elsewhere in this document, the dwelling and double garage were intentionally placed on the Eastern side of the property, atop the subject rocky outcrops.

This strategic placement allows for the property entrance and driveway to be located on the Western side of the erf where no rocky crops exist. By adopting this approach, we effectively minimized both the quantity and extent of the rocky outcrops that would otherwise necessitate removal during construction.

In conclusion of the above paragraphs, it is clear that there is no reason, from a physical characteristic point of view, why the application for the proposed development cannot be supported.

4.2 **PROPOSED LAND USE:**

As mentioned, elsewhere in this Departure Application document, our clients, Mr. and Ms. van Schalkwyk intend to erect a new dwelling on the vacant erf.

The application area will be used for residential purposes, in line with the relevant stipulations of the Overstrand Municipality's Zoning Scheme Regulations and the Overstrand Municipality's By-Laws on Municipal Land Use Planning.

4.3 **PHYSICAL CHARACTER OF THE ENVIRONMENT:**

The application area, located in Atlantic Drive, Onrust River, is characterized by a diverse range of different architectural styles. The properties within this area are predominantly upmarket, characterized by spacious dwellings and generous plots of varying sizes.

The application area is situated in the old residential section of Onrust River where most of the properties were constructed during the ruling of the former Onrust River Municipality. At that time, the lateral and rear municipal building lines were set at 0.9m. It is important to note that many, if not all, properties within this area have been developed adhering to these 0.9m lateral and rear municipal building lines.

The topography of this particular section of Onrust River exhibits a distinct topographical feature: the ground slopes upward, away from the sea and Atlantic Drive. As a result, most, if not all, of the erven situated behind Atlantic Drive enjoy moderate to good views towards the sea looking down through the open areas between sea-facing properties on Atlantic Drive.

4.4 **COMPATIBILITY AND IMPACT OF THE PROPOSED DEVELOPMENT WITH SURROUNDING PROPERTIES:**

The compatibility and impact of the proposed development on the immediate surrounding properties were assessed based on the following five key factors:

- **Location and proximity:**
The position and proximity of the affected surrounding property in relation to the application area.
- **Land use compatibility:**
This involves evaluating how well the proposed development aligns with the existing zoning and the current land use in the area.
- **Views:**
This involves evaluating how the proposed development might affect the visual landscape of the immediate surrounding properties.
- **Privacy:**
This involves evaluating how the proposed development might affect the privacy of the immediate surrounding properties.
- **Gravity and visual aesthetics:**
This involves evaluating how the proposed development will harmonize with the immediate surrounding properties.

The aerial photo below reveals the sole properties potentially affected by the proposed development on the application area, which are the following:



Figure 8: properties potentially affected by the proposed development, an extract from the Overstrand Public Viewer – NOT TO SCALE

4.4.1 Erf 2913, 55 Atlantic Drive:

Erf 2913 is **located** directly to the West of the Application area. The existing dwelling on Erf 2913 is one of the closest properties in **proximity** to the proposed new dwelling on Erf 2914, surpassing any of the immediate surrounding properties.

Erf 2913 is zoned as Residential Zone 1: Single Residential and is exclusively developed for residential uses. The proposed development on the application area is also for residential purposes, in accordance with the pertinent provisions outlined in the Overstrand Municipality's Amended By-Laws on Municipal Land Use Planning, 2020. Consequently, the proposed development on the application area aligns seamlessly with the existing **zoning** and the prevailing **land use** within the area.

The existing dwelling situated on Erf 2913 was intentionally designed to capture Southern-facing **views** of the sea. With this being said, the proposed development is located to the East of Erf 2913, ensuring that it will not affect the existing views or alter the visual landscape for the property owners.

The impact on **privacy** that the proposed new dwelling on Erf 2914 will have on the subject erf, Erf 2913, is deemed negligible. This conclusion is based on the intentional design of the proposed dwelling, which ensures that it faces Southwards towards the sea.

As outlined throughout this Departure Application document, application is made for the relaxation of the 2.0m Eastern Municipal side building line to accommodate a double garage structure intended for the housing of vehicles. It is important to note that a garage is a

common residential component found on typical residential properties. The **gravity** of the proposed double garage structure is considered negligible, as it is not expected to have a greater impact than any other double garage within the area. The proposed new dwelling, along with its double garage structure, will seamlessly integrate with the existing residential context and enhance the overall **visual aesthetics** of the neighborhood.

4.4.2 Erf 2912, 31 Green Street:

Erf 2912, **located** North-West of the application area, features an existing dwelling that stands as one of the farthest properties in close **proximity** to the proposed development on Erf 2914. The distance between these two subject properties surpasses that of any of the immediate surrounding properties, primarily due to the current open courtyard space to the South of Erf 2912.

Erf 2912 is zoned as Residential Zone 1: Single Residential and is exclusively developed for residential uses. The proposed development on the application area is also for residential purposes, in accordance with the pertinent provisions outlined in the Overstrand Municipality's Amended By-Laws on Municipal Land Use Planning, 2020. Consequently, the proposed development on the application area aligns seamlessly with the existing **zoning** and the prevailing **land use** within the area.

The existing single-storey dwelling on Erf 2912 is located North-West of the application area and have minimal sea **views** towards the sea in a South Western to South Eastern direction through open spaces. The proposed development, situated to the South East of Erf 2912, will not affect the existing sea views and visual landscape for the property owners. This lack of impact is due to the fact that their sea views are already obstructed by the existing dwelling on Erf 2913, as shown in the image above.

Due to the substantial distance between the existing dwelling on Erf 2912, and the proposed new development on Erf 2914, primarily due to the open courtyard space currently situated to the South of Erf 2912, and taking into account that the proposed new dwelling on Erf 2914 is intentionally designed to face Southward towards the sea, it can be confidently asserted that the proposed relaxation of the 2.0m Eastern Municipal Building Line for a double garage structure will not compromise the **privacy** of the subject property.

As outlined throughout this Departure Application document, application is made for the relaxation of the 2.0m Eastern Municipal side building line to accommodate a double garage structure intended for the housing of vehicles. It is important to note that a garage is a common residential component found on typical residential properties. The **gravity** of the proposed double garage structure is considered negligible, as it is not expected to have a greater impact than any other double garage within the area. The proposed new dwelling, along with its double garage structure, will seamlessly integrate with the existing residential context and enhance the overall **visual aesthetics** of the neighborhood.

4.4.3 Erf 2915, 10 Tuna Street:

Erf 2915, **located** directly to the North of the application area, features an existing dwelling that stand as one of the farthest properties in close **proximity** to the proposed development on Erf 2914. The distance between these two subject properties surpasses that of any of the immediate surrounding properties, primarily due to the current open courtyard space to the South of Erf 2915.

Erf 2915 is zoned as Residential Zone 1: Single Residential and is exclusively developed for residential uses. The proposed development on the application area is also for residential purposes, in accordance with the pertinent provisions outlined in the Overstrand Municipality's Amended By-Laws on Municipal Land Use Planning, 2020. Consequently, the proposed development on the application area aligns seamlessly with the existing **zoning** and the prevailing **land use** within the area.

The existing dwelling on Erf 2915 is located North of the application area and enjoys partial **views** towards the sea in a Southern direction. This favorable orientation is due to the natural topography of the area, which slopes from North to South towards Atlantic Drive and the sea. As a result, properties located to the rear of the application area have the opportunity to overlook the application area. Alternatively, these properties offer views of the sea by looking down through open spaces between Erf 2915 and Erf 2914, or from the first floor.

Due to the substantial distance between the existing dwelling on Erf 2915 and the proposed new development on Erf 2914, primarily due to the open courtyard space currently situated to the South of Erf 2915, and taking into account that the proposed new dwelling on Erf 2914 is intentionally designed to face Southward towards the sea, it can be confidently asserted that the proposed relaxation of the 2.0m Eastern Municipal Building Line for a double garage structure will not compromise the **privacy** of the subject property.

As outlined throughout this Departure Application document, application is made for the relaxation of the 2.0m Eastern Municipal side building line to accommodate a double garage structure intended for the housing of vehicles. It is important to note that a garage is a common residential component found on typical residential properties. The **gravity** of the proposed double garage structure is considered negligible as it is not expected to have a greater impact than any other double garage within the area. The proposed new dwelling, along with its double garage structure, will seamlessly integrate with the existing residential context and enhance the overall **visual aesthetics** of the neighborhood.

4.4.4 Erf 2916, 12 Tuna Street:

Erf 2916, **located** North East of the application area, features an existing dwelling that stands as one of the farthest properties in close **proximity** to the proposed development on Erf 2914. The distance between these two subject properties surpasses that of any of the immediate surrounding properties, primarily due to the current open courtyard space to the South of Erf 2916.

Erf 2916 is zoned as Residential Zone 1: Single Residential, and is exclusively developed for residential purposes. The proposed development on the application area is also for residential purposes, in accordance with the pertinent provisions outlined in the Overstrand Municipality's Amended By-Laws on Municipal Land Use Planning, 2020. Consequently, the proposed development on the application area aligns seamlessly with the existing **zoning** and the prevailing **land use** within the area.

The existing dwelling on Erf 2916 is located North-East of the application area and enjoys partial **views** towards the sea in a Southern direction. This favorable orientation is due to the natural topography of the area, which slopes from North to South towards Atlantic Drive and the sea. As a result, properties located to the rear of the application area have the opportunity to overlook the application area. Alternatively, these properties offer views of

the sea by looking down through open spaces between Erf 2916 and Erven 2914 and 2917, or from the first floor. With this being said, the proposed development, situated South West of Erf 2916, will not affect the existing sea views and visual landscape for the property owners. This lack of impact is due to the fact that their sea views are already obstructed by the existing double storey dwelling along with the existing boundary wall and braai structure on Erf 2917. Please see image below.



Figure 9: Existing as-built braai structure and boundary wall.

To delve further into this matter, the as-built braai structure including its chimney measures an approximate height of 4.2 meters above natural ground level, while the proposed double garage structure measures an approximate height of 3.1 meters above natural ground level. With this being said, it can be concluded that the current sea views and visual landscape of Erf 2916 will not be affected by the proposed development on the application area.

Due to the substantial distance between the existing dwelling on Erf 2916 and the proposed new development on Erf 2914, primarily due to the open courtyard space currently situated to the South of Erf 2916, and taking into account that the proposed new dwelling on Erf 2914 is intentionally designed to face Southward towards the sea, it can be confidently asserted that the proposed relaxation of the 2.0m Eastern Municipal Building Line for a double garage structure will not compromise the **privacy** of the subject property.

As outlined throughout this Departure Application document, application is made for the relaxation of the 2.0m Eastern Municipal side building line to accommodate a double garage structure intended for the housing of vehicles. It is important to note that a garage is a common residential component found on typical residential properties. The **gravity** of the proposed double garage structure is considered negligible, as it is not expected to have a greater impact than any other double garage within the area. The proposed new dwelling, along with its double garage structure, will seamlessly integrate with the existing residential context and enhance the overall **visual aesthetics** of the neighborhood.

4.4.5 Erf 2917, 59 Atlantic Drive:

Erf 2917 is **located** directly to the East of the Application area. The existing dwelling on Erf 2917 is one of the closest properties in **proximity** to the proposed new dwelling on Erf 2914, surpassing any of the immediate surrounding properties.

Erf 2917 is zoned as Residential Zone 1: Single Residential, and is exclusively developed for residential uses. The proposed development on the application area is also for residential purposes, in accordance with the pertinent provisions outlined in the Overstrand Municipality's Amended By-Laws on Municipal Land Use Planning, 2020. Consequently, the proposed development on the application area aligns seamlessly with the existing **zoning** and the prevailing **land use** within the area.

The existing dwelling situated on Erf 2917 was intentionally designed to capture Southern-facing **views** of the sea. With this being said, the proposed development is located to the West of Erf 2917, ensuring that it will not affect the existing views or alter the visual landscape for the property owners.

The impact on **privacy** that the proposed new dwelling on Erf 2914 will have on the subject erf, Erf 2913, is deemed negligible. This conclusion is based on the intentional design of the proposed dwelling, which ensures that it faces Southwards towards the sea.

As outlined throughout this Departure Application document, application is made for the relaxation of the 2.0m Eastern Municipal side building line to accommodate a double garage structure intended for the housing of vehicles. It is important to note that a garage is a common residential component found on typical residential properties. The **gravity** of the proposed double garage structure is considered negligible as it is not expected to have a greater impact than any other double garage within the area. The proposed new dwelling, along with its double garage structure, will seamlessly integrate with the existing residential context and enhance the overall **visual aesthetics** of the neighborhood.

4.5 IMPACT ON STREETScape:

The architectural elevations and finished proposed dwelling on the application area will be of high quality. It will seamlessly integrate with the existing residential context and enhance the overall visual aesthetics of the neighborhood as a whole.

4.6 IMPACT ON HERITAGE AND HERITAGE VALUE:

Erf 2914 is not situated within the Heritage Overlay Zone as determined by the Overstrand Municipality's Heritage Overlay Zone, has no grading, and has no heritage value.

4.7 IMPACT ON MUNICIPAL ENGINEERING SERVICES:

Erf 2914 is situated in an already developed residential area, where municipal services already exist to which the application area can connect to. All required services will be installed according to the specifications of the Overstrand Municipality.

4.8 FORWARD PLANNING:

The Overstrand Spatial Development Framework, 2020, designates the area where Erf 2914, the application area, is situated for urban development. The proposed development, for which the departure application is necessary, constitutes a standard residential component. The Zoning Scheme Regulations of the Overstrand Municipality allow for departure procedures to accommodate structures within the building line zones.

As highlighted throughout this document, the character and zoning of the application area will remain unaltered, ensuring that the property aligns with the existing planning of the Onrust River area.

5. CONSLUSION AND RECOMMENDATION:

As highlighted throughout this Departure Application document, application is made in terms of the Overstrand Municipality's By-Laws on Municipal Land Use Planning, Chapter 4, Section 16(2)(b), 2020, for the relaxation of the 2.0m Eastern Municipal building line to accommodate a double garage structure that will encroach the subject building line.

When this application is evaluated, it is important to take note of the following:

- The Overstrand Municipality's Zoning Scheme Regulations, Chapter 16 (16.1) (C) make provisions that a structure, primary for the housing of vehicles, may encroach onto the side and rear building lines provided that:
 - No building that encroaches the building line may be higher than 3.5m above the existing natural ground level on the common boundary, provided that the height may increase at a 40° angle away from such boundary.
Refer to Annexure I and J for the enclosed proposed drawings of the development on the application area. The proposed double garage structure, which encroaches upon the 2.0m East Municipal side building line, has a height of 2.98m measured from above the existing natural ground level. Consequently, the proposed double garage structure is **in compliance** with this provision.
 - The length and width of the structure does not exceed one third of the lateral and rear boundary concerned or 9.0m, whichever is the most restrictive,

The most restrictive provision in this case pertains to the maximum permitted length of 9.0m. The proposed double garage structure measures a width of 6.68m and is therefore **compliant** with this provision.
 - No doors and windows shall be permitted in any wall closer than 1.0m to the rear or side boundary,

In the specific section of the garage structure that encroaches the 2.0m Eastern Municipal Side building line, there are no windows proposed. An external door (door 6), is indicated. However, this particular door is positioned 1.0m away from the 31.49m Erf Boundary Line and is compliant with the fire safety distance as outlines in SANS 10400-T:2020 Ed. 4. Consequently, the proposed development **adheres** to this provision.

- No runoff of rainwater from a roof shall be discharged in directly onto adjoining properties, The proposed roof structure for the double garage was intentionally designed to ensure that it is concealed behind parapet walls. The rainwater runoff will be directed toward a fullbore outlet, which is connected to a cavity concealed downpipe. This downpipe will discharge onto the application area, Erf 2914. As a result, the proposed development fully **complies** with this provision.
- The garage shall be included in the calculation of coverage on the land unit

The proposed areas for the new dwelling on the application area comprises the following;

AREA CALCULATIONS:

Ground storey house area = 159.15m²
 Garage and storage area = 48.23m²
 Covered external area = 19.59m²

First storey house area = 152.81m²
 Covered balcony area = 21.71m²

Total footprint = 232.09m²

Erf Size = 495.49m²

Proposed coverage = 46.84%

As shown in the above area calculations, the proposed double garage structure is included in the coverage calculations. The proposed coverage percentage stands at 46.84% and is in line with the Overstrand Municipality's Zoning Scheme Regulations. As a result, the proposed development fully **complies** with this provision.

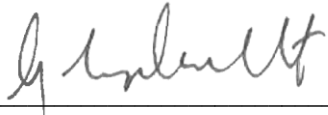
- The Municipality is satisfied that the structure does not pose a fire hazard and is constructed of appropriate material to its satisfaction.

The proposed development will be constructed using appropriate SABS approved materials and construction methods. The proposed double garage structure, which encroaches the 2.0m East Municipal side building line, does not pose a fire hazard to any of the immediate surrounding properties, as it is constructed with a 280mm cavity construction wall with a fire resistance value of 240 minutes, as per SANS 10400 – Part T: 2020 Table 11 Ed. 4. As a result, the proposed development fully **complies** with this provision.

Furthermore, as highlighted throughout this document, the proposed development aligns with the existing land use within the area, the physical characters of the area, and the surrounding properties within the area. Importantly, the proposal is not anticipated to negatively impact the streetscape, heritage or Municipal services.

Given the information provided, it is reasonable to conclude that the application is desirable and therefore is submitted for consideration in terms of the Overstrand Municipality's By-Laws on Municipal Land Use Planning, 2020.

Your sincerely



GERHARD ENGELBRECHT

for Engelbrecht & Scorgie Architectural Office.

NOTES:

- NOTES -

GENERAL:

Foundation of any boundary wall not to project beyond boundary line.
F.F.L. of house to be min. 300mm above NGL.
All work to comply to SANS 10400 and National Building Regulations.
All work to be in accordance to Local Authorities regulations and by-laws.
Figured dimensions to be taken in preference to scaled dimensions.
All levels and dimensions to be checked on site before building work commences.
Contractor shall be deemed to have acquainted themselves with site conditions and make allowances in their tenders for all site development work.

LEVELS AND DIMENSIONS:

The building to be laid out and erected in the position and to the levels as indicated on the site layout plan.
General: All top soil must be removed from the area to be built upon, including roads and paving areas.
Excavate where necessary to reduce levels as shown on drawings.
Excavated material can be used for filling if suitable and can also be used for other site works.
All grading and leveling of ground will be done by qualified civil contractor.
Minor filling to be done by Contractor.
Where large tree stumps and stones are to be removed in the area, the hole must be filled with suitable material and well compacted in layers of max. 150mm before being built upon.

FOUNDATIONS:

Foundation mass concrete in-situ 1:4:5 nominal mix having a compressive strength of 15MPa at 28 days. Refer to sections for foundation size.
Min. requirements, load bearing walls min 600 x 250mm and non-load bearing wall min. 450 x 200mm.
Foundation walls higher than 1m to be 340mm thick as per engineer.
Foundation walls higher than 1.5m to be in accordance with engineers specification.

FLOOR CONSTRUCTION:

GROUND STOREY FLOOR SLAB:
Floor finish as specified on plans or min. 30mm cement screed on 100mm RC slab as per engineer or 250 micron SABS approved DPM on 60mm sand blinding on well compacted fill. Fill to be compacted in layers of 150mm max. (no day).

GARAGE FLOOR SLAB:
30mm cement screed on 100mm RC slab as per engineer or 250 micron SABS approved DPM on 60mm sand blinding on well compacted fill. Fill to be compacted in layers of 150mm max. (no day).

EXTERNAL FLOOR SLAB CONSTRUCTION:
Floor finish as specified on plans (non-slip) as specified on plans - colour as per client or min. 30mm screed on duriburn torch-on waterproofing on screed to fall @ min. 150 fall on 100mm concrete floor slab on 250 micron SABS approved DPM on 60mm sand blinding on well compacted fill. Fill to be compacted in layers of 150mm max. (no day).

FIRST STOREY FLOOR SLAB:
Floor finish as specified on plans or min. 30mm screed on Pre cast concrete or in-situ suspended floor system and support all as per engineer.

EXTERNAL SUSPENDED FLOOR SLAB CONSTRUCTION:
Floor finish as specified on plans or min. 30mm screed on duriburn torch-on waterproofing on screed to fall @ min. 150 fall on suspended concrete floor slab as per engineers specification.

WALL CONSTRUCTION:

EXTERNAL - 250mm cavity wall construction - Smooth Plaster & Paint colour as per client.

INTERNAL - 110mm walls plastered and painted - colour as per client.

Cavities in foundation walls to be filled with concrete.

Weightholes left on outside skin of cavity tray at 900mm C/C at floor level and above lintels.

Wall ties built in every third brick course at 2.5m² wall face area.

375micron DPC (bricklay) stepped down into cavity tray at floor level.

Load bearing walls exceeding 7500mm in clear span length with no adiabatic walls to have lateral support by means of a concrete sillone as per engineer or buttress wall.

Lintels to have end bearing of min. 230mm on each side.

Windows to exceed 0.2 or 10% of room floor area with 5% minimum to be open able as per SANS 10400 Part N and SABS 0137 and 1263 as relevant.

Glas to windows exceeding 1 square metre or lower than 500mm from floor level to be 5mm laminated safety glazing.

All sections of SANS 10400 Part-T and W3 to be complied with.

Doors & windows built into walls securely, plumb and correctly to manufacturers instructions.

375micron 300mm wide DPC to be built in around all door and window openings.

375micron DPC (bricklay) stepped down into cavity tray above pre-cast concrete lintels.

Pre-cast concrete lintels above all door and window openings exceeding 3m in width to engineers specifications with 4 courses of brickwork above lintels.

Lintels to have end bearing of min. 230mm on each side.

Roof overhang to be 450mm.

CONCRETE ROOF CONSTRUCTION 1:
15mm crushed stone on Sika Rainite - silver coat on bitumen torch-on waterproofing to fall min. 80mm up abutting wall edges on min. 30mm screed to fall @ 1:60 on 255mm concrete slab as per engineer.

CONCRETE ROOF CONSTRUCTION 2:
15mm crushed stone on Sika Rainite - silver coat on bitumen torch-on waterproofing to fall min. 80mm up abutting wall edges on min. 30mm screed to fall @ 1:60 on 170mm concrete slab as per engineer.

CONCRETE ROOF CONSTRUCTION 3:
15mm crushed stone on Sika Rainite - silver coat on bitumen torch-on waterproofing to fall min. 80mm up abutting wall edges on min. 30mm screed to fall @ 1:60 on 170mm concrete slab as per engineer.

CEILING:
6.4mm Rhinoboard flush screw fixed @ 150mm c/c to 38x38mm SABS timber bracing at 400mm C/C max. Joints covered with talatapa, skinned level and smooth, all as per manufacturer by specialist. Unless specified otherwise.

FACIA'S:
Nuteo Cement fascia boards, medium density (250 x 12mm) cut to 160mm and fixed to rafter ends. Facia joiners to be used between fascia lengths and at corners.

RAINWATER GOODS:
110 x 75mm Aluminium seamless (Ogee profile) gutters fixed to fascia at rafter ends. Rectangular profile aluminium downpipes fixed to walls as per manufacturer. Refer to plan for positions of downpipes. Rainwater goods colour to match building colour unless specified otherwise.

DRAINAGE:
Hot and cold water to be provided to all washing facilities.

All waste fittings to have 40mm dia. PVC waste pipes.

All waste fittings to have 75mm dia. re-vent traps.

Any foundation within 1200mm of drain line to be below such drain line.

All soil fittings to have 110mm dia. PVC soil pipes.

Gully rim to be 150mm above surrounding natural ground level.

Crown of lowest trap to be 150mm above gully rim.

First floor to be filled with deep seal traps.

All drainage to be in accordance with municipal regulations.

Ridding eyes in drainage run to have min. invert level of 450mm.

Vent valve at highest point.

Overflow gully at lowest point.

All underground pipes to be 110mm diameter uPVC pipes.

Drainage Protection:
SANS 10400, Part P 4.2.2.5 (a or b)

precast or cast-in-situ concrete slabs placed over such drain, isolated from the crown of the pipe by a soil cushion not less than 100mm thick & such slabs shall be wide enough to prevent excessive superimposed loads being transferred directly to the pipes.

AREA CALCULATIONS:

Ground Storey House area -	150.15m ²
Garage & Store area -	48.23m ²
Covered External area -	19.59m ²
First Storey House area -	152.81m ²
Covered Balcony area -	21.71m ²

Total: 401.49m²

ERF - 495.49m²

Coverage - (232.09m²) 46.84%



ENGELBRECHT & SCORGIE
ARCHITECTURAL OFFICE

48 Main Road, Ormside River - PO Box 181 - Ormside River
Tel 028 316 3294 • Fax 028 316 2200 • archoffice@mvwke.co.za

Members: G Engelbrecht & B Scorgie
CR0203/02683923

This drawing and design is subject to copyright and must not be reproduced in part or in whole without prior written consent.
Contractors must verify all dimensions on site before commencing work or preparing shop drawings.

DRAWN BY: Kyle Wentzel

CHECKED BY: Gerhard Engelbrecht ST 1938

PROJECT DESCRIPTION: Proposed new dwelling

PAGE CONTENT:

Ground Storey Plan
First Storey Plan
Specifications

CLIENT: Van Schalkwyk

ADDRESS: 57 Atlantic Drive

ERF: 2914

DRAWING No.: 2914_mun_01.1

DATE: 30 January, 2024

SCALE: 1 : 100

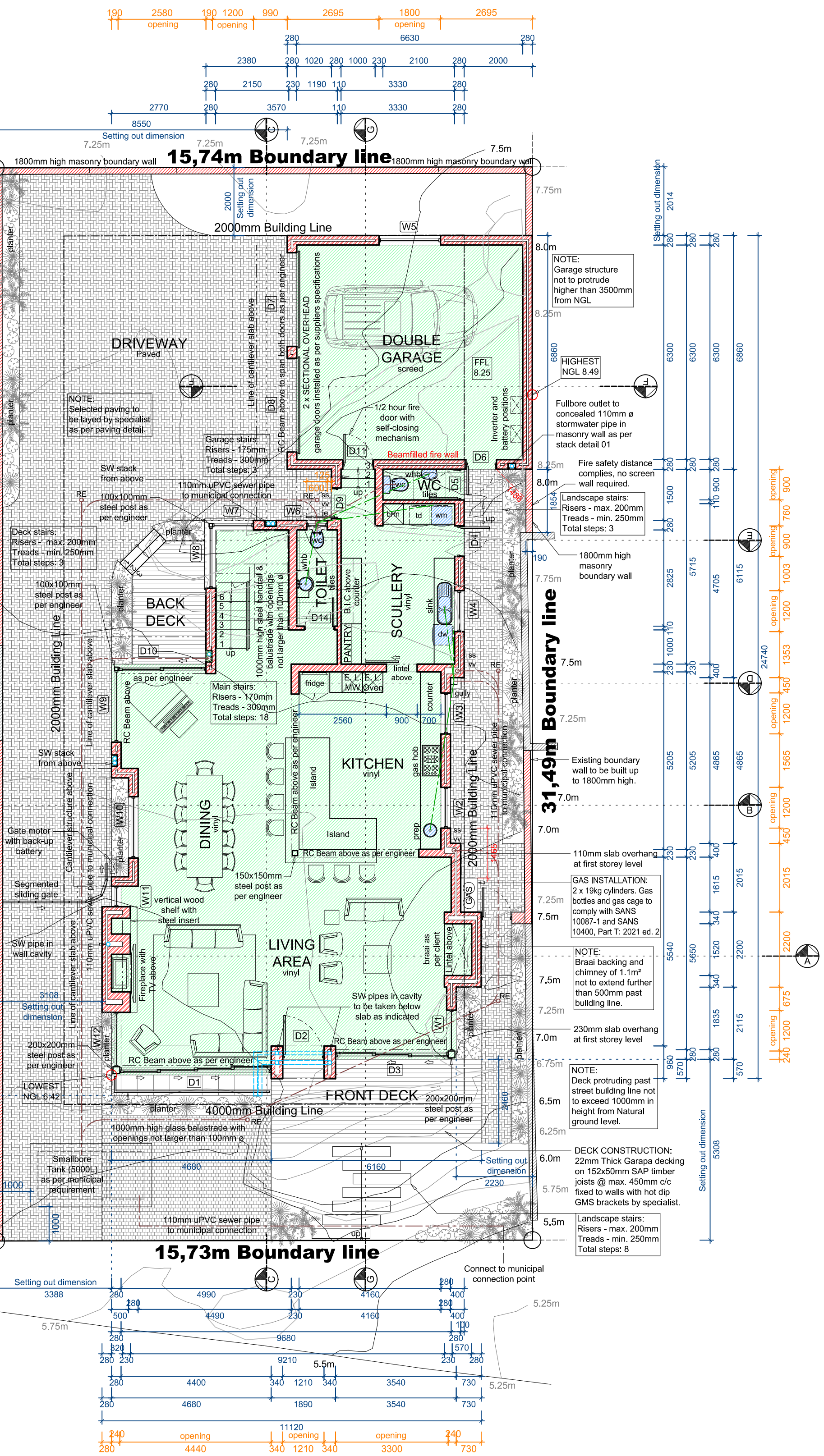
PAGE SIZE: A1

PROJECT NUMBER & PAGE No.

J1202 - 02

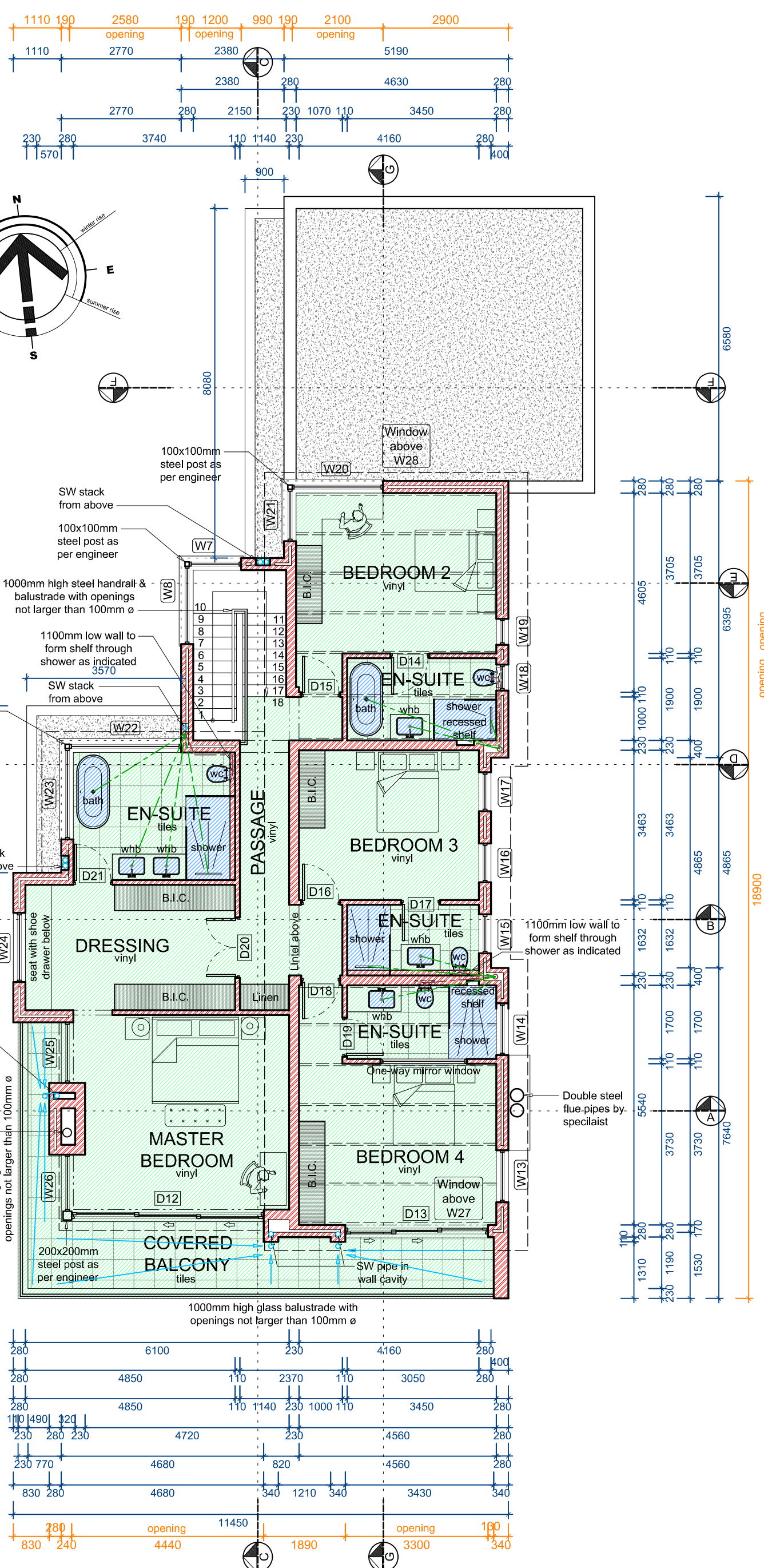
REV

.



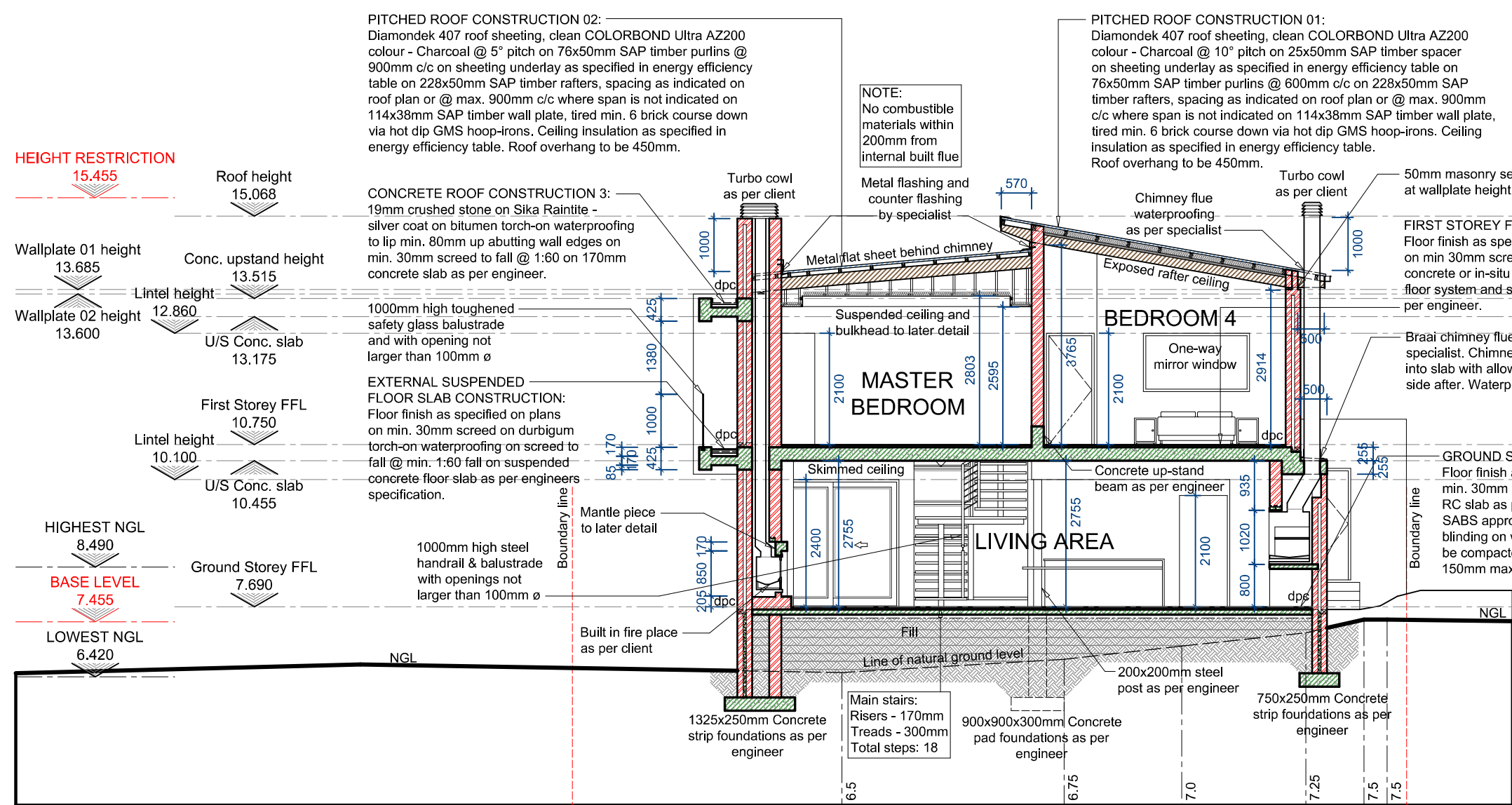
GROUND STOREY PLAN

Scale 1:100

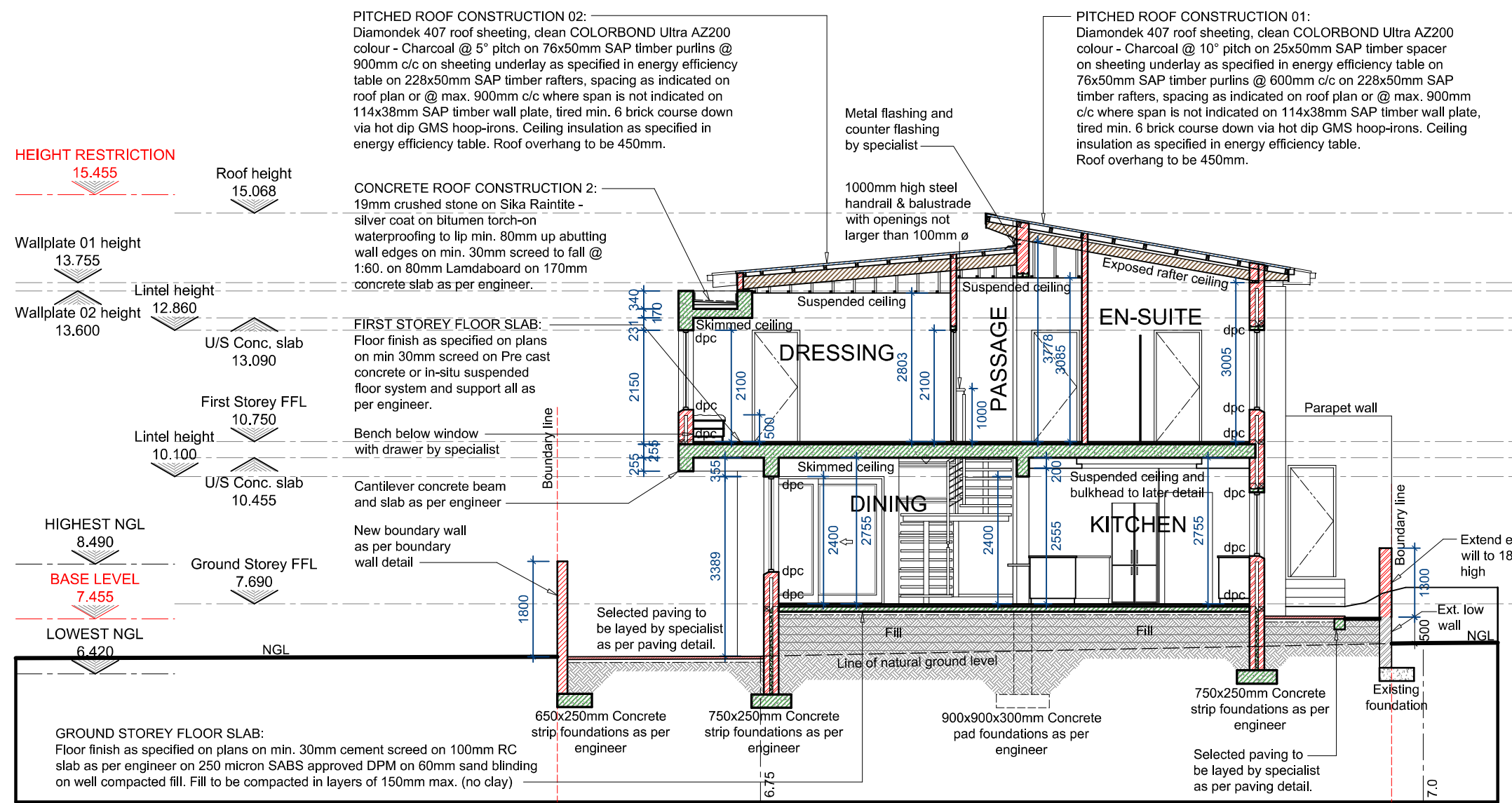


FIRST STOREY PLAN

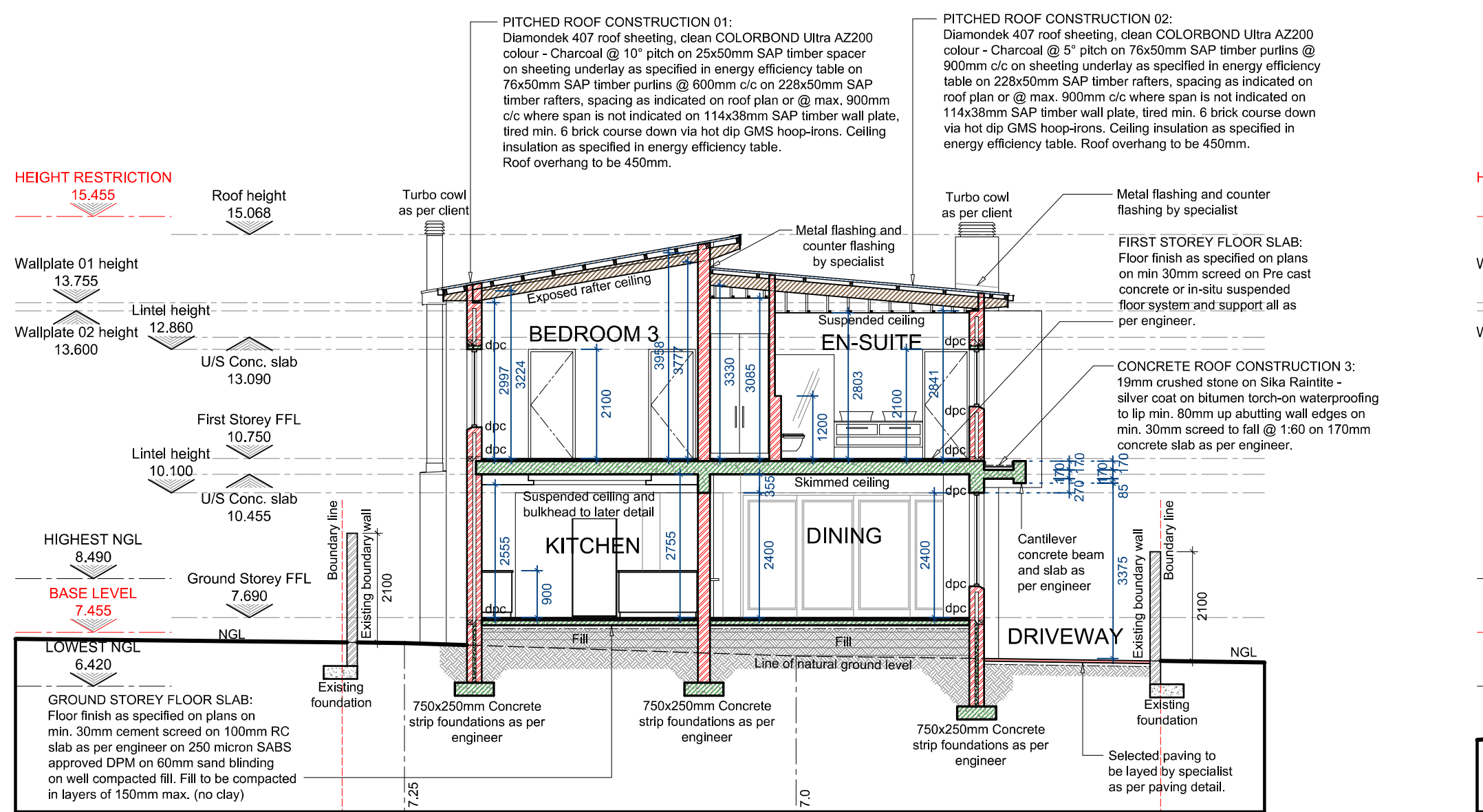
Scale 1:100



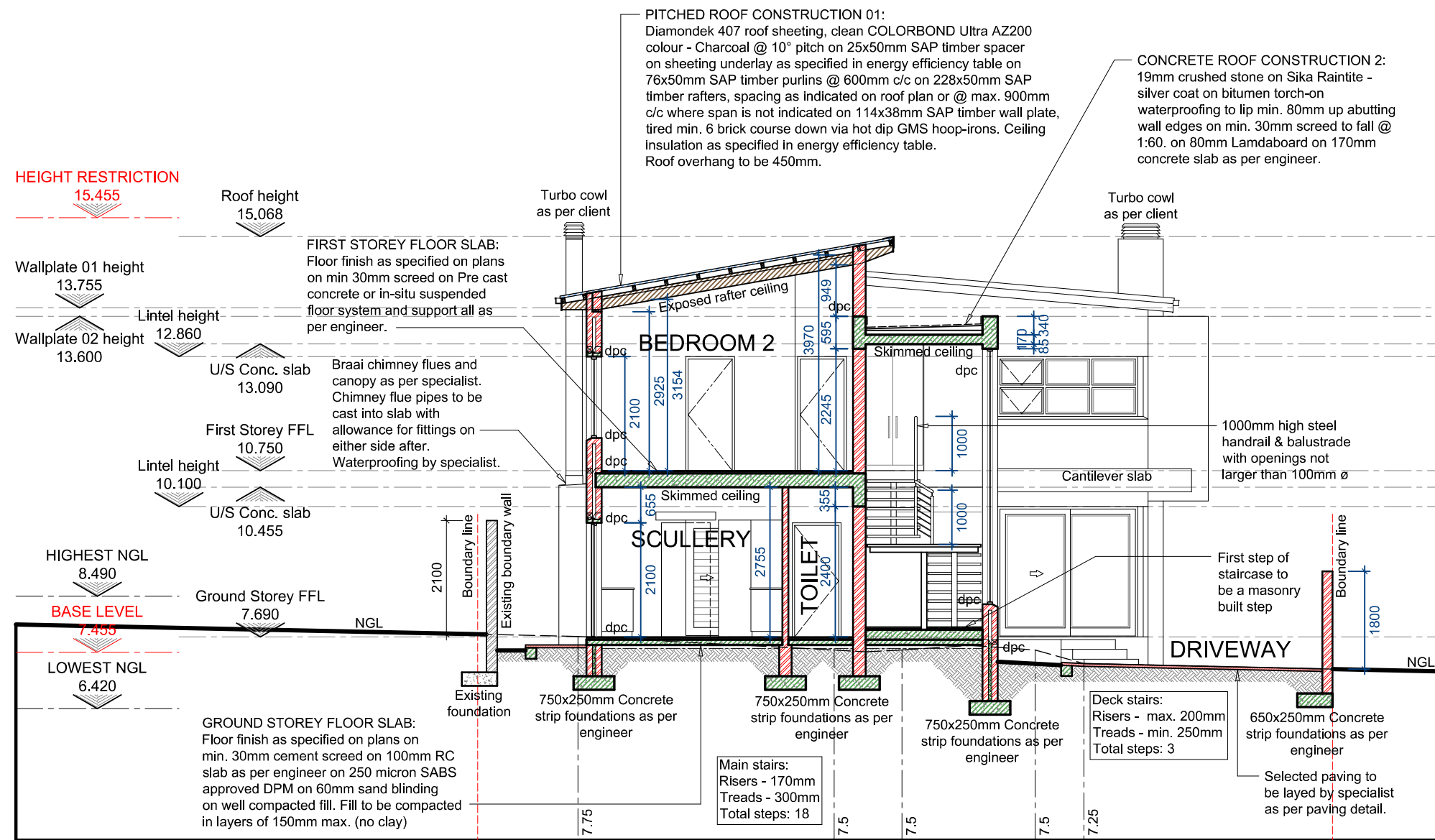
SECTION A-A
Scale 1:100



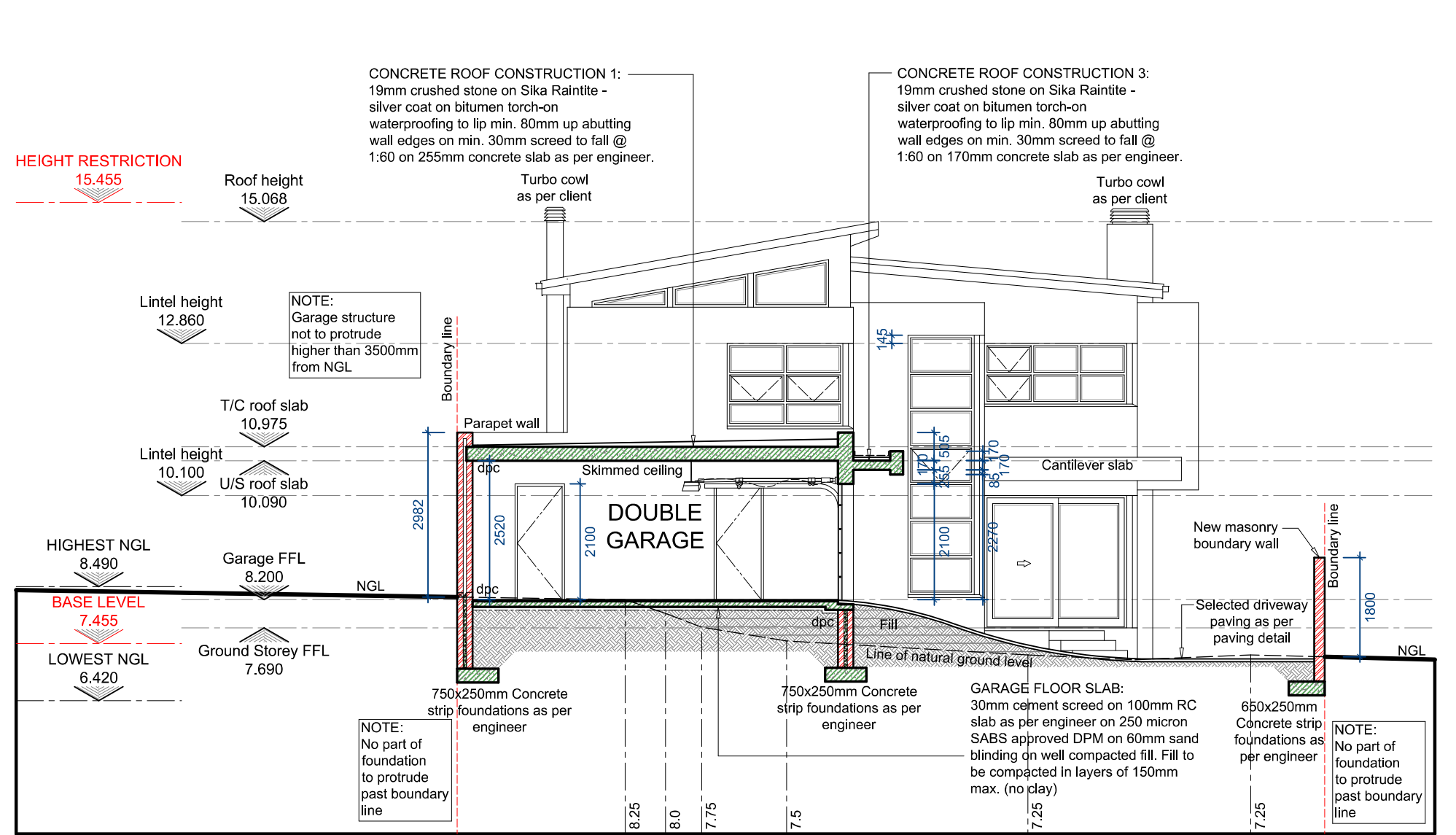
SECTION B-B
Scale 1:100



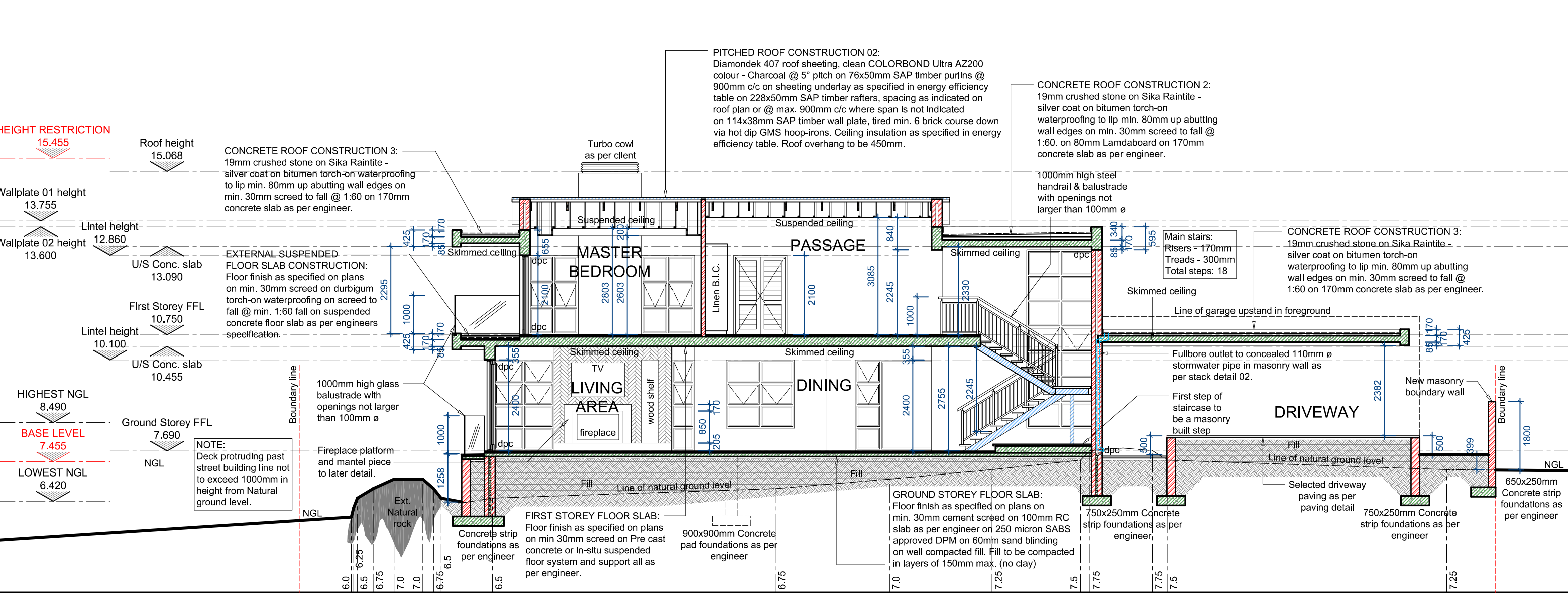
SECTION D-D
Scale 1:100



SECTION E-E
Scale 1:100



SECTION F-F
Scale 1:100



SECTION C-C
Scale 1:100

NOTES:



48 Main Road, Ormat River • PO Box 181 • Ormat River
Tel 028 316 3294 • Fax 028 316 2200 • info@engtel.co.za

Members: G Engelbrecht & B Scorphe
CRO03/2008/923

This drawing and design is subject to copyright and must not be reproduced in part or in whole without prior written consent. Contractors must verify all dimensions on site before commencing work or preparing shop drawings.

DRAWN BY: Kyle Wentzel
CHECKED BY: Gerhard Engelbrecht ST 1938

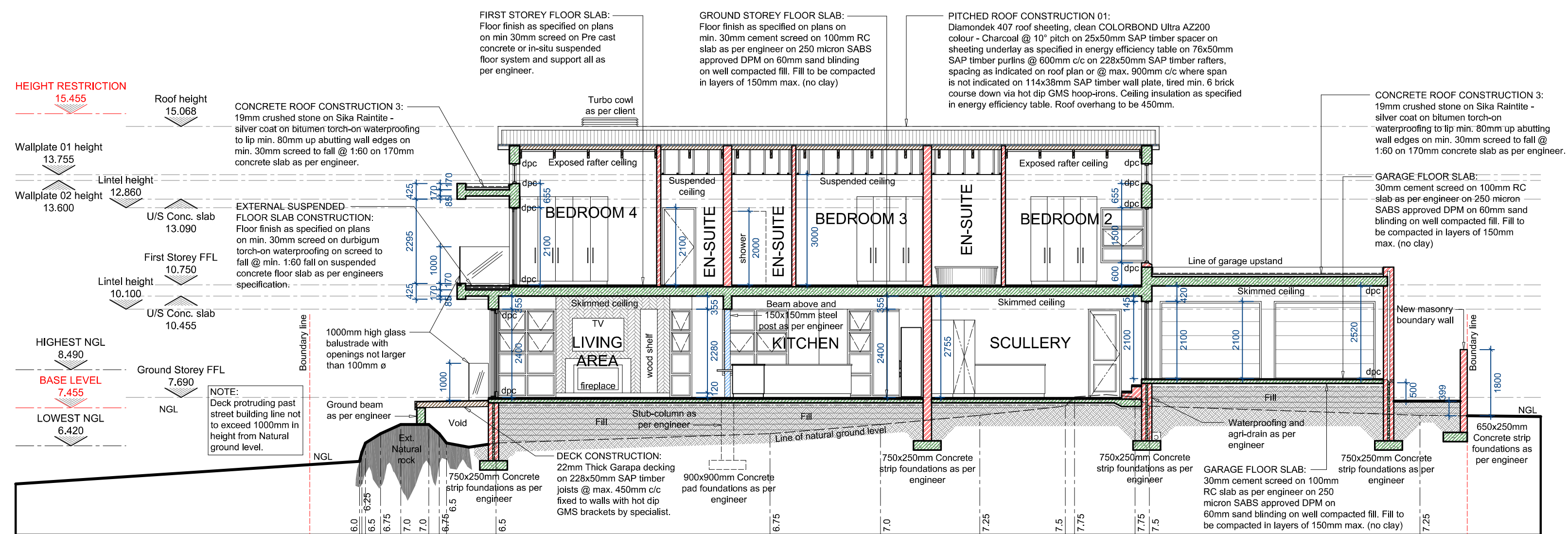
PROJECT DESCRIPTION: Proposed new dwelling

PAGE CONTENT: Sections

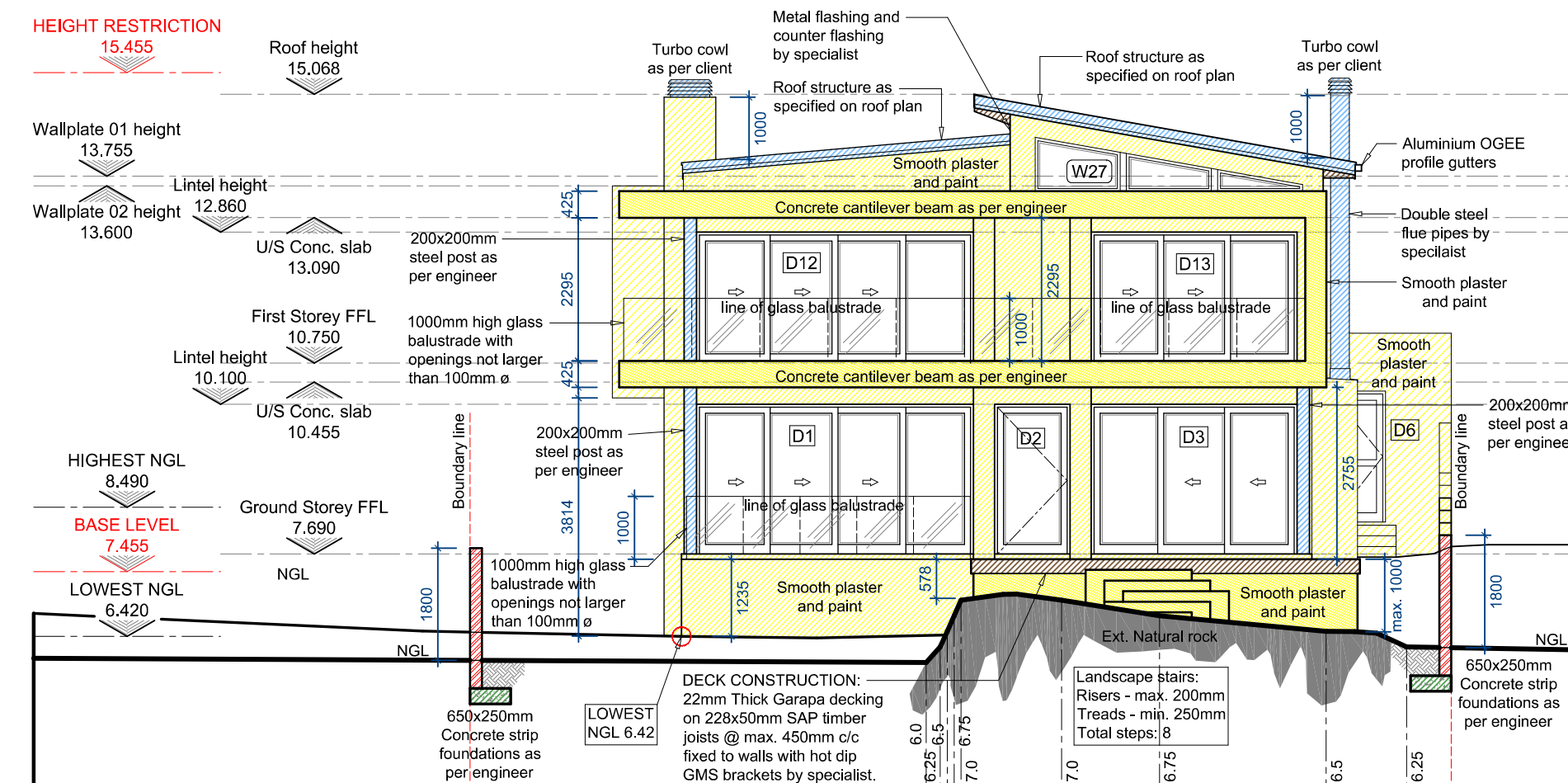
CLIENT: Van Schalkwyk
ADDRESS: 57 Atlantic Drive Ormus
ERF: 2914
DRAWING NO.: 2914_mun_01.1

DATE 30 January, 2024	SCALE 1 : 100	PAGE SIZE A1
PROJECT NUMBER & PAGE No. J1202 - 03		REV .

NOTES:

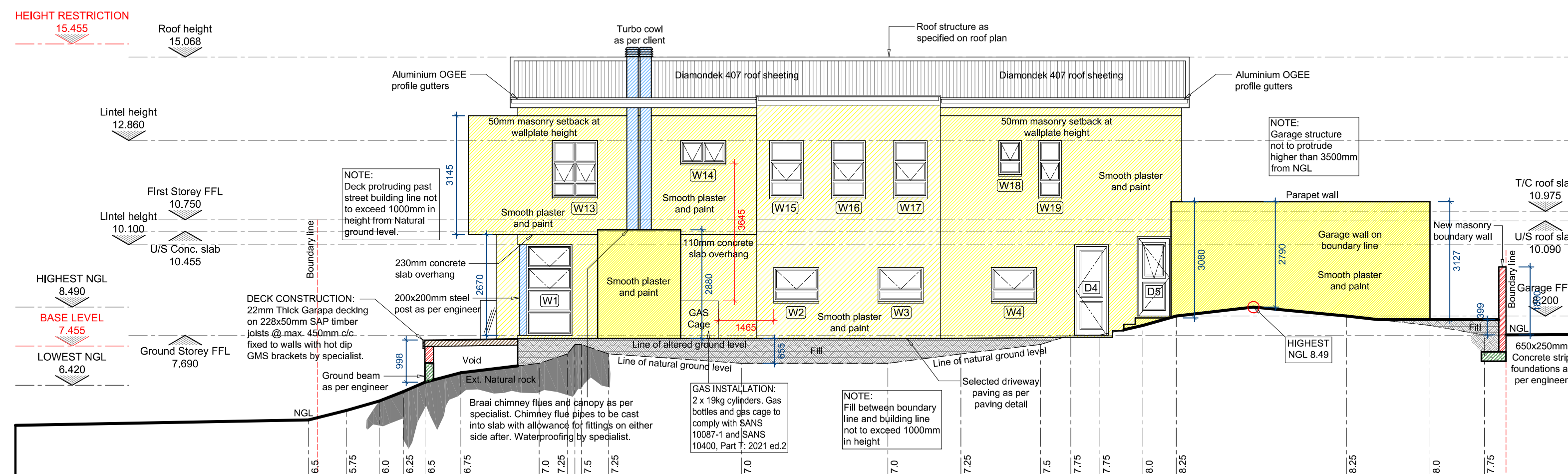


SECTION G-G
Scale 1:100



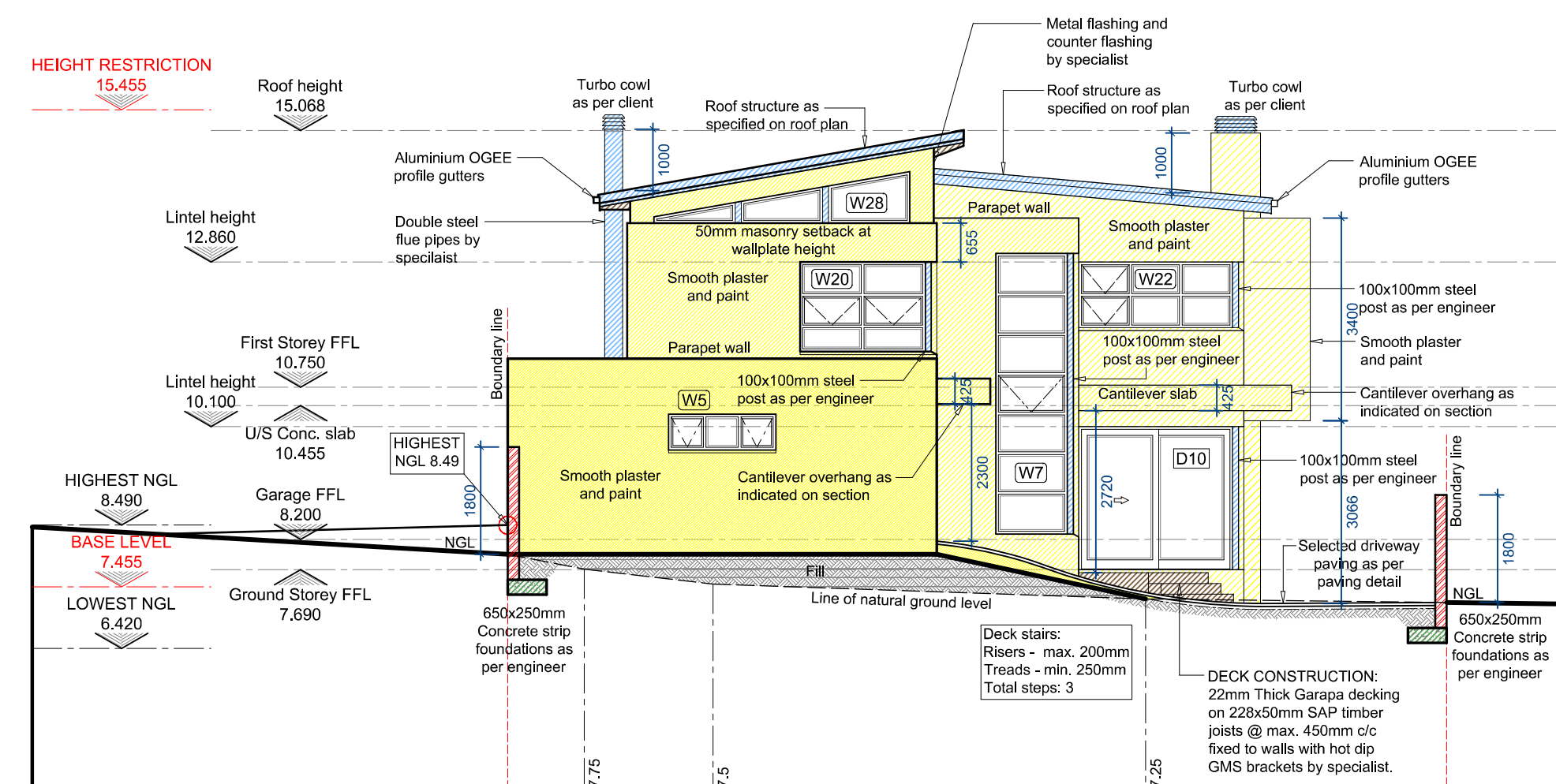
SOUTH ELEVATION

Scale 1:100



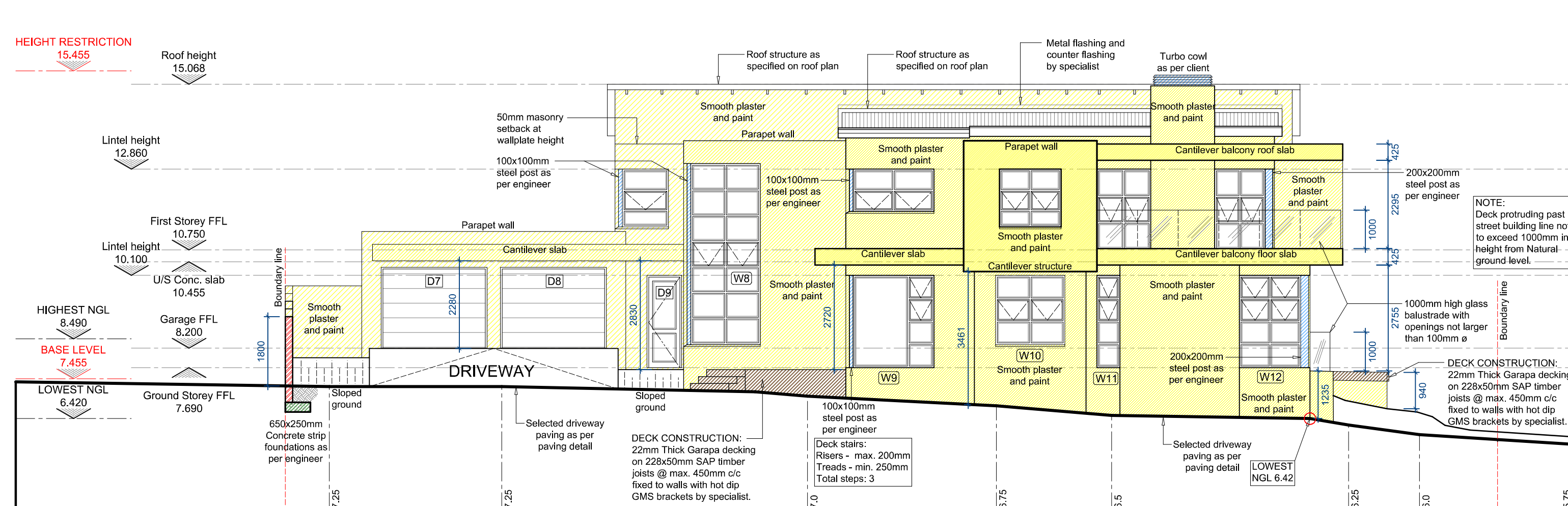
EAST ELEVATION

Scale 1:100



NORTH ELEVATION

Scale 1:100



WEST ELEVATION

Scale 1:100



ENGELBRECHT & SCORGIE
ARCHITECTURAL OFFICE

48 Main Road, Onrus River - PO Box 181 - Onrus River
Tel 028 316 3294 • Fax 028 316 2200 • office@manetec.co.za

Members: G Engelbrecht & B Scorgie
CIC003068392

This drawing and design is subject to copyright and must not be reproduced in part or in whole without prior written consent.
Contractors must verify all dimensions on site before commencing work or preparing shop drawings.

DRAWN BY: Kyle Wentzel

CHECKED BY: **Gerhard Engelbrecht ST 1938**

PROJECT DESCRIPTION: Proposed new dwelling

PAGE CONTENT:

**Elevation
Section**

CLIENT	Van Schalkwyk
ADDRESS:	57 Atlantic Drive Onrus
ERF:	2914
DRAWING No.:	2914_mun_01.1

DATE
30 January, 202

SCALE
1 : 100

PROJECT NUMBER & PAGE No
J1202 - 04

REV