



ERF 4380, 284 FOURTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS PLAN ACTIVE TOWN AND REGIONAL PLANNERS ON BEHALF OF RW ROY & MJ HUNTER

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 to relax the northwestern street building line from 3m to 1,992m and 2m respectively to accommodate the conversion of the existing carport to a double 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 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 **11 September 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 4380, 284 VIERDESTRAAT, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM AFWYKING EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: PLAN ACTIVE STADS- EN STREEKBEPLANNERS NAMENS RW ROY & MJ HUNTER

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

- ❖ **Afwyking** ingevolge Artikel 16(2)(b) van die Verordening om die noordwestelik straatboulyn vanaf 3m na 1,992m and 2m onderskeidelik te verslap om die voorgestelde verandering van die bestaande motorafdak na 'n dubbel 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 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 **11 September 2026**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Mr. 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.

ISIZA ESINGU-ERF 4380, 284 FOURTH STREET, VOËLKLIP, HERMANUS, KUMMANDLA KAMASIPALA WASE-OVERSTRAND: ISICELO SOKWAHLULA NENGQIKELELO YOMDLIWO WOBHALISO: NGABAMNUM BAKWAPLAN ACTIVE TOWN NABACWANGCISI BENGINGQI EGAMENI LIKA- F RW ROY & MJ HUNTER

Kukhutshwe isaziso esimayela nemiba yeSoloty lama-48 loMthethwana OsisiHlomelo soMthethwana sikaMasipala waseOverstrand ongeziCwangciso Zokusetyenziswa koMhlaba kaMasipala ku2020 esi saziso sithi kufunyenwe isicelo esimayel anale miba ilandelayo

- ❖ **Ukwahlula** ngokwemiba yeSoloty le16(2)(b) loMthethwana ongokunyenisa umgca wesakhiwo kwicala elisemntla-ntshona ukusuka kwiimitha ezi-3m ukuya kwezi-1,992m neemitha ezi-2m ngokulandelelana ukulungiselela ukuguqula ikhapoti esele ikhona ibe yigaraji engena izithuthi ezibini.
- ❖ **Ingqikelelo yomdliwo wobhaliso** ngokwemiba yeSoloty le16(2)(q) loMthethwana.

Iinkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini Phakathi kwentsimbi ye08:00 neye 16:30 kwiCandelo: LeziCwangciso ngeDolo[phu noBume beNdawo kwa16 Paterson Street, Hermanus nakwiwebhpheyiji kamasipala kweli qhakamshela ilandelayo <https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/>. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zeSoloty lama51 nelama52 loMthethwana kaMasipala ochazwe ngentla (16 Paterson Street, Hermanus / (e) landuse@overstrand.gov.za) ngomhla okanye ngaphambi **11 eyomSintsi 2026**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingabuzwa ku**Mnu. P. Roux** kwa-028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiCandelo: LeziCwangciso zeDolophu noBume beDolophu apho igosa liza kumnceda ukuze afake izimvo zakhe ahlomle ngokusemthethweni.

Nceda uqaphele ukuba ngokwemiba YoMthetho Wokhuselo LweNgxelo YoMntu (POPIA), uza kube ungena kwinkqubo yolunt ngokoke uvumela ukwavumela nokuba igama lakho, ifani, iinkcukacha ofumaneka kuzo noluvo(nezimvo) zakho zizizwe zisetyenziswe kwinkqubo(kwisicelo) yesicelo.





MOTIVATION REPORT

Proposed Departure (Building Line) and Determination of an Administrative Penalty

ERF 4380 HERMANUS | OVERSTRAND MUNICIPALITY

Property	Erf 4380 Hermanus
Physical Address	284 Fourth Street / 28 Fifteenth Avenue, Voëlklip, Hermanus
Extent	535m ²
Title Deed	T2423/2026
Zoning	Residential Zone 1: Single Residential
Registered Owners	M.J. Hunter and R.W. Roy
Applications	Departure (building line) — Section 16(2)(b); Determination of an administrative penalty — Section 16(2)(q)
Prepared By	Plan Active Town & Regional Planners

1. BACKGROUND

Plan Active Town & Regional Planners has been appointed by M.J. Hunter and R.W. Roy, the owners of Erf 4380 Hermanus, to apply for a departure in respect of the subject property, together with the determination of an administrative penalty.

The subject property was recently sold to the new property owners (registration date 20 January 2026). The new property owners' intent was to convert the existing carports into enclosed garages. The existing double carport encroaches the 3m Fifteenth Avenue, street building line, and the building work associated with the conversion of the carports into garages was undertaken prior to the necessary land use approval being obtained. The applicant therefore seeks approval for the conversion of the existing carport to a garage, which encroaches over the 3m street building line, together with the determination of an administrative penalty in order to regularise the building work concerned.

These alterations are intended to enhance the functionality and usability of the dwelling while maintaining compatibility with the surrounding built environment. This submission serves to motivate the approval of the proposed departure to accommodate the conversion of the existing single and double carport to garages, and the determination of an administrative penalty to regularise the work, with due consideration

of applicable planning principles, the potential impact on adjacent properties, and alignment with the broader intent of the Overstrand Land Use Scheme provisions.

2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(b) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the **departure (street building line)** of Erf 4380 Hermanus; and
- Chapter 4, Section 16(2)(q) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the **determination of an administrative penalty** in respect of the building work undertaken on Erf 4380 Hermanus without the necessary approval.

3. NEED AND DESIRABILITY

3.1 Property Description

Erf 4380 Hermanus is situated at 284 Fourth Street / 28 Fifteenth Avenue, Voëlklip, Hermanus (corner of Fourth Street and Fifteenth Avenue). Refer to the locality plan attached. Erf 4380 Hermanus is 535m² in extent and is held by Title Deed No. T2423/2026.

The subject property gently slopes in a southerly direction and is characterised by residential buildings.

3.2 Zoning

Erf 4380 Hermanus has the following land use rights:

ERF NUMBER	ZONING
Erf 4380 Hermanus	Residential Zone 1: Single Residential

Surrounding properties are zoned for single residential and public road purposes.

3.3 Land Use

There is a multi-storey dwelling (lower ground and ground floor) with a single and double garage situated on the subject property.

Land uses that surround the subject property are single residential dwellings, public roads and a nature reserve.

3.4 Proposal

The following is proposed:

- The **departure** of Erf 4380 Hermanus in terms of Chapter 4, Section 16(2)(b) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, to relax the Fifteenth Avenue street building line from 3m to 1,992m and 2m respectively to accommodate the conversion of the existing double carport to a double garage; and
- The **determination of an administrative penalty** in terms of Chapter 4, Section 16(2)(q) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, in respect of the building work associated with the conversion of the existing carports into enclosed garages, which was undertaken without the necessary approval. Refer to Section 3.5 below.

The subject property was recently sold to the new property owners (registration date 20 January 2026). The new property owners' intent was to convert the existing double carport into a double garage. The garage encroaches the 3m Fifteenth Avenue, street building line. The applicant therefore seeks approval for the conversion of the existing carport to a garage, which encroaches over the 3m street building line.

The building work comprises the following elements:

- Construction of new fire walls along the open sides of the existing carport, as indicated on the plans, to fully enclose the space and comply with fire and boundary regulations.
- Installation of a new garage door to the front elevation, providing secure vehicular access.
- Installation of a new internal access door connecting the garage to the dwelling, as shown on the plan.
- Retention of the existing slab, with no increase in floor area beyond the current carport footprint.
- The converted space will be used solely as a private domestic garage ancillary to the main dwelling.
- All new walls are constructed to match existing materials and finishes, ensuring visual continuity with the existing house.
- No additional storeys, height increases, or changes to roof form are proposed.
- No change in land use or intensity of use is proposed; the development remains residential in nature.

The conversion improves security, weather protection and fire compliance while maintaining the character of the property.

A departure is therefore submitted for the relaxation of the Fifteenth Avenue street building line from 3m to 1,992m and 2m respectively to accommodate the conversion of the existing carport to a garage on lower ground floor level. Refer to the lower ground storey layout plan and west elevation plan below and attached:

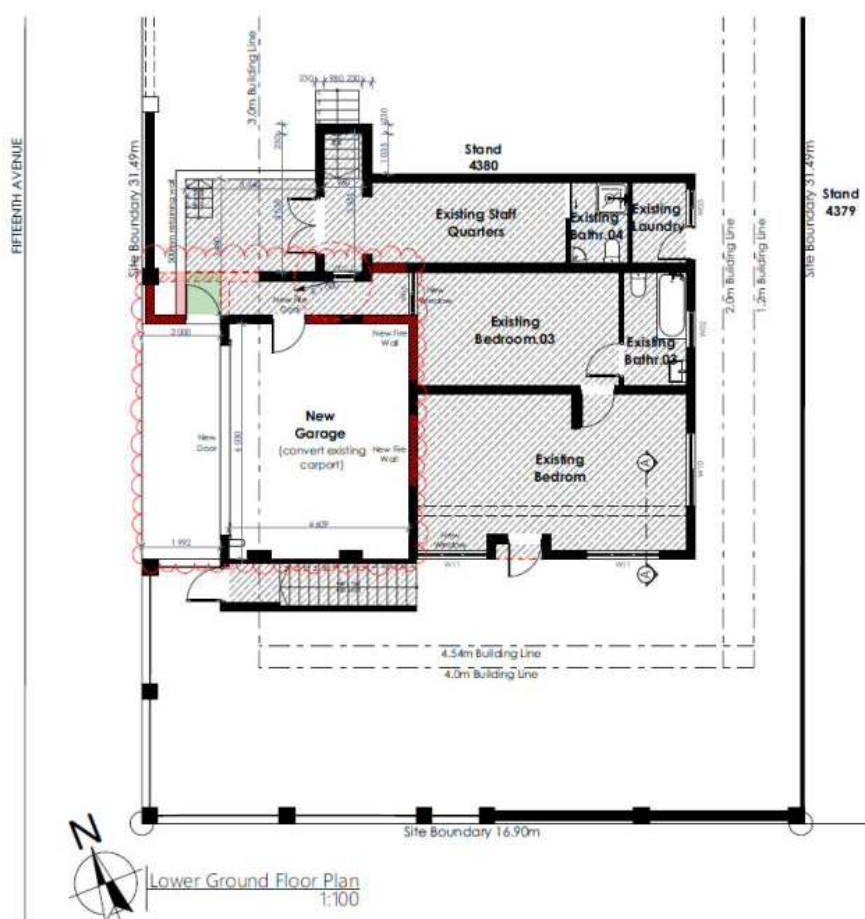


Figure 1: Lower ground floor layout plan — Erf 4380 Hermanus

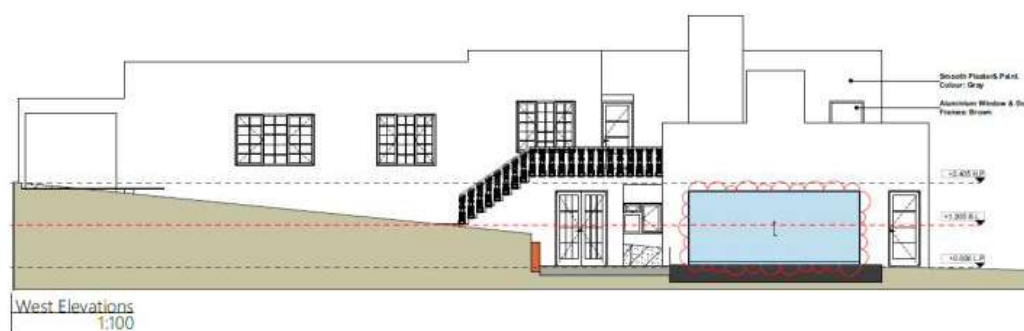


Figure 2: West elevation plan — Erf 4380 Hermanus

The garage will be 6,030m x 4,609m. The height of the garage from the natural ground level to the top of the structure will not exceed 4,5m (the maximum height for the consideration of the street building line encroachment).

The double garage is set back a minimum of 5m from the road surface. As indicated on the aerial image below, the distance from the road surface to the western erf boundary is approximately 3,6m. The garage is positioned a further 2m from the western erf boundary, resulting in an overall setback of approximately 5,6m from the road surface.

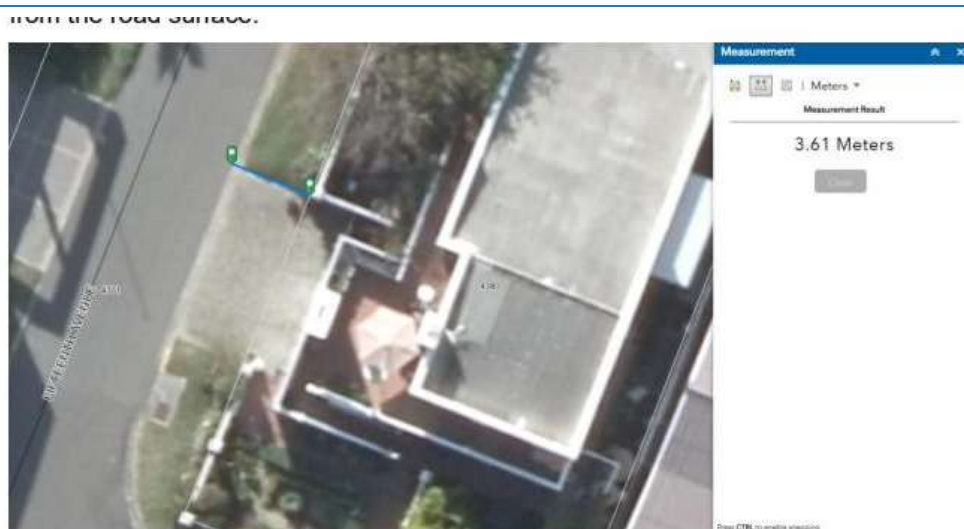


Figure 3: Distance of the road surface to the western erf boundary

The use of the structure encroaching over the Fifteenth Avenue street building line will remain unchanged and will continue to be used for the storage of vehicles. The conversion is confined entirely within the existing development footprint, with no extension of the building towards the street or adjacent properties. The proposal will not adversely affect the streetscape, neighbouring properties, or public safety and will maintain the established building line pattern along Fifteenth Avenue. The conversion improves functionality, security and weather protection while remaining consistent with the intent of the planning controls and the prevailing residential character of the area.

The single carport located on the northern lateral erf boundary has been converted into a single garage. The garage complies with all applicable requirements for structures encroaching the northern lateral building line. The affected adjoining property, Erf 4381 Hermanus, has provided written consent for the conversion of the carport to a single garage up to the 0m northern lateral building line. Reference is made to the neighbour's letter of consent with addendum dated 27 January 2026 (attached). In light of the neighbouring owner's consent and the proposal's compliance with the applicable encroachment requirements, no departure is required to accommodate the single garage on the 0m northern lateral building line. The building work concerned is, however, addressed in the administrative penalty application set out in Section 3.5 below.

The intent of the proposal is to optimise the use of the existing built footprint without materially impacting the amenity or privacy of adjoining properties. The alterations are modest in scale, sympathetic to the established character of the area, and consistent with the spatial development framework principles applicable to Hermanus.

The proposed departure does not result in an increase in building height or coverage beyond that permitted under the Single Residential (SR1) zoning parameters. The total coverage remains well within the permissible 50%, with the additions designed to integrate seamlessly with the existing dwelling. The area schedule and coverage for the subject property following the additions will be as follows:

subject property following the additions will be

<u>AREA SCHEDULE</u>	
Existing Lower Ground:	123m ²
Existing Ground:	201m ²
Total House Area:	324m²
Stand Area:	535m ²
Coverage:	45.6%

Figure 4: Area schedule — Erf 4380 Hermanus

The zoning of Erf 4380 Hermanus will remain as Residential Zone 1: Single Residential, and the primary land use will remain for single residential purposes. The height of all structures on the property complies with the permissible height regulations for SR1-zoned properties. The area schedule indicates the proposed total coverage of the built structures to be 45,6%. The coverage will therefore be within the maximum permissible coverage of 50% allowed for SR1-zoned properties.

The proposed application will have a minimal visual impact on both the streetscape and adjoining properties. The conversion is limited to the enclosure of an existing carport within the current building footprint, with no increase in building height, bulk, or floor area. External materials and finishes are compatible with the existing dwelling, ensuring visual continuity and consistency with the surrounding residential character. As no new structure is introduced and the established building lines are maintained, the proposal will not result in any additional visual intrusion when viewed from the street or neighbouring erven.

Refer to the attached site development plan inclusive of the roof layout, floor layouts and elevations.

The proposed application will not adversely affect the character or property values of the surrounding area. The conversion of the carport to a garage is positioned in such a way that it does not obstruct traffic flow or public activity, due to the existing position in relation to neighbouring properties and the low-impact nature of the converted structure.

As such, the proposed departure will not result in a greater visual impact on surrounding properties. The impact on adjacent property owners and passers-by will be marginally greater than it would be if this structure did not exist.

It is submitted that the alterations to the property are compatible with the character of the area, do not negatively impact the rights of neighbouring property owners, and that there is no valid reason to deny approval of this application. In considering the proposed street building line deviation, it is important to

acknowledge the broader objective of discouraging urban sprawl while promoting densification and more compact, sustainable urban development. This approach aligns with responsible resource use and supports sustainable growth.

The proposed departure for Erf 4380 Hermanus is consistent with the prevailing land use trends in the surrounding area, and therefore, we do not anticipate any adverse effects or issues arising from the approval of this application.

3.5 Administrative Penalty

3.5.1 Basis for the Application

The building work associated with the conversion of the existing single and double carports into enclosed garages was undertaken prior to the necessary land use approval and building plan approval being obtained. In terms of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, building work undertaken without the required approval constitutes a contravention of the By-law, and such work may only be regularised once an administrative penalty has been determined and paid.

Application is accordingly made in terms of Chapter 4, Section 16(2)(q) of the By-law for the determination of an administrative penalty in respect of the building work concerned. The contravention is limited to the following two components:

- **Double garage — street building line:** The conversion of the existing double carport into a double garage on lower ground floor level, of which 6,078m² encroaches over the 3m Fifteenth Avenue street building line (the subject of the departure application in terms of Section 16(2)(b)); and
- **Single garage — northern lateral building line:** The conversion of the existing single carport into a single garage constructed on the 0m northern lateral erf boundary, of which 12m² encroaches over the 2m northern lateral building line. The written consent of the affected adjoining owner (Erf 4381 Hermanus) has been obtained and no departure is required; the building work was, however, undertaken without the necessary approval.

It is emphasised that the building work is confined entirely to the existing development footprint of the erf, comprises the enclosure of existing carport structures only, and is fully capable of approval in terms of the applicable zoning parameters, subject to the granting of the street building line departure applied for herein.

3.5.2 Value of the Building Work and Penalty Calculation

The value of the building work is substantiated by the accepted quotation of Adams and Sons Builders (Pty) Ltd (Quotation No. 102, dated 25 June 2026), being the actual cost estimate accepted by the owners for the construction of the garages, in the amount of **R58,500.00** (VAT included, if applicable). A copy of

the quotation is attached. The scope of the quoted work comprises the removal of the existing timber window and door assemblies, the construction of new brick infill walls, the partial bricking up and modification of an existing window opening, the supply and installation of a new aluminium glazed escape door and aluminium window, plastering, painting, and all labour, materials, transport, equipment and site supervision.

The quoted amount relates to the conversion of both the single and the double carports, with a combined garage floor area of approximately 45,79m² (double garage: 6,030m x 4,609m = 27,79m²; single garage: approximately 6,0m x 3,0m = 18,00m²). The construction value of the building work situated within the building line encroachment areas is accordingly calculated pro rata as follows:

ITEM	EXTENT	VALUE
Total value of building work (accepted quotation)	45,79m ²	R58,500.00
Construction value per m ² (R58,500.00 ÷ 45,79m ²)	per m ²	R1,277.57
Building work within the 3m street building line (double garage)	6,078m ²	R7,765.08
Building work within the 2m northern lateral building line (single garage)	12,000m ²	R15,330.86
Total value of building work within the building line encroachments	18,078m²	R23,095.94

The total extent of the building work encroaching the applicable building lines is limited to 18,078m², with a pro rata construction value of R23,095.94, out of a total accepted construction value of R58,500.00. It is respectfully requested that the administrative penalty be determined at the minimum, with reference to the limited extent and value of the contravention and the mitigating factors set out below.

3.5.3 Criteria for the Determination of the Penalty

In determining an appropriate administrative penalty, the Municipality must have regard to the relevant factors prescribed in the By-law. These factors are addressed as follows:

- **Nature, gravity and extent of the contravention:** The contravention is technical and limited in nature. The building work comprises the enclosure of existing carport structures within the established building footprint, with no increase in floor area, height, bulk or coverage. The encroachment over the building lines is limited to 6,078m² (street) and 12m² (northern lateral), a combined extent of only 18,078m².
- **Conduct of the persons involved and degree of cooperation:** The owners have proactively appointed a professional town planning consultancy and have voluntarily submitted this application to regularise the building work. The owners have cooperated fully with the Municipality and undertake to comply with any conditions of approval that may be imposed.

- **Whether the contravention can be authorised:** The building work is fully capable of approval. The single garage complies with the applicable encroachment requirements for the 0m northern lateral building line, supported by the written consent of the affected neighbour, and the double garage encroachment is addressed by the departure applied for in terms of Section 16(2)(b). All other zoning parameters (coverage, height and land use) are complied with.
- **Benefit derived from the contravention:** No commercial or financial benefit has been derived from the contravention. The garages serve a private domestic purpose ancillary to the main dwelling, and the use of the structures for the storage of vehicles remains unchanged.
- **Effect on the surrounding area:** The building work has no adverse effect on the streetscape, neighbouring properties or public safety. The affected adjoining owner has provided written consent, and the conversion maintains the established building line pattern and residential character of the area.
- **Previous contraventions:** To the best of our knowledge, the owners, who only took registration of the property on 20 January 2026, have not previously contravened the By-law.

Having regard to the above, it is submitted that the contravention is of a minor and technical nature, that the owners have acted in good faith in seeking to regularise the position, and that the administrative penalty falls to be determined at the minimum applicable amount.

3.6 The Potential of the Property

Erf 4380 Hermanus measures approximately 535m² in extent and is zoned Single Residential Zone 1 (SR1). The SR1 zoning permits the construction of a dwelling house and associated outbuildings, with a maximum coverage of 50%, a height restriction of 8m and standard building line parameters of 3m (street – average depth of the property is less than 20m), 2m (lateral), and 2m (rear).

Erf 4380 Hermanus is a well-established residential corner property located at the intersection of Fifteenth Avenue and Fourth Street. Corner erven are typically more adaptable in accommodating ancillary residential structures due to their orientation, access conditions and broader streetscape exposure. The existing development footprint on Erf 4380 Hermanus is clearly defined and consistent with the surrounding pattern of development.

The conversion of the existing carport to a garage is fully contained within this footprint and does not alter the established building placement or spatial relationship to adjoining properties. The property has sufficient capacity to absorb the improvement without resulting in overdevelopment, while enhancing functionality in a manner that remains compatible with the residential character of the area and the intent of the planning controls.

The conversion of the carport to a garage represents an optimal utilisation of the existing structure rather than an expansion of the building footprint. This approach makes effective use of the site's development rights while maintaining compliance with coverage, height, and use restrictions.

The development therefore represents a responsible realisation of the property's inherent potential, ensuring functional improvement and long-term value enhancement while remaining consistent with municipal planning policies and surrounding land uses.

3.7 Economic Impact

The conversion of the existing carports to a garages is expected to have a positive, albeit limited, economic impact. The improvement enhances the functional utility, security and overall value of the property without intensifying land use or increasing demand on municipal services. The proposal represents a modest private investment in the improvement of the existing residential building stock and contributes to the long-term sustainability and desirability of the area. Furthermore, the upgrading of the property has the potential to positively contribute to the municipal rates base over time, while no negative economic impacts on surrounding properties are anticipated.

3.8 Social Impact

The proposed application will have no impact on the social status quo of the area.

The conversion of the existing carports to a garages is anticipated to have a neutral to positive social impact. The development improves on-site security, safety and functionality for the occupants while maintaining the existing residential use and character of the property. As the proposal does not introduce additional dwelling units, increase occupancy, or alter land use rights, it will not place additional pressure on social infrastructure or services. The improvement supports the ongoing maintenance and enhancement of established residential neighbourhoods, contributing to overall neighbourhood stability and amenity without adversely affecting surrounding properties or the broader community.

3.9 Compatibility with Surrounding Land Uses

The subject property is situated in an existing low-density residential area. The application does not propose to change the zoning or land use of the subject property and therefore the proposal is compatible with the surrounding land uses.

The surrounding properties are developed with single and double storey dwellings, and the use of the surrounding properties is for permanent residences and holiday houses. The scale of the alterations on Erf 4380 Hermanus merges well with the scale of the surrounding dwellings in the immediate area.

The conversion of the existing carports to a garages is fully compatible with the surrounding land uses and the planning framework applicable to the area. Erf 4380 Hermanus is a corner property within an established residential neighbourhood, where single residential dwellings with garages and ancillary structures are the dominant land use. Corner erven are characteristically able to accommodate such ancillary structures without compromising adjoining properties due to their orientation and dual street interface. The proposal does not introduce a new land use, increase residential density or intensify activity on the site, and the garages remain ancillary to the primary dwelling.

The development is consistent with the intent of the Overstrand Municipal Planning Scheme, which promotes orderly development, efficient use of land and the protection of residential amenity. As such, the proposal is compatible with both the surrounding land uses and the prevailing residential character of the area.

3.10 Impact on External Engineering Services

All services on the subject property already exist. The proposed departure will have no impact on the scale and usage of the existing available services since no additional loading of the existing civil infrastructure is anticipated.

Additional services (if required) will be provided to the satisfaction of the Overstrand Municipality.

3.11 Impact on Safety, Health and Wellbeing of the Surrounding Community

The proposed departure will have no impact on the general safety and wellbeing of the surrounding community. It is anticipated that one family will continue to occupy the subject property.

Since the proposed departure is not associated with a noxious trade with polluting air emissions, the impact on the health of the community will be kept to a minimum.

3.12 Impact on Heritage

The proposed departure and associated building alterations on Erf 4380 Hermanus do not have any heritage-related implications. The property is not situated within the Heritage Protection Overlay Zone as designated in the Overstrand Municipality's Zoning Scheme (2020), nor does it fall within a heritage-sensitive area identified in the Overstrand Municipal Growth Management Strategy (OMGMS, 2010).

The application involves a site of 535m², which is significantly smaller than the 5 000m² threshold specified in Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999). Consequently, the proposal does not trigger a formal heritage impact assessment in terms of the Act.

The property is currently developed for single residential use, and the building work, namely, the conversion of the carports into a garages occurs within the existing built form. No demolition, expansion onto undeveloped land, or alteration of a heritage structure is proposed.

Accordingly, the development will not alter or detract from any heritage resources, historical character or architectural integrity of the surrounding area. The visual and contextual impact remains negligible, and the application is therefore fully compliant with the provisions of the National Heritage Resources Act and the Overstrand Municipality's heritage management policies.

3.13 Impact on the Biophysical Environment

The proposed departure does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998). The subject property is not situated within the Overstrand Municipality's Environmental Management Overlay Zone (EMOZ, 2020).

3.14 Traffic Impact, Parking and Access

Access to Erf 4380 Hermanus will remain unchanged and will be from Fifteenth Avenue. The vehicular entrance (driveway) is indicated on the site development plan. No new access points are proposed.

In terms of the Overstrand Municipality Land Use Scheme, 2020, a minimum of two on-site parking bays are required for a dwelling house. The subject property includes a single garage on ground floor level and a garage for the parking of two vehicles on lower ground floor level, the total of three (3) parking bays will therefore remain. Accordingly, the dwelling on Erf 4380 Hermanus will continue to comply with the minimum parking requirements applicable to properties zoned Single Residential 1 (SR1).

The property will remain single residential use, and as such, the proposal will not generate any additional traffic or have a measurable impact on the existing traffic flow or road network in the surrounding area.

3.15 Title Deed

Title Deed No. T4412/1996 contains no restrictive conditions that require removal or amendment in order to accommodate the proposed departure application for Erf 4380 Hermanus. As the title deed is

straightforward and free of restrictive clauses relevant to the proposal, a conveyancer's certificate has not been included with this application. A copy of Title Deed No. T4412/1996 is attached for reference.

There is a bond registered against Erf 4380 Hermanus. The bondholder's consent dated 13 February 2026 is attached.

3.16 Forward Planning and Land Use Documents

The **Overstrand Spatial Development Framework (2020)** earmarks the area where Erf 4380 Hermanus is situated for urban development purposes. The zoning and use of the subject property will remain unchanged (Residential Zone 1: Single Residential). As a result, the impact of the proposed departure on the spatial integrity of the area will be minimal and is therefore consistent with the Overstrand SDF (2020).

The **Overstrand Municipal Growth Management Strategy (OMGMS, 2010)** identifies Erf 4380, Hermanus as forming part of Planning Unit No. 3, which provides for an increase in residential density from 11 dwelling units per hectare to 14,3 dwelling units per hectare. A single dwelling house is currently developed on the property, and no additional dwelling units or increase in residential density are proposed as part of this application. The proposal is limited to the conversion of an existing carport to a garage within the established building footprint, and the current residential land use and density will therefore remain unchanged. While densification is not triggered by this application, the proposal does not compromise or preclude future density considerations in the area and remains aligned with the broader growth management objectives for Hermanus East. Accordingly, the application is consistent with the applicable planning framework and the intent of the OMGMS.

The proposal will promote land development in a location that is sustainable. The proposed departure is to an improved erf within an established residential area and will not impact on urban sprawl or upon a sensitive environment. There is no impact on the overall density of Voëlklip and therefore the proposed application still promotes a low-density residential area.

From the above it is evident that the proposed development **adheres and complies** with the relevant municipal spatial planning policies.

3.17 Planning Principles

The development on Erf 4380 Hermanus aligns with the five spatial planning principles contained in the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013), as follows:

- **Spatial Justice:** The proposal promotes equitable access to property use rights by allowing the property owners to optimise the use of an existing residential erf within the formal urban area. The

proposed land use application ties in with the existing character of the area and will not have a negative impact on the surrounding neighbours. The proposed application will not promote spatial development imbalances. This application is for an erf as per the establishment of the existing Hermanus Township. The proposed application is in character with the existing area where similar applications have been approved in the past and therefore, the approval of the proposed application will not be spatially biased.

- **Spatial Sustainability:** The proposal represents the efficient use of existing urban land and municipal infrastructure, supporting compact urban form and sustainable residential development. No additional land consumption or infrastructure expansion is required. The impact on the biophysical environment will also be kept to a minimum since the development neither triggers any listed activities in terms of NEMA nor is it positioned within Overstrand Municipality's EMOZ. The application is considered spatially sustainable as the existing property will be more optimally utilised without affecting natural vegetation or heritage resources. The property is compatible with the character of the area and does not impact negatively on the rights of any adjacent property owners.
- **Efficiency:** The development utilises existing structures and services efficiently by converting the existing carport into a double garage within the current building footprint. This optimises land use and reduces unnecessary resource expenditure. The subject property is easily accessible and conveniently located in Hermanus and close to major routes. The massing and height of the property will be in line with the relevant land use scheme regulations. It proves to be resourceful to approve the proposal since it is compatible with the existing built environment, and the way the dwelling was designed and constructed proves to be aesthetically pleasing.
 - The proposed departure proves to be efficient since it discourages the phenomenon of urban sprawl and encourages more compact towns and cities, all of which relates to more responsible resource and infrastructure use and sustainable development.
- **Spatial Resilience:** The proposal enhances the adaptability and long-term functionality of the dwelling by allowing it to respond to evolving residential needs without compromising environmental or planning objectives.
- **Good Administration:** The application is submitted in accordance with the Overstrand Municipality Land Use Planning By-law (2020) and follows due process, ensuring transparent and consistent land use management in line with statutory procedures. The voluntary submission of the administrative penalty application further demonstrates the owners' commitment to due process and the regularisation of the building work in accordance with the By-law.

4. RECOMMENDATION

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

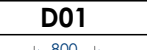
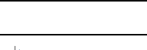
- All services on the subject property already exist and no additional loading of the existing infrastructure is anticipated;
- The zoning and primary land use of the subject property will remain unchanged;

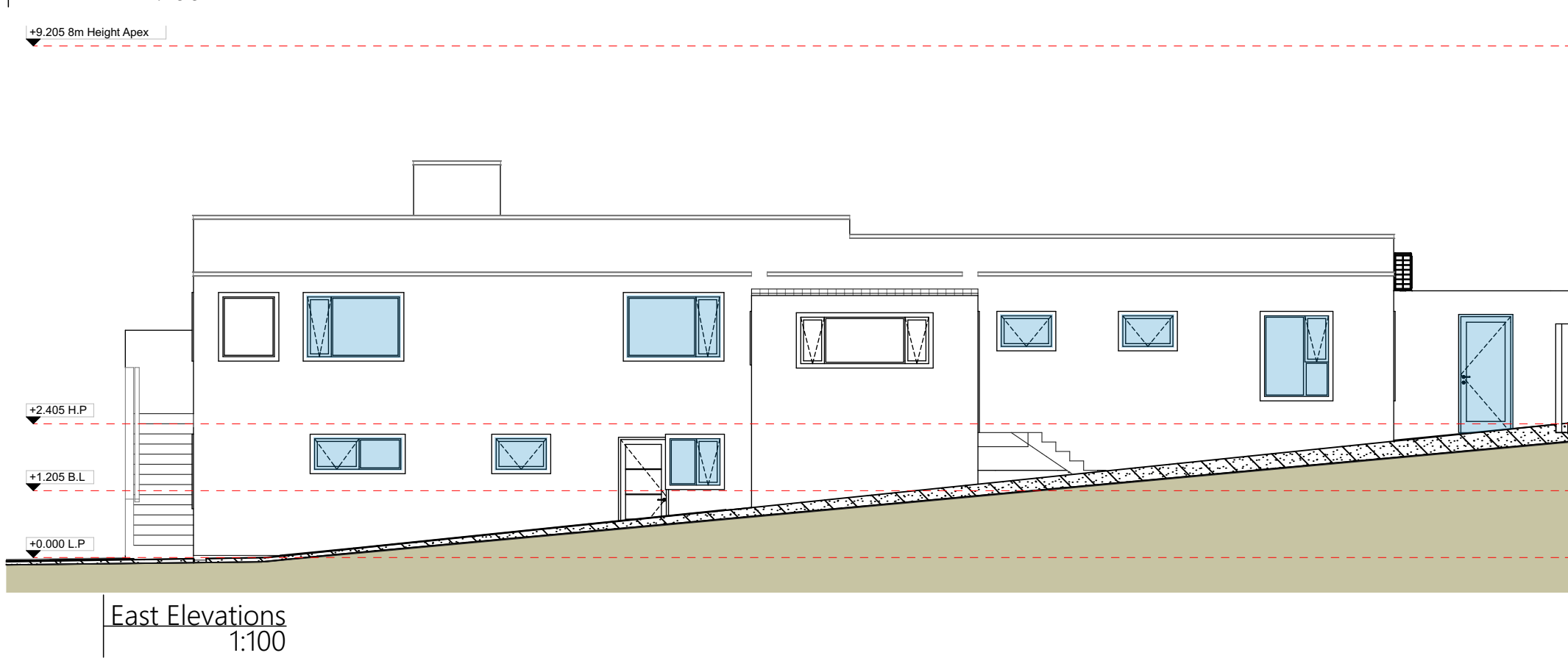
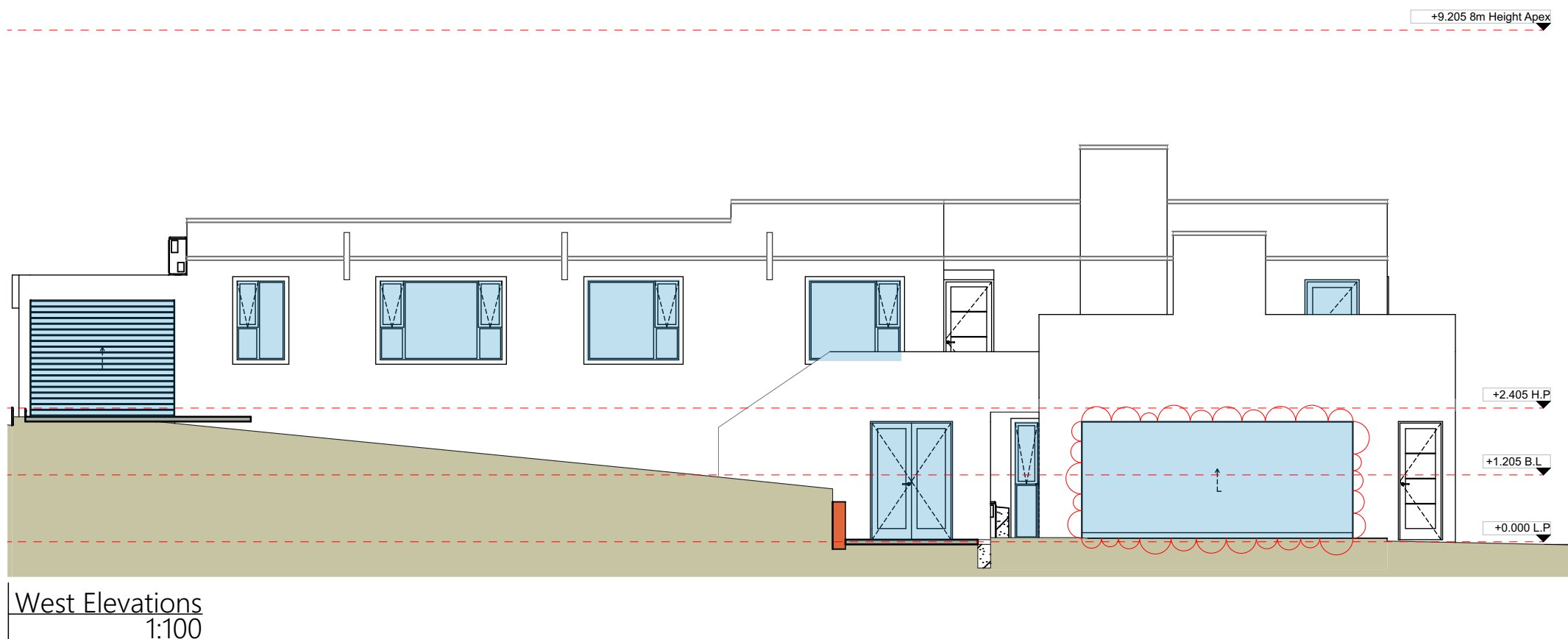
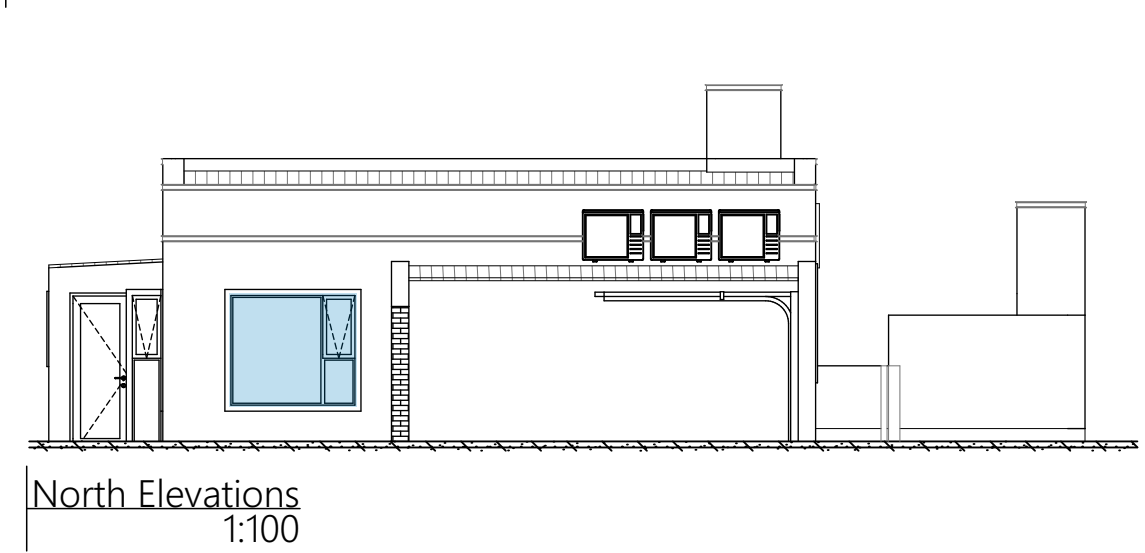
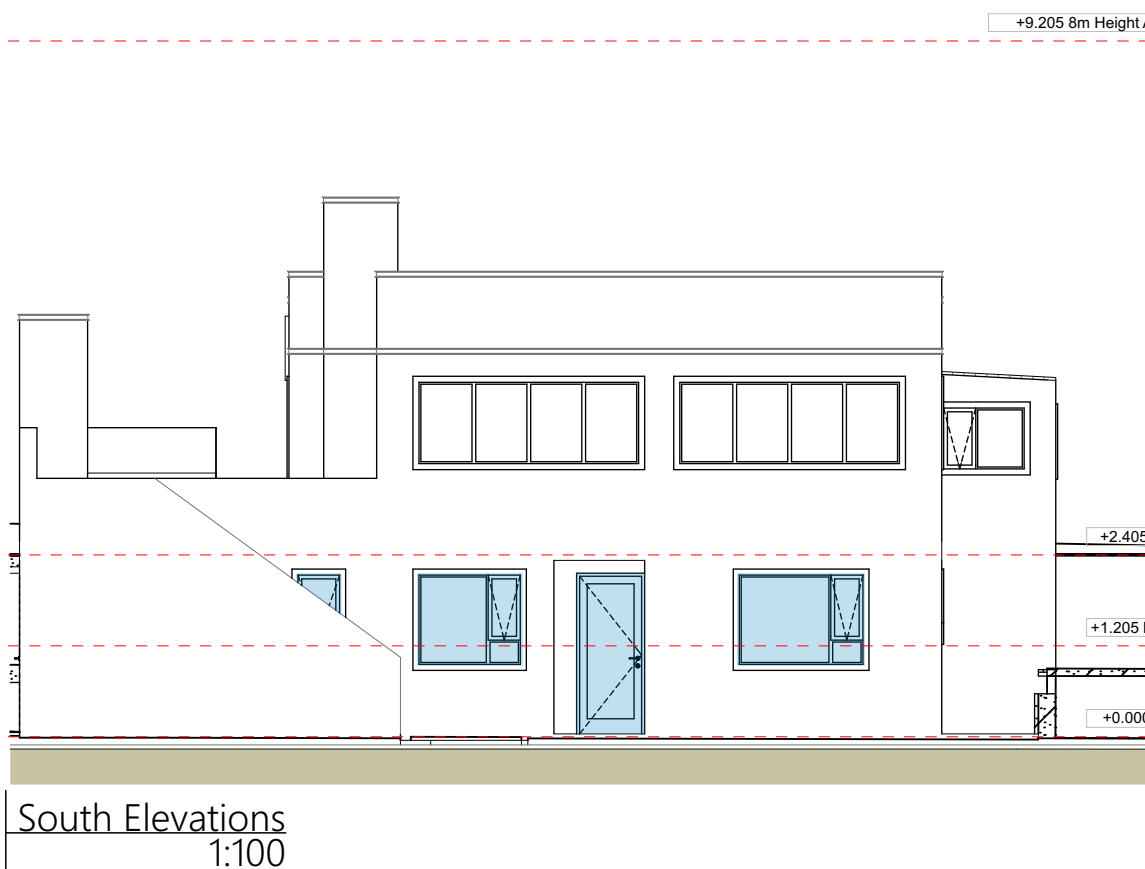
- The proposed deviation from the applicable scheme regulations' street building line is to accommodate the conversion of the double carport into a double garage only;
- The administrative penalty application in terms of Section 16(2)(q) serves to regularise building work that is limited in extent (18,078m² within the applicable building lines, with a pro rata construction value of R23,095.94 out of a total accepted construction value of R58,500.00), fully contained within the existing building footprint, and capable of approval;
- The owners have acted in good faith and have voluntarily applied to regularise the building work, and it is requested that the administrative penalty be determined at the minimum;
- The proposal is compatible with the existing built character of the area;
- Impact on the traffic will be kept to a minimum;
- There are no heritage aspects that will negatively impact the application;
- There are no environmental aspects that will negatively impact the application and the application will not have a negative impact on any environmental factors;
- The proposal is compatible with the spatial planning strategies for the area;
- The application is fully compliant with the applicable planning principles described in the LUPA (2014) and SPLUMA (2013).

The opinion is held that this application will have no negative impact on the land values, privacy, built environment and character of the area. The application can be supported for your favourable evaluation.

ID	W01	W02	W03	W05	W06	W07	W08	W09	W10
View									
Width	428	550	450	600	950	950	975	1,115	1,200
Height	2,125	600	2,125	855	600	885	1,125	855	1,500
Quantity	1	2	1	1	3	1	1	1	1
Finish	Aluminium	Aluminium	Aluminium	Aluminium	Aluminium	Aluminium	Aluminium	Aluminium	Aluminium
Glazing	Single - Clear	Single - Clear	Single - Clear	Single - Clear	Single - Clear	Single - Clear	Single - Clear	Single - Clear	Single - Clear

ID	W11	W12	W12	W13	W14	W15	W16	W17
View								
Width	1,390	900	1,600	1,675	1,690	1,685	1,700	2,350
Height	1,230	600	600	1,465	1,500	1,230	1,125	885
Quantity	1	1	1	2	1	1	2	1
Finish	Aluminium	Aluminium	Aluminium	Aluminium	Aluminium	Aluminium	Aluminium	Aluminium
Glazing	Single - Clear	Single - Clear	Single - Clear	Single - Clear	Single - Clear	Single - Clear	Single - Clear	Single - Clear

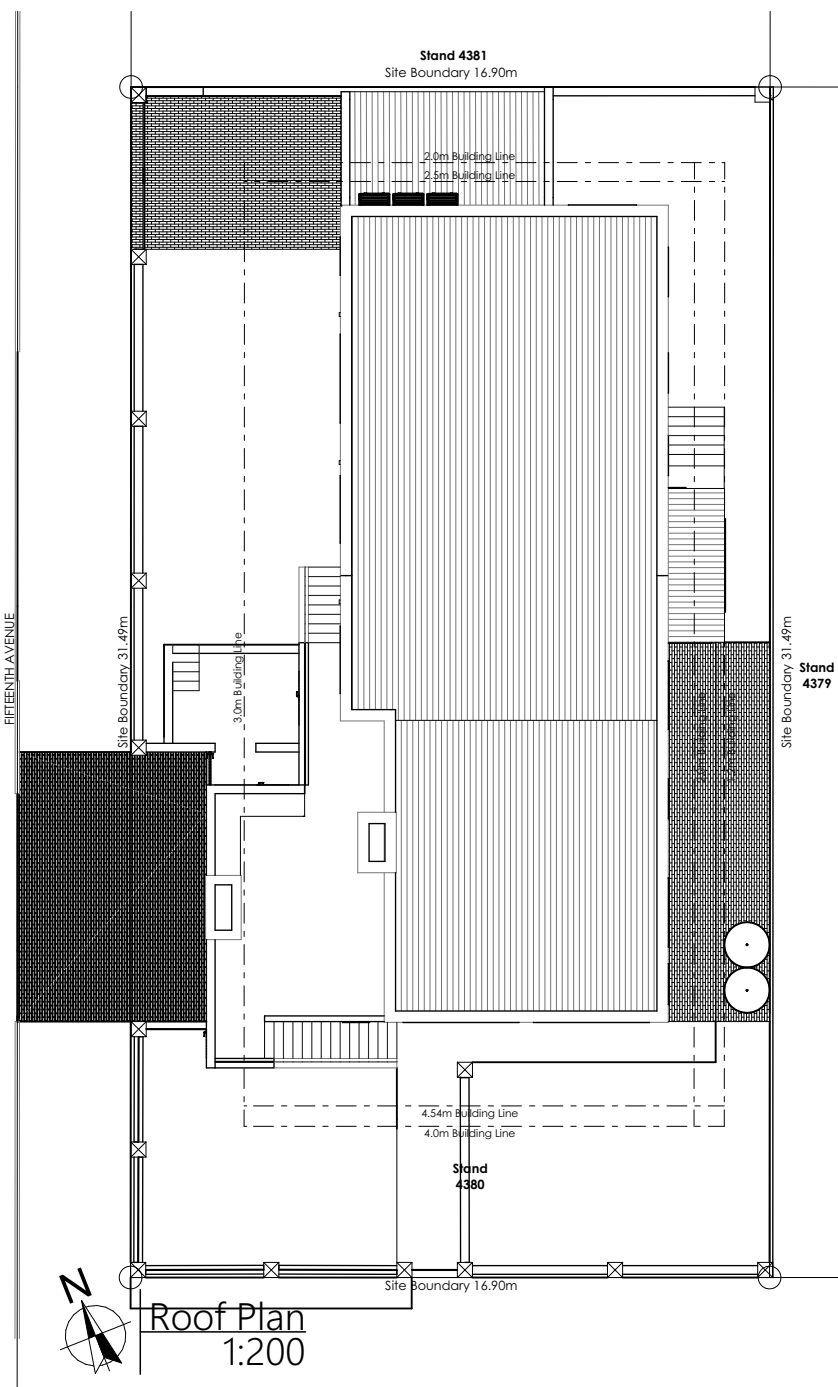
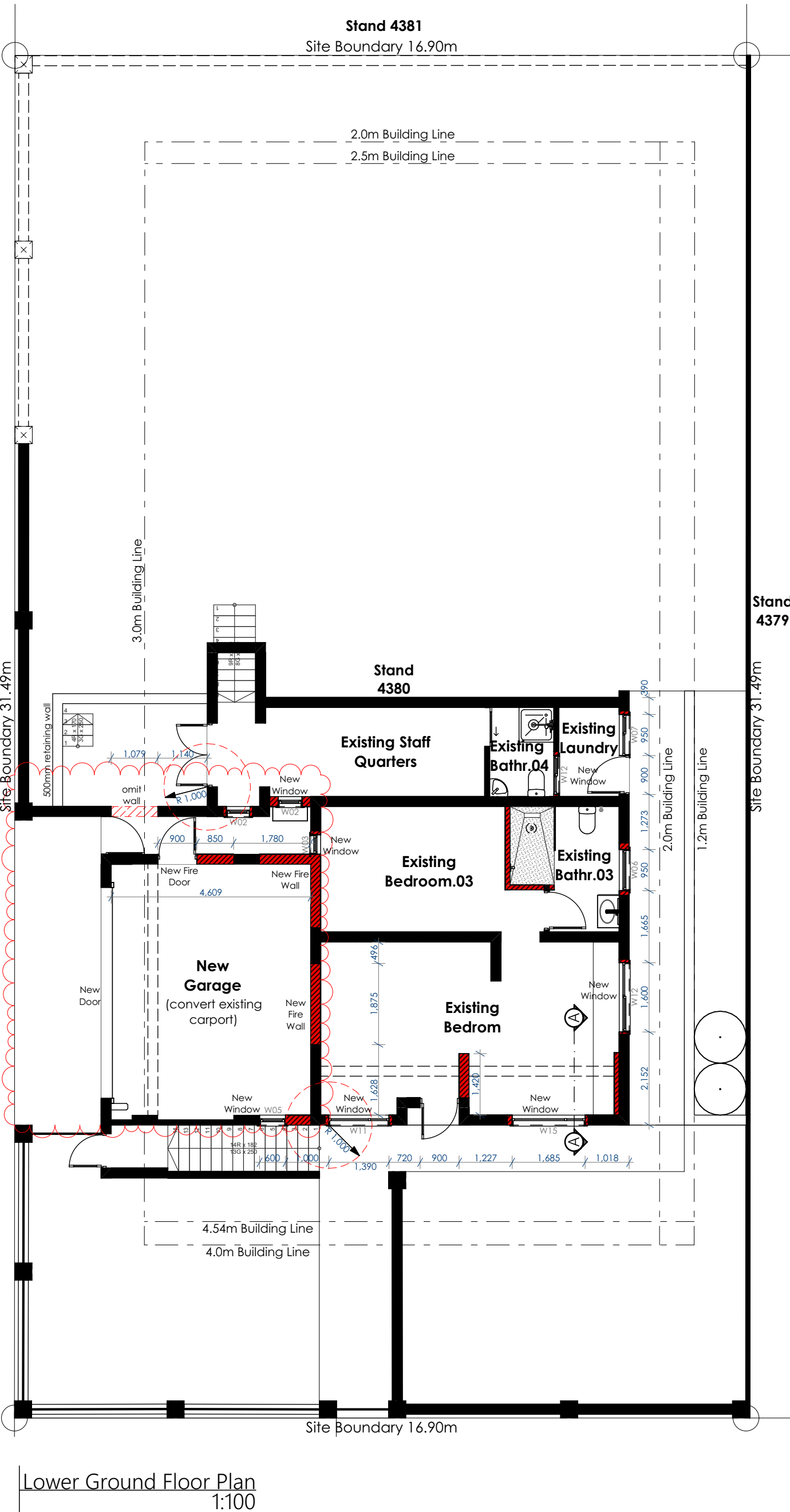
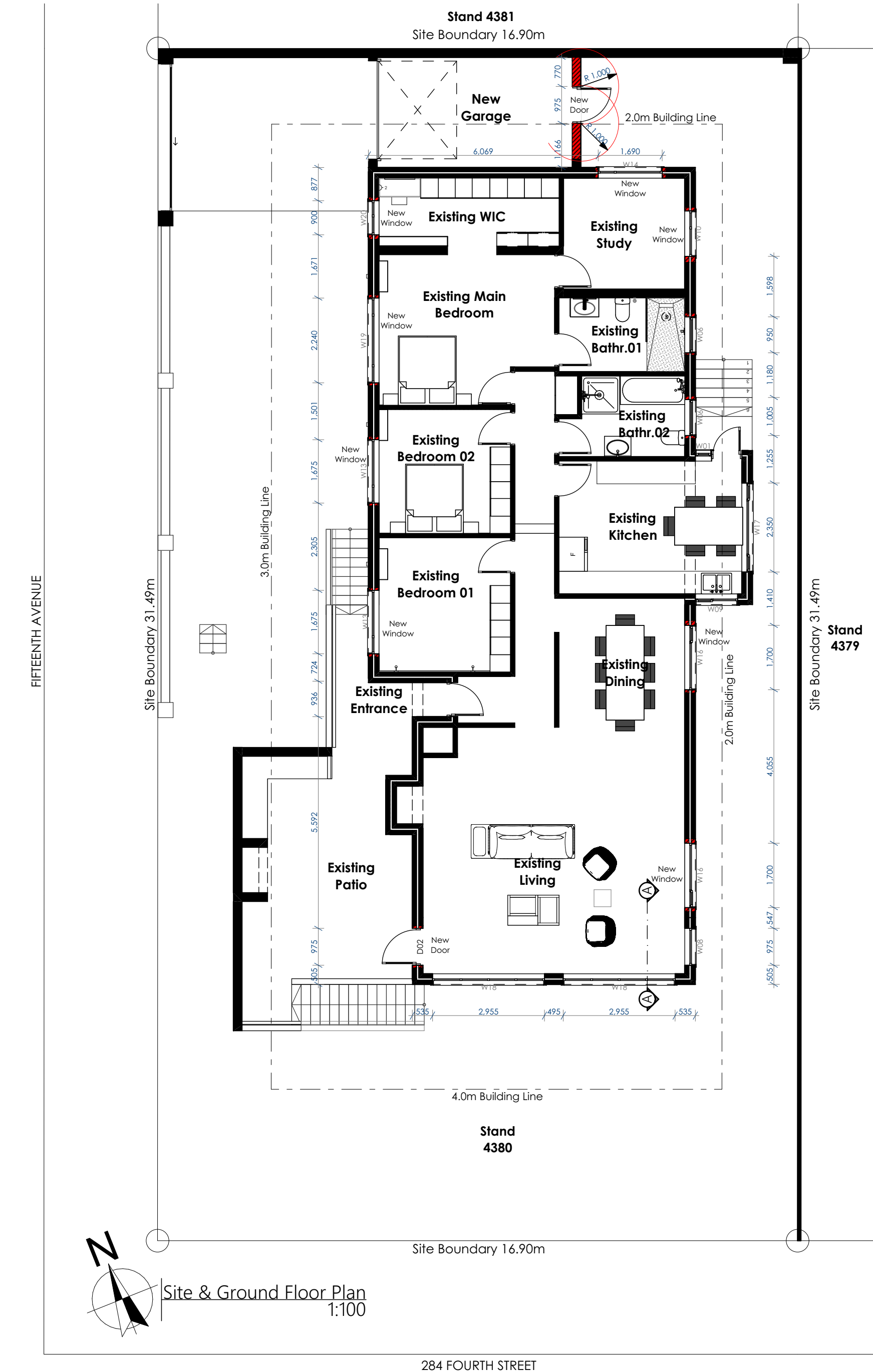
ID	W18		W19	W20	
ID	D01		D02	D03	D05
View					
	Width	800	975	1,475	4,880
	Height	2,125	2,125	2,125	2,100
	Quantity	1	2	1	1
Finish	Aluminium	Aluminium	Aluminium	Aluminium	
Glazing	Single - Clear	Single - Clear	Single - Clear	N/A	



- 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
 - Any discrepancies and queries to be forwarded to the Designer immediately
 - All architectural drawings to be read in conjunction with all relevant structural, mechanical, electrical, civil Engineer's and all other specialist drawings
 - Only signed dimensions to be used and not copied
 - Consultant to ensure compliance with safety regulations at all time
- SPECIFICATIONS:
- ROOF:
- All roofs to be approved by appointed structural engineer and to comply to SANS 10400 Part 1
 - Engineer to approve design and to do necessary inspections on structure and connections to walls etc.
- WALLS:
- New external brick wall to be 280mm cavity walls of 110mm ROK's with 50mm cavity, fixed together with wall ties evenly distributed at 2.5 ties per square meter of face area.
 - New external brick work cavity walls to have Damp Proof Course stepped from internal skin down to external skin with weep holes at regular intervals (every fifth brick on) in the external skin
 - New internal load bearing walls to be min 230mm and in strict accordance with engineer's detail and specification.
 - New internal non-load bearing walls to be 110mm ROK brick work.
 - New purpose built wall with rhineznk or similar material with timber constituted along with brickwork on outsides of building.
- FLOOR SLABS:
- New ground floor slabs are to be cast of a minimum of 90mm thick reinforced in accordance with engineer's specification, laid on 250micron Damp Proof Membrane, turned up around the perimeter at least the full thickness of the slab, on Styrofoam sheet with at least a R - Value of 1, on maximum 150mm well compacted sand, on clean well compacted fill layers not more than 150mm in thickness.
- FOUNDATIONS:
- All footings, slabs, columns and beams to be in accordance with drawings and specifications supplied by the appointed engineer.
 - All new foundations are to be min 10MPa at 28 days (1:4.5 coarse aggregate) at min 200mm thick.
- WATERPROOFING:
- All parapet walls to receive Duralux flashings.
 - All windows and doors to receive vertical and horizontal DPC and to be sealed with polyurethane.
- WINDOWS AND DOORS:
- Refer to Window and Door Schedule for specifications
- CEILING:
- Note: if air conditioning units are installed, efficiency of minimum COP=2.5 is required.
- LIGHTING:
- Note: new and existing lighting to be max. SW/m². if any halogen downlights are present in the existing building, these are to be replaced with LED fittings.
- HOA:
- All work needs to comply to HOA Guidelines & All Finishes & Service Connections needs to be pre-approved by HOA Arch / Chairman prior Application / Construction

AREA SCHEDULE

Existing Lower Ground:	123m ²
Existing Ground:	201m ²
Total House Area:	324m ²
Stand Area:	535m ²
Coverage:	45.6%



2.0 Orientation of Building

The building is orientated towards the Northern direction. The major areas of glazing is placed on the northern side of the building to allow solar heat to penetrate the glazing during the winter months.

The design complies with the minimum requirements of SANS 10400-XA(2):2021.

3. ESTIMATE ENERGY CONSUMPTION:

Legend	Description	Watt	Amount	Total Watt
	Low Voltage Light Fitting: 2 Globes	22 Watt	1	22
	Low Voltage Downlight	11 Watt	5	55
	LED Fluorescent Light Fitting: 2 Globes	19 Watt	0	0
	Low Voltage Light Fitting: 1 Globe	11 Watt	5	55

TOTAL 130Watt
House Area 41.0m²
(SWatt/m² permitted) 3.22Watt/m²

MAXIMUM ANNUAL ENERGY DEMAND AS PER SANS 10142 = 1820 kWh/a
1,000 x 1820 = 1820kwh/a.
Actual 0.132 x 1820 = 240.24kwh/a
ESTIMATED ANNUAL ENERGY CONSUMPTION : **240.24kW**

The design complies with the minimum requirements of SANS 10400-XA(2):2021 for energy consumption.

ADDITIONAL ENVIRONMENTAL SUSTAINABILITY AND ENERGY USAGE INFORMATION:

1. HOT WATER SUPPLY according to SANS 10252-1:2012

HOT WATER CALCULATIONS:

Type of accommodation:	Low Rental:	80-115L/Capita/Day
Assumed Hot Water Consumption:	115 L	based on Table 2, SANS 10252-1
No of Persons:	2	per day
Assumed Daily Hot Water Consumption:	230.0 L	
Assumed Annual Hot Water Consumption, occupancy per week:	115.0 KL	based on daily design
50% of Annual hot water consumption, be provided:	345.0 KL	minimum volume of hot water to be provided by means other than electrical resistance heating. Solar Heating to be specified.
Daily Hot water Consumption than	345.0 L	

NOTE: Solar Heating Systems must comply with SANS 1307, SANS 10106, SANS 10254 and SANS 10252-1.

NOTE: All water installations in the building must be in accordance with SANS 10252-1 and SANS 10254.

1.2 Pipe insulation:

Pipes with internal diameter of 80mm or less will require a min. thermal insulation of 1.00.

Pipes with internal diameter of 80mm or more will require a min. thermal insulation of 1.50.

Refer to SANS 204.

1.3 Hot water vessels/ tanks insulation:

Minimum required R-Value for vessel/tank insulation of 2.

Additional insulation to manufacturer's insulation may be required to achieve this value.

The design complies with the requirements of SANS 10400-XA(2):2021 and SANS 10252-1:2012 for hot water supply.

FENESTRATION CALCULATIONS		GROUND FLOOR				PROJECT: STAND 4380			
Energy Zone	2	Net Floor Area	72.00 m ²	Latitude	>32				
Floor Number	1	Net Glazed Area (NF/NG)x100	10.82 m ²	Multiplier	0.54				
		U-Value W/m ² .K	Any Solution	SHGC	Any Solution				
NO	Window Description	Vertical h	Horizontal w	Area	U	g	p	h= (V+g)	NEW SHGC
1	W07	0.89	0.95	0.84	7.90	0.00	0.12	0.89	E 0.81
1	W06	0.55	0.95	0.52	7.90	0.00	0.12	0.55	E 0.81
1	W12	0.60	1.60	0.96	7.90	0.00	0.12	0.60	E 0.81
1	W15	1.23	1.69	2.07	7.90	0.00	0.12	1.23	S 0.81
1	W11	1.23	1.39	1.71	7.90	0.00	0.12	1.23	S 0.81
2	W02	0.60	0.55	0.66	7.90	0.00	0.12	0.60	S 0.81
1	W03	2.13	0.45	0.96	7.90	0.00	0.12	2.13	W 0.81
1	D03	2.10	1.48	3.10	7.90	0.00	0.12	2.10	W 0.81
		Total P	0.92	9.32	Total H				

FENESTRATION CALCULATIONS		FIRST FLOOR				PROJECT: STAND 4380			
Energy Zone	2	Net Floor Area	165.00 m ²	Latitude	>32				
Floor Number	2	Net Glazed Area (NF/NG)x100	33.24 m ²	Multiplier	0.54				
		U-Value W/m ² .K	Any Solution	SHGC	Any Solution				
NO	Window Description	Vertical h	Horizontal w	Area	U	g	p	h= (V+g)	NEW SHGC
1	W14	1.50	1.69	2.54	7.90	0.00	0.12	1.50	N 0.81
1	W01	2.13	0.43	0.91	7.90	0.00	0.12	2.13	N 0.81
1	W10	1.50	1.20	1.80	7.90	0.00	0.12	1.50	E 0.81
2	W06	0.55	0.95	1.05	7.90	0.00	0.12	0.55	E 0.81
1	W17	0.89	2.35	2.08	7.90	0.00	0.12	0.89	E 0.81
2	W16	1.25	1.70	4.25	7.90	0.00	0.12	1.25	E 0.81
1	W08	1.19	0.98	1.16	7.90	0.00	0.12	1.19	E 0.81
1	W09	0.86	1.12	0.95	7.90	0.00	0.12	0.86	S 0.81
2	W14	1.18	2.96	6.94	7.90	0.00	0.12	1.18	S 0.81
1	D02	2.13	0.98	2.07	7.90	0.00	0.12	2.13	W 0.81
2	W13	1.46	1.68	4.89	7.90	0.00	0.12	1.46	W 0.81
1	W20	0.90	1.47	1.32	7.90	0.00	0.12	0.90	W 0.81
1	W19	2.24	1.47	3.28	7.90	0.00	0.12	2.24	W 0.81
		Total P	1.50	17.76	Total H				

Architectural Designs

where a dream becomes a reality

6 Pickersly Street Vermont Vermont Western Cape 7201 South Africa /061 431 1453 SACAP D1008

Project Name

House Roy

Stand 4380, 284 Fourth Street Voëlklip, Hermanus 7200

Drawing Name

PLAN LAYOUT • ELEVATIONS

• SECTIONS • SITE PLAN

Drawing Status

COUNCIL SUBMISSION

Drawn by

HH

Date:

07/09/2025

Checked by

GPH

Date:

07/09/2025

Drawing Scale

As shown @ A1

BF No.

4380

Drawing No.

00

Revision

A