

ERF 674, 1 MOORE STREET AND ERF 1000, 3 MOORE STREET, STANFORD, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSOLIDATION: MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF DR WJ & M VERMAAS

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 has been received for a consolidation in terms of Section 16(2)(e) of the By-Law, to consolidate Erf 674 (4508m² in extent) and Erf 1000 (2029m² in extent) to create one erf approximately 6537m² in extent.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus and Stanford Library, Queen Victoria Street, Stanford. Any comments on the proposal must be submitted in writing in accordance with the provisions of Sections 51 and 52 of the By-Law and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) on or before **Friday, 10 May 2024** quoting your name, address and contact details, interest in the application and reasons for comment. 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 Town Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 674, MOORESTRAAT 1 EN ERF 1000, MOORESTRAAT 3, STANFORD, OVERSTRAND MUNISIPALE AREA: AANSOEK OM KONSOLIDASIE: MNRE PLAN ACTIVE STAD -EN STREEKSBEPLANNERS NAMENS DR WJ & M VERMAAS

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening op Munisipale Grondgebruikbeplanning, 2020 (Verordening), dat 'n aansoek ontvang is vir 'n konsolidasie ingevolge Artikel 16(2)(e) van die Verordening, om Erf 674 (4508m² groot) en Erf 1000 (2029m² groot) te konsolideer om een erf ongeveer 6537m² groot te skep.

Volledige besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende weekdae tussen 08:00 en 16:30 by die Departement: Stadsbeplanning, Patersonstraat 16, Hermanus en Stanford Biblioteek, Queen Victoriastraat, Stanford. Enige kommentaar op die voorstel moet skriftelik ingevolge die bepalings van Artikels 51 en 52 van die Verordening ingedien word en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) voor of op **Vrydag, 10 Mei 2024** bereik, met u naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar. Telefoniese navrae kan gerig word aan **Mnr P Roux** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA ESINGUERF 674, 1 MOORE STREET AND ERF 1000, 3 MOORE STREET, STANFORD, UMMANDLA KAMASIPALA WASE-OVERSTRAND: ISICELO SOKUYONDELELANISA: MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS EGAMENI LIKA DR WJ & M VERMAAS

Kukhutshwe isaziso esimayela nemiba yeSoloty lama48 elingeSihlomelo sokuMthethwana kaMasipala wase-Overstrand OngeziCwangciso zokuSetyenziswa koMhlaba kaMasipala ku2020 (uMthethwana), othi kufunyenwe isicelo sokuyondelelanisa ngemiba yeSoloty le16(2)(e) loMthethwana, ukuyondelelanisa iSiza esinguErf 674 (4508m² in extent) neSiza uErf 1000 (2029m² ubungakanani) ukudala isiza esimayela nezikwemitha ezingama- 6537m² ubungakanani.

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi evekini phakathi kwentsimbi ye08:00 neye16:30 kwiSebe: IziCwangciso zeDolophu, 16 Paterson Street, Hermanus neStanford Library, Queen Victoria Street, Stanford. Naziphi na izimvo ezibhaliweyo ngesi siphakamiso mazingeniswe ngokwezibonelelo zeSoloty lama51 nelama52 loMthethwana zifike kwaMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi ko**Lwesihlanu, 10 kuMeyi 2024** uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla. Imibuzo ngefowuni ingathunyelwa ku**Mnu P Roux** kwa028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukubhala nokufunda angahambela kwiSebe LeziCwangciso zeDolophu apho igosa likamasipala liza kumnceda ukuhlomla ngokusemthethweni.



PROPOSED CONSOLIDATION

ERVEN 674 AND 1000

STANFORD

MOTIVATION REPORT

1. BACKGROUND

Mr. W.J.A Vermaas and Dr. M Vermaas, owners of Erf 674 and Erf 1000 Stanford, have appointed Plan Active Town and Regional Planners to pursue the consolidation of the mentioned properties. Currently, a dwelling house, garage, and second dwelling occupy Erf 674 Stanford, while a swimming pool, lapa, and garden are established on Erf 1000 Stanford. Despite their separate designation as erven, they function as a single property.

Per the regulations outlined in the Overstrand Municipality Zoning Scheme, establishing a swimming pool and lapa on an erf without a dwelling is not permissible. Thus, the presence of these amenities on Erf 1000 Stanford does not comply with the regulations.

The owners aim to consolidate Erf 674 and Erf 1000 Stanford into one property to rectify the non-compliance issue concerning the situation of the swimming pool and lapa on a separate erf. Erf 674 is 4508m² in extent, while Erf 1000 is 2029m² in extent.

The properties are held under Title Deed Number T24018/2004 and T47326/2005, respectively.

By consolidating the two erven into a single property, the zoning concern regarding the swimming pool and lapa on Erf 1000 Stanford would be resolved. Consequently, these amenities would be considered part of a property with a dwelling and second dwelling unit, aligning with regulatory requirements.

2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(e) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for the consolidation of Erf 674 and Erf 1000 Stanford.

3. DESIRABILITY

3.1 PROPERTY DESCRIPTION

Erf 674 and Erf 1000 Stanford are situated at 1 and 3 Moore Street, Stanford. Please refer to the enclosed locality plan and the abstract from the Overstrand GIS Map below.



11/11/2019

The surrounding properties are also zoned for single residential purposes, public roads and public open space. Please refer to the zoning map abstract below:



The surrounding land uses encompass single dwellings and public roads, indicating that Erf 674 and Erf 1000 Stanford are nestled within a primarily residential area characterized by single-family residences.

3.4 PROPOSAL

The following is proposed:

- The consolidation of Erf 674 and Erf 1000 Stanford in terms of Chapter 4, Section 16(2)(e) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020.

3.4.1. Proposed Consolidation

Erf 674 and Erf 1000 Stanford are 4508m² and 2029m² in extent respectively. The intention of the owner of the subject properties are to consolidate Erf 674 and Erf 1000 Stanford. The detail of the proposed consolidation is tabled below:

TOTAL EXTENT OF THE PROPOSED CONSOLIDATION	<u>±6 537m²</u>
PROPOSED CONSOLIDATION OF ERF 674 AND ERF 1000 STANFORD	Erf 674: <u>4508m²</u> Erf 1000: <u>2029m²</u>
Please refer to the enclosed consolidation plan and abstract below.	

The subject properties, both zoned as Residential Zone 1: Single Residential and under the ownership of the abovementioned individuals, can be effectively consolidated.

The consolidation of Erf 674 and Erf 1000 Stanford aligns with the prevailing land use patterns in the vicinity, and the intended use of both properties will remain unchanged. As such, we anticipate no issues with the proposed consolidation.

This consolidation is not expected to adversely affect the environment, traffic patterns, or the overall character of the area. Additionally, it will have no discernible impact on surrounding property values. Thus, we foresee no complications with the consolidation application.

Considering the orientation and current usage of the subject properties, the consolidation will not impede views from neighbouring residential properties.

3.5 ACCESS AND TRAFFIC

Erven 674 and 1000 Stanford are situated along Moore Street in Stanford. As previously stated in this report, both properties are already developed. The primary access to the garage on Erf 674 Stanford, established via a paved driveway from Moore Street, will persist as the main vehicular entry point to the consolidated property.

The consolidated erf will maintain its residential use, thus preserving the existing traffic flow dynamics.

3.6 SERVICES

All necessary services are already in place on the subject properties. The proposed consolidation of Erf 674 and Erf 1000 Stanford will not necessitate any additional services.

3.7 TITLE DEED

Title Deeds Numbered T24018/2004 & T47326/2005 contain no restrictions that would impede the approval of the proposed consolidation of Erf 674 and Erf 1000 Stanford.

There is an ABSA Bond registered against both Erf 674 and Erf 1000 Stanford. Please refer to the consent letter from the bondholder, which supports the proposed consolidation.

3.8 FORWARD PLANNING

Overstrand Municipal Spatial Development Framework (2020).

The Overstrand Spatial Development Framework (2020) designates the area where Erf 674 and Erf 1000 Stanford are located for urban development purposes. However, the land use of the newly consolidated property will adhere to the zoning for Residential Zone I: Single Residential.

Consequently, the proposed consolidation will have minimal impact on the spatial integrity of the area and aligns with the objectives outlined in the Overstrand Municipal Spatial Development Framework (2020).

Overstrand Growth Management Strategy (2010)

The Overstrand Municipal Growth Management Strategy (OMGMS, 2010) identifies Erf 674 and Erf 1000 Stanford as part of Planning Unit No. 1, where no densification is proposed.

This application does not involve the creation of additional portions or the construction of extra dwelling units on the subject property. Thus, there will be no increase in density.

Given these factors, it is clear that the proposed consolidation aligns with the spatial planning policies for the Stanford area and conforms to the existing land use trends in Stanford.

3.9 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

3.9.1 HERITAGE VALUE

Based on the information provided, it appears that Erf 674 and Erf 1000 Stanford, situated within the Heritage Protection Overlay Zone (HPOZ), are not earmarked for heritage conservation purposes according to the Overstrand Heritage Survey Report (2009). Additionally, these properties do not hold significant associations with important persons, groups, events, or activities, nor are they linked to the history of slavery or living heritage. Furthermore, Moore Street in Stanford, where these properties are located, is not classified as Scenic Drives within the Route of Regional Scenic Significance HPOZ.

Given these factors, it is argued that the proposed consolidation of these properties would not negatively impact the heritage value of the subject properties or the wider area of Stanford. This conclusion is drawn on the basis that the consolidation would

not alter the current land uses, thereby maintaining the status quo with regard to heritage considerations.

3.9.2 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed consolidation of Erven 674 and 1000 Stanford does not trigger any listed activities under the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998). Additionally, these properties are located within the Environmental Management Overlay Zone, specifically the Coastal Protection Zone.

The argument is made that the consolidation would not have a negative impact on the Coastal Protection Zone because the existing land uses on the properties would remain unchanged after the consolidation. Therefore, it is suggested that the consolidation would not result in any adverse effects on the coastal environment or its protection, as the current activities and land uses would continue without alteration.

3.10 PLANNING PRINCIPLES

The planning principles of spatial justice, spatial sustainability, efficiency and spatial resilience of this application can be described as follow:

Spatial Justice: The proposed consolidation is compatible with the current erf sizes and land use tendencies in the vicinity within the specific area of Stanford.

Spatial sustainability: The proposed application will have no impact on the conservation worthy areas Stanford. Spatially the land use and erf size of the consolidated property will be acceptable with the residential character of this specific area of Stanford where larger erven prevail.

Efficiency: Efficiency is not applicable to this application.

Spatial Resilience in the context of land use planning refers to the need to promote the development of sustainable livelihoods for the poor (i.e. communities that are most likely to suffer the impacts of economic and environmental shocks). Spatial resilience also refers to the requirement for flexibility in spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner, which includes the preservation and restoration of essential basic infrastructure and functions, but also adaptation in order to ensure increased resilience in terms of future shocks (United Nations Office for Disaster Risk Reduction, 2009). In our opinion the principle of Spatial Resilience is not applicable to this application.

Good administration: It's commendable that Plan Active is committed to the principle of good administration and is willing to cooperate with the Overstrand Municipality to ensure a smooth and timely land use planning process. Adhering to the relevant municipal bylaws and provincial and national land use planning legislation is crucial for maintaining transparency and legality throughout the process.

By following due process and complying with all regulations outlined in the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, we can contribute to an efficient and streamlined process. This includes adhering to applicable timeframes and ensuring that all necessary documentation and procedures are completed accurately and promptly.

4. **RECOMMENDATION**

Based on the assessment of the proposed consolidation of Erf 674 and Erf 1000 in Stanford, we recommend the consolidation for the following reasons:

- The proposed consolidation aligns with the existing land use tendencies of the area. It maintains consistency with the surrounding properties and contributes to the overall coherence of land use patterns.

- The proposal is in line with the sizes of existing erven in the area, ensuring compatibility and continuity in land parcel dimensions.
- The consolidation will not have a detrimental impact on the current character and land values of the surrounding properties. It preserves the integrity and aesthetic appeal of the neighbourhood.
- No additional services are required for the proposed consolidation, streamlining the process and minimizing potential disruptions to existing infrastructure and services.
- The proposed application complies with the provisions of the Spatial Planning Land Use Management Act, 2013 (SPLUMA), and the Land Use Planning Act, 2014 (LUPA). It adheres to legal and regulatory requirements, ensuring the legitimacy and validity of the consolidation process.

In conclusion, the proposed consolidation of Erf 674 and Erf 1000 Stanford is well-founded and aligns with the established land use framework and regulations. It offers benefits in terms of consistency, compatibility, and efficiency, making it a suitable course of action for the development of the area. Therefore, we recommend approving the consolidation application.

With regards to the above mentioned it would be appreciated if the Overstrand Municipality would consider the application favourably for the consolidation of Erf 674 and Erf 1000 Stanford.



PROPOSED CONSOLIDATION:

Erf 674 Stanford: 4508m²

Erf 1000 Stanford: 2029m²

TOTAL SIZE AFTER CONSOLIDATION
6537m²