

**ERF 4805, 11 MOSSEL RIVER DRIVE, EASTCLIFF, HERMANUS: APPLICATION FOR DEPARTURE AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: MESSRS PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF SUNETTE HUYSAMER TRUST**

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-law) for the following:

- **Departure** in terms of Section 16(2)(b) of the By-Law to relax the western lateral building line from 2m to 1.865m and 1.848m respectively to accommodate a portion of the as built structure.
- **Determination of an administrative penalty** in terms of Section 16(2)(q) of the By-Law to accommodate the existing as built structure on the property.

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 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) on or before **20 September 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. 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 4805, MOSSEL RIVIERLAAN 11, EASTCLIFF, HERMANUS: AANSOEK OM AFWYKING EN BEPALING VAN 'N ADMINISTRATIEWE BOETE: MNRE PLAN ACTIVE STADS & STREEKS BEPLANNERS NAMENS SUNETTE HUYSAMER TRUST**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) vir die volgende:

- **Afwyking** ingevolge Artikel 16(2)(b) van die Verordening om die westelike lateraleboulyn vanaf 2m to 1.865m en 1.848m onderskeidelik te verslap om 'n gedeelte van die soos geboude struktuur te akkommodeer.
- **Bepaling van administratiewe boete** ingevolge Artikel 16(2)(q) van die Verordening om die bestaande soos gebou strukture op die eiendom 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 / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) voor of op **20 September 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. 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 4805, 11 MOSSEL RIVER DRIVE, EASTCLIFF, HERMANUS: ISICELO SOKWAHLULA NENGIKELELO YOBHALISO LOMDLIWO: NGABAKWAPLAN ACTIVE TOWN & REGIONAL PLANNERS EGAMENI LE-SUNETTE HUYSAMER TRUST**

Kkukhutshwe isaziso esimayela nemiba yeSoloty lama48 loMthethwana kaMasipala waseOverstrand ngeZicwangciso zokuSetyenziswa koMhlaba kaMasipala ku2020 (Umthethwana) mayela nale miba ilandelayo:

- **Ukwahlula** ngokwemiba yeSoloty le16(2)(b) loMthethwana ukunyenisa umgca wesakhiwo kwicala elisentshona yesakhiwo ukusuka kwiimitha ezi2m ukuya kwi 1.865m ne-1.848m ngokulandelelanayo ukulungiselela inxalenye isimo sesakhiwo.
- **Inggikelelo yobhaliso lomdliso** ngokwemiba yeSoloty le16(2)(q) loMthethwana ukulungiselela isimo esinjengesakhiwo kwesi siza.

linkcukacha eziphelelyo mayela nesi siphakamiso ziyafumaneka ukzue zihlolwe kwiintsuku zaphakathi evekini kwiintsuku eziphakathi kwentsimbi ye08:00 neye16:30 kwiSebe: Izicwangciso zeDolophu, Paterson Street, Hermanus. Naziphi na izimvo mazingeniswe ngokwezibonelelo zeSoloty lama-51 nelama-52 loMthethwana kaMasipala (16 Paterson Street, Hermanus / (e) [alida@overstrand.gov.za](mailto:alida@overstrand.gov.za)) ngomhla okanye ngaphambi komhla **20 kaSeptember 2024**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi siphakamiso nezizathu zakho zokuhlomla. Imibuzo ingathunyelwa **kuMchwangcisi weDolophu, Mnu. P Roux** ku028-313 8900. UMasipala angala ukwamkelaizimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela kwiSebe Lezicwangciso zeDolophu apho igosa likamasipala liza kumnceda ukuhlomla ngokusemthethweni.



- **DETERMINATION OF AN ADMINISTRATIVE PENALTY**
    - **DEPARTURE**
- ERF 4805 HERMANUS**
- OVERSTRAND MUNICIPALITY**

## MOTIVATION REPORT

### 1. **BACKGROUND**

Plan Active Town & Regional Planners has been appointed by Ms. S van Niekerk, on behalf of the Sunette Huysamer Trust, the owner of Erf 4805 Hermanus, to apply for an administrative penalty and a building line departure for the subject property.

The property features a double-storey dwelling with a double garage. The building plans for the structures were approved in 2021, please refer to the attached Building Plan No. 39985. The building structures were completed in 2022-2023. The property was bought by the current owner in December 2023 and after a survey was carried out in January 2024, of the structures on site, it was found that they were situated over the 2m western lateral building line.

The proposal addresses the encroachment and requests approval to maintain the dwelling in its existing position for the intended use.

### 2. **APPLICATION DETAILS**

Application is made in terms of:

- 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** for Erf 4805 Hermanus;

- Chapter 4, Section 16(2)(b) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020, for **the departure** of Erf 4805 Hermanus in terms of the western lateral building line.

### **3. NEED AND DESIRABILITY**

#### **3.1 PROPERTY DESCRIPTION**

Erf 4805 Hermanus is situated at 11 Mossel River Drive, Hermanus. Refer to the locality plan attached. Erf 4805 Hermanus is 621m<sup>2</sup> in extent and is held by Title Deed No. T53758/2023.

The subject property is characterized by a residential structure double storey dwelling with a double garage and a garden area. The existing dwelling has a footprint of 400m<sup>2</sup> in extent.

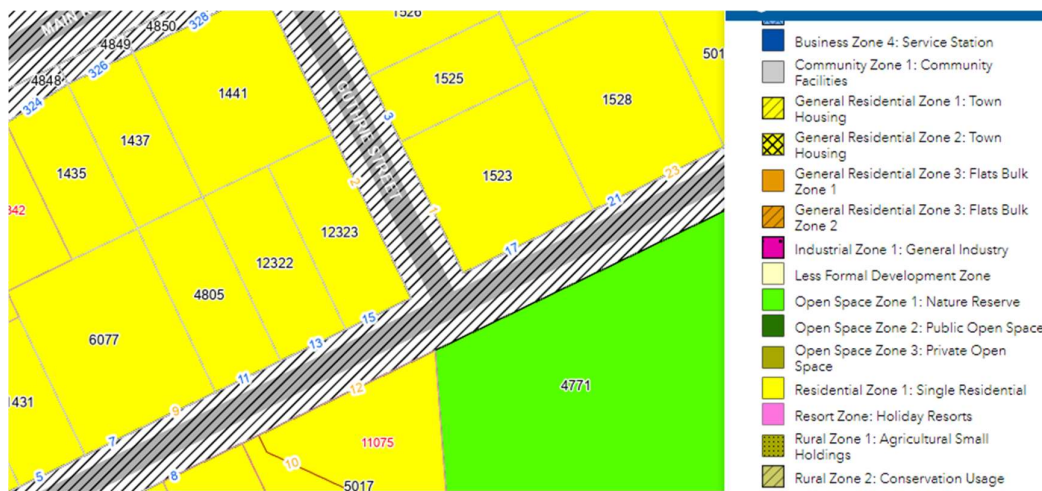


### 3.2 ZONING

Erf 4805 Hermanus has the following land use rights:

ERF NUMBER	ZONING
Erf 4805 Hermanus	Residential Zone 1: Single Residential

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



Abstract of Zoning map.

### 3.3 LAND USE

Erf 4805 Hermanus features an established double-storey dwelling that includes a double garage, providing ample parking space for residents. The dwelling is designed for comfortable living, comprising of two bedrooms with en-suite bathrooms, two bedrooms, two bathrooms, and an open-plan kitchen and lounge area. This configuration ensures a cohesive and functional living space, ideal for family life.

The double garage enhances the utility and flexibility of the property, catering to the needs of modern residential living. Consequently, the subject property is utilized exclusively for single residential living purposes.

The land uses surrounding Erf 4805 Hermanus are primarily characterized by single residential dwellings, similar to the subject property. This residential neighbourhood creates a cohesive and harmonious living environment, promoting a sense of community and stability.

In addition to residential properties, the area includes a public open space, which provides recreational opportunities and contribute to the overall quality of life for residents. Furthermore, the subject property is bordered by a public road, ensuring accessible transportation routes for residents. The access road facilitates convenient access to and from the property, connecting it to the broader Hermanus area and beyond. The presence of well-maintained public roads supports the residential use of the area by providing essential infrastructure for daily commuting, service deliveries, and emergency access.

Overall, the subject property's integration into a predominantly single residential area, complemented by a public open space and accessible road networks, emphasises its suitability for continued residential use. The harmonious blend of residential, recreational, and transportation elements contributes to the attractiveness and functionality of Erf 4805 Hermanus as a residential property.

### **3.4 PROPOSAL**

The following is proposed:

1. The determination of an **administrative penalty** for Erf 4805 Hermanus to accommodate the existing as built structure encroaching the 2m western lateral building line in terms of Chapter 4, Section 16(2)(q) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020;
2. The **departure** of Erf 4805 Hermanus in terms of Chapter 4, Section 16(2)(b) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, to:
  - relax the western lateral building line as follows:
    - from 2m to 1.865 and 1.848m respectively to accommodate a portion of the As Built structure encroaching the 2m building line.

The potential of the subject property is discussed in detail in *Section 3.5 Potential of the property*.

The property features a double-storey dwelling with a double garage and garden area. The building plans for the existing dwelling were approved in 2021. The building structure was completed in 2022-2023. The property was bought by the current owner in December 2023 and after a survey was carried out in January 2024, of the structure on site, it was found that the house was unlawfully erected over the 2m western lateral building line. The encroachment is indicated on the attached overlay site diagram compiled by Smart Solution Architecture. The owner would like to keep the as built structure in the existing position and this application therefore proposes to address the as built encroachment of the 2m western lateral building line.

Here follows the detail of the proposed application for consideration:

#### **3.4.1 Rectification of contravention**

In terms of Chapter 5, Section 90(1) a person who is in contravention of the Municipal Planning Amended By-Law (2020), and submits an application to rectify the contravention, must apply to the Municipality for the determination of an administrative penalty, provided that the Municipality has not obtained and issued a demolition directive in terms of Section 85 in respect of the land or building or part thereof concerned.

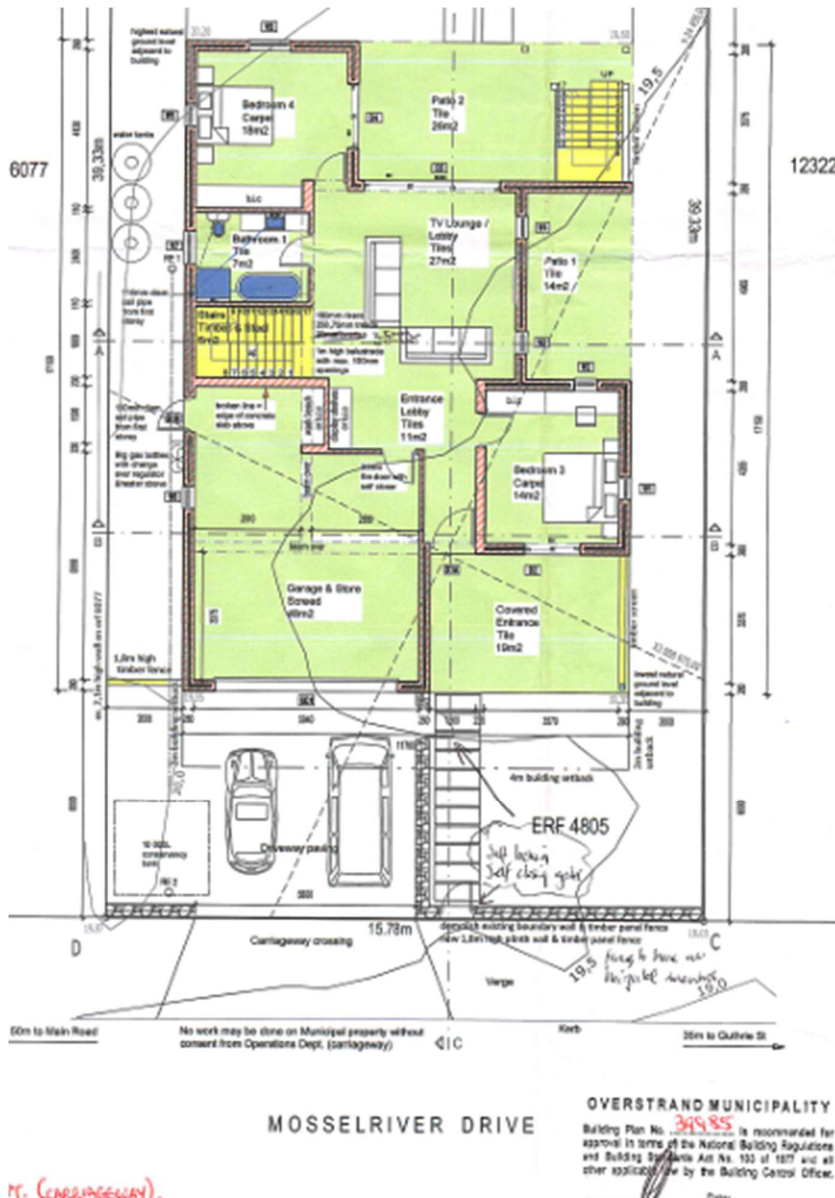
As the application is for the rectification of a contravention of the By-Law (portion of the existing dwelling situated over the 2m western lateral building line), an application is submitted for the determination of an administrative penalty fee in terms of Chapter 4, Section 16(2)(q) of the Overstrand Municipality's Amended By-law on Municipal Land Use Planning, 2020. However, the Municipal Planning Tribunal (MPT) has the authority not to impose such a fee.

In terms of Section 90(3) of the MPBL, the MPT must at least consider the following factors when determining an appropriate administrative penalty:



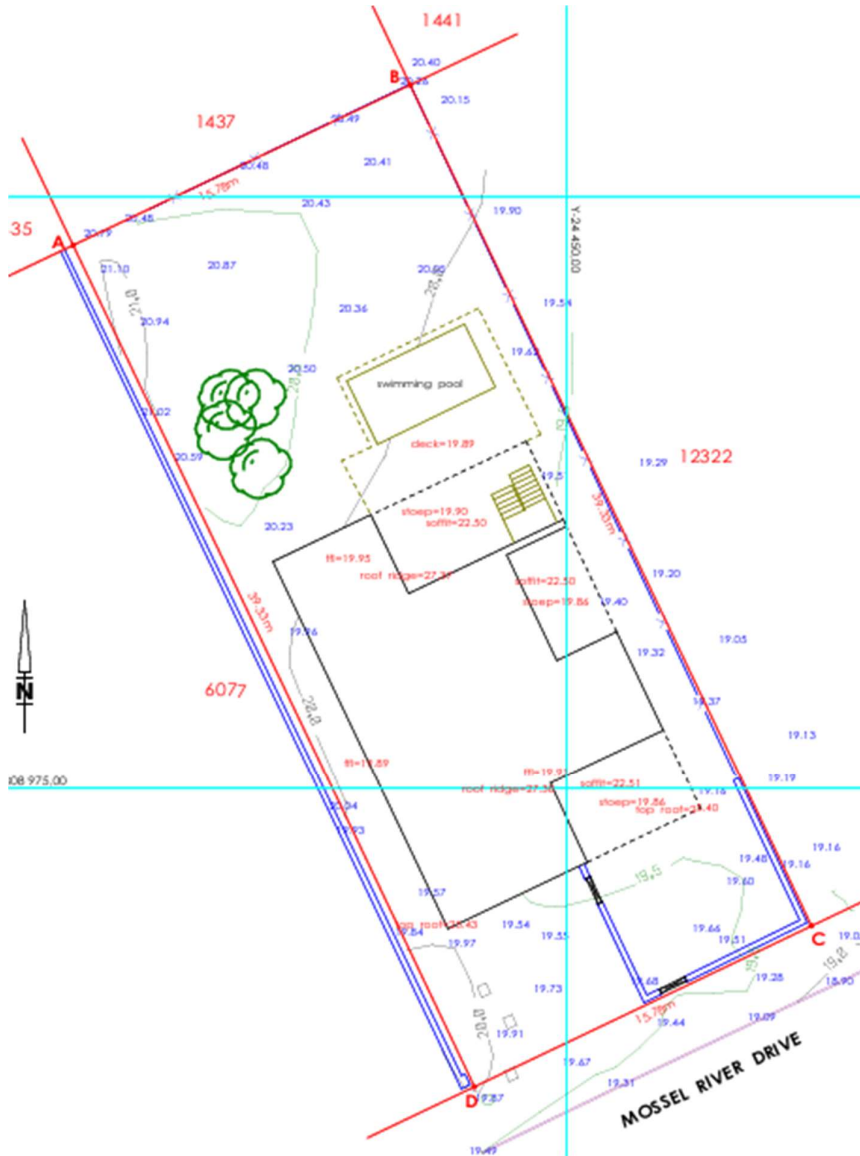
- The nature, duration, gravity and extent of the contravention

The previously approved building plan for Erf 4805 Hermanus indicates the position of the dwelling on the western lateral building line as 2m, however the house was not built as per the measurements on the building plan – refer to the abstract of the plan:



- Position of the dwelling on the 2m western lateral building line as indicated on the approved building plan.

A possible reason for the discrepancy of the house position relative to the boundary pegs could be the wrongful position of the boundary wall situated on Erf 6077 Hermanus, as indicated on the site survey plan, refer to an abstract of the plan:



- Position of the As Built dwelling relative to the existing boundary wall (blue) situated on Erf 6077 Hermanus, as per the site survey carried out.

The As Built dwelling footprint on the western lateral boundary is situated 1.865 to 1.848m from the boundary on ground and first floor levels, thus causing an encroachment of 13.5 – 15.2mm.



The position and nature of the as-built dwelling causing the encroachment is unobtrusive and does not negatively impact the surrounding properties. To date, no complaints have been received from neighbouring property owners regarding the position of the structure. This application includes a request for a building line departure to accommodate the As-built structure, ensuring compliance with town planning regulations and maintaining the harmonious use of the property.

- **The conduct of the person involved in the contravention**

The current owner has never contravened the land use planning By-law in the past. The matter related to the unlawful structure was addressed as soon as the owner was made aware of the fact due to the survey carried out and appointed Smart Solution Architecture and Plan Active Town Planners to assist them to obtain the necessary approvals.

- **Whether the unlawful conduct was stopped**

The owner now attempts to rectify the contravention by submitting the administration penalty application and subsequent departure application in order to legalise the as built structure on the subject property.

- **A report by a quantity surveyor in matters of unauthorised building / construction**

In the event that the Overstrand Municipality determines the necessity of imposing an administrative penalty fee for the unauthorised building work, we are prepared to submit a detailed report from a qualified quantity surveyor or building contractor. This report will provide a comprehensive assessment of the unauthorised work.

However, we propose deferring the submission of this report unless a penalty fee is definitively required. This approach avoids unnecessary expenditure and effort if the Municipality decides not to impose a penalty.

The encroachment is minimal, and we believe it has no significant impact on the surrounding properties. Therefore, we respectfully recommend that no penalty fee be imposed in this case.

- **Whether a person involved in the contravention has previously contravened this By-Law or a previous planning law**

To the best knowledge of the applicant and as confirmed by the landowner, they have never previously contravened this By-Law or any other previous planning law.

- **Summary**

We appeal to the Overstrand Municipality to consider the minimal impact of the As-Built dwelling over the western lateral boundary line by 135 – 152mm. Given the position of the boundary wall situated on Erf 6077 Hermanus, the streetscape has not been altered and the structure has been carefully assessed to ensure it poses no significant impact on the surrounding area, as detailed in the building line relaxation application below.

The as-built structure minimally impacts the directly affected neighbouring property, Erf 6077 Hermanus, as there is no entertainment area situated within the dwelling situated on the common boundary line, further minimizing any potential adverse effects.

Additionally, no complaints have been received from other property owners regarding the position of the dwelling on the western boundary. This lack of opposition from the community highlights the structure's negligible impact on the area.

Upon discovering the contravention, the owner promptly instructed consultants to rectify the issue by submitting a comprehensive and well-motivated departure application, including a request for the determination of an administrative penalty.

In light of these factors, we respectfully request that the Municipality consider imposing no penalty fee on the current property owner, as the encroachment was caused by the previous property owner before the current owner took possession of the property in December 2023. The current owner's proactive efforts to address the contravention and the structure's low impact on the surrounding area justify this consideration.



### 3.4.2 Departure

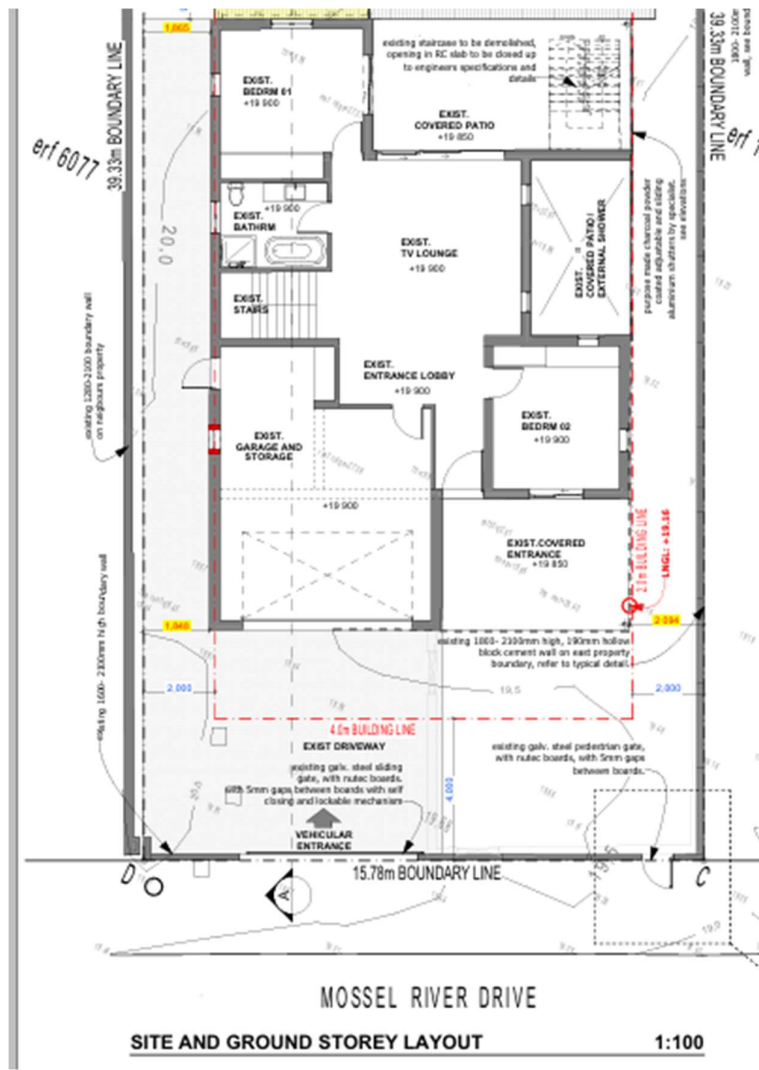
The as built dwelling encroaches upon the western lateral building line by 135 -152mm on ground and first floor levels. There are no other encroachments of the dwelling over the building lines as the rest of the dwelling was built more or less according to the approved building plan no. 39985, dated 2021. The building work was carried out in 2022 – 2023. The architect was contacted in January 2024 by the new owner to investigate possible additions and alterations and a land surveyor was appointed to carry out an As Built survey. The survey results indicated an encroachment of the building on the western lateral building line.

Given these circumstances, we seek approval to maintain the current position of the as-built dwelling ensuring compliance and continued utility.



To accommodate the As-built dwelling in its current position an application is submitted for a departure to:

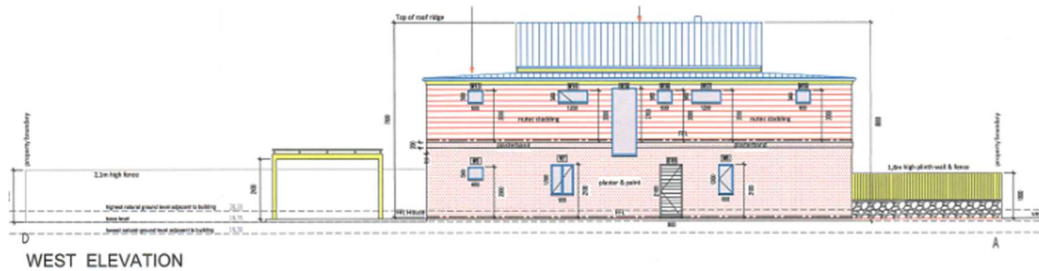
- relax the western lateral building line from 2m to 1.865 and 1.848m along the building footprint on ground and first floor levels.



The proposal is to retain the As-Built dwelling in the current position

The existing dwelling on ground and first floor levels is situated 1.865 – 1.848m from the western boundary line. There are no entertainment areas situated in the portion of the dwelling that is encroaching the western building line. On ground floor a portion (135 - 152mm) of the garage / store area, stairs, bathroom 1 and bedroom 4 are encroaching the western building line. On the first floor bedroom 1 and 2 with the ensuite bathrooms and landing are encroaching the western building line by 135 - 152mm.





There are no other building line encroachments of the dwelling of any other building lines.

When evaluating the retention of the As-Built structure, the following points should be noted:

- The visual impact of the encroachment of the building by 135 - 152mm is considered minimal. The structure is already in place, and due to its location relative to the boundary wall situated Erf 6077 Hermanus, it is obtrusive from the adjacent property.

The following points highlight the rationale for retaining the As-Built structure:

- The materials used for the building are aesthetically pleasing and blend seamlessly with the rest of the As Built building, maintaining the visual coherence of the property.
- The as-built structure is an integral part of the property. Demolishing it to comply with the respective building line would diminish both the aesthetic appeal and property value.
- The proposed application does not affect the character or property values of the surrounding properties. The structure does not infringe upon any passing traffic or public activity. The low impact of the encroachment is further evidenced by the absence of any complaints from neighbouring property owners.
- The massing and height of the existing structure are compatible with the character of the area, irrespective of the building line departure. The zoning of Erf 4805 Hermanus will remain unchanged (Residential Zone I: Single Residential), as will its primary land use for single residential purposes. All structures on the property comply with the permissible height requirements for SR1 zoned properties. The portion of the As Built

structure that encroaches upon the applicable western building line is addressed in this application.

- The proposed departure will not result in a greater visual impact on the surrounding properties. The existing structure's impact on the adjacent property and passers-by is marginally higher than if the structure did not exist.

The area schedule and coverage for the subject property are as follows:

<b>AREAS</b>	
Ground Storey	95m <sup>2</sup>
Garage & Store Rooms	48m <sup>2</sup>
Covered Entrance	19m <sup>2</sup>
Patio 1	14m <sup>2</sup>
Patio 2	24m <sup>2</sup>
<b>Total Ground Storey</b>	<b>200m<sup>2</sup></b>
First Storey	133m <sup>2</sup>
Patio 3	26m <sup>2</sup>
Patio 4	41m <sup>2</sup>
<b>Total First Storey</b>	<b>200m<sup>2</sup></b>
<b>Total Ground &amp; First Storey</b>	<b>400m<sup>2</sup></b>
Swimming Pool	14m <sup>2</sup>
Erf	555m <sup>2</sup>
Coverage	36%

The total coverage of 36% does not exceed the maximum permissible coverage of 50% for SR1 zoned properties.

In conclusion, the As-Built portion of the dwelling encroaching the western lateral building line is non-intrusive and maintains a minimal visual and physical impact on the surrounding properties. The materials and design are aesthetically integrated with the existing structure, and demolishing the encroaching portion would negatively affect the property's value and appearance. The structure's position relative to neighbouring property ensures that it does not impede traffic or public activity. Therefore, retaining the existing structure in its current position is a viable and reasonable solution, and we respectfully request approval for this proposal.

### **3.5 THE POTENTIAL OF THE PROPERTY**

The zoning and primary land use of the subject property, Erf 4805 Hermanus, will remain unchanged. The proposed departure will not hinder any potential future land use applications on the property.

The subject property is well-suited for the requested departure, as the as-built structure has existed without any complaints from neighbouring property owners. The existing structure meets the maximum height requirement of 8 meters for SR1 zoned properties, as depicted in the site development plan.

When evaluating the potential of the site to accommodate the proposed departure, the following points should be noted:

- The visual impact of the encroaching As-Built structure is minimal, as it has been the situation for a period of time.
- The massing and scale of the As-Built structures is compatible with the surrounding area.
- Except for the departure of the western lateral building line, all other land use parameters are met.
- The as-built structure is an integral part of the property. Demolishing it to comply with the scheme building line would negatively impact the property's value.

The scale of the surrounding built environment and the low impact on the streetscape also support the property's capacity to accommodate the proposed building line deviation. The following factors further confirm the property's suitability for the requested departure:

- High-quality materials were used in the construction of the existing structure.
- The as-built structure has been in existence without any complaints from neighbours.
- The as-built structure adds value to the subject property.

In conclusion, the subject property can accommodate the proposed building line departure without detriment to its value or the character of the surrounding area. The

existing structure complies with height requirements and is compatible with the neighbourhood. Given the use of quality materials, lack of complaints, and the structure's contribution to the property's value, we respectfully request approval for the proposed building line departure.

### **3.6 ECONOMIC IMPACT**

The proposed departure is to accommodate an existing encroachment of a portion of 135 – 152mm of the As Built dwelling situated on the western lateral boundary line and use thereof. The proposed departure will allow the owner to legalise the encroachment of a portion of the existing structure. This will also favour the resale of the property in the future.

The approval of the existing structure will save our client the cost of demolishing a portion of the ground and first floor of the structure. The proposed building line deviation will have a low but positive impact on the local economy.

### **3.7 SOCIAL IMPACT**

The proposed departure will have no impact on the social status quo of the area. The building line deviation will however allow the owner to keep the portion of the existing As-built structure on the subject property.

No negative impact on the social wellbeing of the surrounding community is anticipated. It is submitted that the existing developed property is compatible with the character of the area and does not impact negatively on the rights of anyone else.

### **3.8 COMPATIBILITY WITH SURROUNDING LAND USES**

The subject property is located within an established low-density residential area. The proposed application maintains the current zoning and land use of the property, ensuring compatibility with its surroundings.

Surrounding properties consist predominantly of single and double storey dwellings, utilized as permanent and holiday residences. The scale and function of the portion of the encroaching structure on Erf 4805 Hermanus aligns well with neighbouring dwellings in the immediate vicinity.

Legalizing the portion of the existing as-built structure that encroaches upon the western lateral building line will enhance the value of the subject property. This regularization is anticipated to have a positive impact on the area, reinforcing its residential character.

The primary use of the subject property will continue to be residential, featuring a dwelling with a garage and garden area, maintaining harmony with the existing fabric of the neighbourhood.

### **3.9 IMPACT ON EXTERNAL ENGINEERING SERVICES**

All services on the subject property already exist. The encroachment of the as-built portion of the dwelling 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.

### **3.10 IMPACT ON SAFETY, HEALTH AND WELLBEING OF SURROUNDING COMMUNITY**

The proposed departure will have no impact on the general safety and wellbeing of the surrounding community.

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.



### 3.11 IMPACT ON HERITAGE

The application does not involve changing the character of a site larger than 5 000m<sup>2</sup>. Consequently, the proposed application for the departure does not trigger Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).

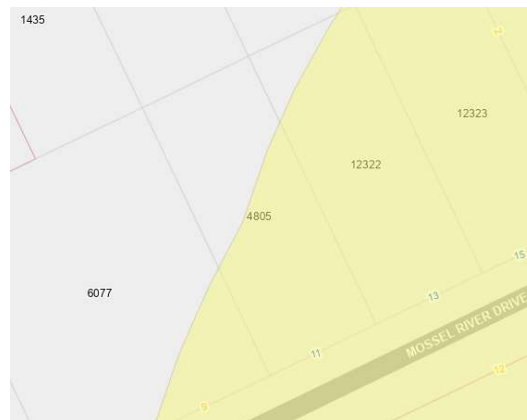
Erf 4805 Hermanus is not situated within the Heritage Protection Overlay Zone as determined by the Overstrand Municipality's Zoning Scheme (2020). The subject property is also not earmarked for heritage conservation purposes with reference to the Overstrand Municipal Growth Management Strategy (2010).

In the light of the above mentioned it is evident that the proposed departure will not have a negative impact on the heritage value of the Greater Hermanus area.

### 3.12 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed departure does not trigger any of the listed activities under the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998).

The subject property is partially located within the Coastal Management Zone as per the Overstrand Municipality's Zoning Scheme Regulations (2020). It is important to note the following:



The application involves a building line departure, and thus, the development guidelines specified for properties within the Coastal Management Zone do not apply.

### 3.13 TRAFFIC IMPACT, PARKING AND ACCESS

Access to Erf 4805 Hermanus will remain unchanged and will be from Mossel River Drive as indicated on the site development plan. No new access points are proposed.

The Overstrand Municipality Land Use Scheme (2020) stipulates that a minimum of two parking bays are required for a dwelling house. There is an approved double garage situated on Erf 4805 Hermanus and therefore the dwelling on Erf 4805 Hermanus complies with the minimum parking requirement for SR1 zoned properties.

The subject property will still be used primarily for single residential purposes and therefore the impact on the traffic flow in the area will remain unchanged.

### 3.14 TITLE DEED

Title Deed No. T53758/2023 has no restrictive Title Deed conditions that need to be addressed with this application. A conveyancer's certificate is not included with this application since the Title Deed is uncomplicated.

There is no bond registered against the subject property.

### 3.15 FORWARD PLANNING AND LAND USE DOCUMENTS

The *Overstrand Spatial Development Framework (2020)* earmarks the area where Erf 4805 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)*** specifies that Erf 4805 Hermanus forms part of Planning Unit No. 8. Density increase is not proposed for this planning unit. No additional portions or second dwelling units are proposed with this application. The status quo of the area (low density residential) will remain unchanged. The land use application for the subject property therefore falls within the existing planning for the Hermanus East area.

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.

The impact on the overall density of this part of Hermanus will therefore be kept to a minimum since 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.

### **3.16 PLANNING PRINCIPLES**

The planning principle of spatial resilience does not apply to this application.

**Spatial justice:** The proposed land use application is consistent with the existing character of the area and will not adversely affect the surrounding neighbours. It aligns with the spatial development policies and does not promote imbalances.

This application pertains to an erf within the established Hermanus Township. The proposed use is in harmony with the existing area, where similar applications have been approved previously. Consequently, approving this application will not introduce any spatial biases.

**Spatial sustainability:** The proposed departure will have no adverse impact on the visual elements of the subject property and its surroundings, as the portion of the

encroaching structure already exists. This application is compatible with the character of the area, as detailed in previous sections of this report.

The building line encroachment does not affect the massing of the building or significantly impact the streetscape or passers-by. The portion of the as-built encroaching structure integrates well with the approved structure on the property. Additionally, the impact on the biophysical environment will be minimal since the structure is already in place.

Factors such as the high-quality materials used, the overall layout of the structure on the subject property, the scale of the surrounding built environment, and the low impact on the streetscape support the consideration and approval of the proposed deviation without adversely affecting the spatial sustainability of the area.

Accommodating the as-built portion of the structure within an established residential area will not contribute to urban sprawl or impact sensitive environments. The application is considered spatially sustainable as it allows for more optimal use of the existing property. The property will remain compatible with the character of the area and will not negatively impact the rights of any adjacent property owner.

Efficiency: The subject property is easily accessible and conveniently located in Hermanus, close to major routes. The massing and height of the property comply with the relevant zoning scheme regulations. Approving the portion of the as-built encroaching structure and its proposed use is resourceful, as it is compatible with the existing built environment and is aesthetically pleasing.

It is efficient to accommodate the portion of the existing structure and its use by approving the proposed departure for Erf 4805 Hermanus, rather than demolishing the portion of the encroaching structure, which would negatively impact the functionality of the dwelling. Furthermore, the proposal optimizes existing resources and infrastructure, maintaining the existing suburban development typology.



Good administration: Our firm is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process. The land use application will follow due process as stipulated in the relevant municipality's bylaw and related provincial and national land use planning legislation. All measures will be taken to ensure an efficient and streamlined process within the applicable timeframes as stipulated by the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020.

#### **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 densification status quo of the area will remain unchanged;
- The zoning and primary land use of the subject property will remain unchanged;
- The deviation from the applicable scheme regulations' building line is to accommodate an as-built portion of the existing dwelling only;
- The proposal is compatible with the existing built character of the area;
- There will be no Impact on the traffic;
- 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);
- We request that a penalty fee not be imposed.

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



**BOUNDARY WALLS & STRUCTURES:** NOTE: NO WALL, FOUNDATION OR BUILDING WORK WILL PROCEED OVER ERF BOUNDARY LINE.

**ALL WATERPROOFING TO BE OVERSEEN BY A REGISTERED AND APPROVED WATERPROOFING SPECIALIST/CONTRACTOR. ALL TO BE DONE ACCORDING TO MANUFACTURERS SPECIFICATIONS AND DETAILS, DEPENDING ON WATERPROOFING METHOD/PRODUCT USED.**

**INSULATION NOTE:** CONTRACTOR TO INSTALL INSULATION IN CEILING WITH AN R-VALUE OF 3.7 MIN. CONTRACTOR TO PROVIDE ARCHITECT WITH CERTIFICATE OF COMPLIANCE AFTER INSTALLATION.

**ALL SERVICES, DUCTS, CONDUITS AND/OR SLEEVES (PLUMBING, ELECTRICAL, AIR CONDITIONING, WATER SUPPLY, POOL HEATING) MAY NOT BE VISIBLE AND MUST BE CONCEALED IN THE WALLS OR IN DUCTS.**

**MINIMUM HEIGHT FROM GROUND TO FLOOR WITH PART K OF SANS 10400.**

**BOUNDARY AND YARD WALLS TO COMPLY WITH PART K OF SANS 10400.**

**COLD AND HOT WATER SUPPLY PIPE LINES MUST BE PROPERLY PLANNED. PIPES MUST BE MAINLY ACCOMMODATED WITHIN CONCRETE SLAB AND EXTERNAL CAVITY WALLS AS FAR AS POSSIBLE. HOT WATER PIPES IN CAVITY WALLS AND FLOOR SLABS TO RECEIVE LAGGING AS PER ENERGY REPORT.**

**ALL DRAWINGS TO BE READ IN CONJUNCTION WITH "ENERGY USAGE ASSESSMENT/REPORT".**

**NOTE: ALL LEVELS SHOWN ON THIS DRAWING MAY VARY ACCORDING TO SITE CONDITIONS.**

**NOTE: ALL DRAWINGS MUST BE READ IN CONJUNCTION WITH EACH OTHER.**

**CONSTRUCTION NOTES:**

**FOUNDATIONS: (SANS 10400, PART H)**  
FOUNDATIONS MUST BE CONCRETE WITH 1:1.5 NOMINAL MIX HAVING A COMPRESSIVE STRENGTH OF 10MPa AT 28 DAYS, CONSISTING OF ORDINARY PORTLAND CEMENT, SAND AND 26MM STONE FOOTINGS, FOR LOADBEARING WALLS. FOUNDATIONS WALLS TO BE FILLED WITH CONCRETE UP TO FLOOR LEVEL.

**MINIMUM REQUIREMENTS:**  
LOAD BEARING WALLS = 300 x 800mm  
NON LOAD BEARING WALLS = 300 x 770mm

FOUNDATIONS WALLS HIGHER THAN 1 METER TO BE 340mm THICK.  
FOUNDATIONS WALLS HIGHER THAN 1.5 METER TO BE IN ACCORDANCE WITH ENGINEERS SPECIFICATIONS.

**CONCRETE STRIP FOUNDATIONS TO BE LAID IN A SOLID AND UNIFORM TRENCH AND MUST COMPLY WITH SANS 10400-B AND SANS 1044-H**

**GROUND FLOOR CONSTRUCTION: (SANS 10400: PART J)**  
FLOOR FINISH AS ON PLAN ON 25MM CEMENT SCREENED ON 100MM CONCRETE SLAB ON 250MM DPM WITH MIN. 250MM OVERLAY ON 50MM CLEAN SAND LAYER ON WELL COMPACTED & SELECTED BACKFILL (150MM AT A TIME TO 90% MOD. AASTHO). FINISH FLOOR LEVEL MUST BE MIN. 1700MM ABOVE NATURAL OR FINISH GROUND FLOOR LEVEL.

**ALL REINFORCED CONCRETE SLABS AND STAIRS TO BE CASTED STRICTLY TO STRUCTURAL ENGINEER'S SPECIFICATIONS AND DETAILS.**

**FLOOR SKIRTINGS: (SANS 10400: PART J)**  
NO APPLICABLE

**WALL CONSTRUCTION: (SANS 10400: PART K)**  
ALL WALL CONSTRUCTION AND BRICK WORK TO COMPLY WITH SANS 10400 PART K, PART B & PART T. ALL STRUCTURAL WORK TO CONFORM WITH NHBRC REGULATION.

**EXTERNAL: LOAD BEARING BRICKWORK IN SUPER STRUCTURE TO BE 110MM ROK CLAY BRICKS. 280MM CAVITY WALL WITH EXTERNAL AND INTERNAL 110MM ROK CLAY BRICK. CAVITY SHALL BE NOT LESS THAN 50MM WIDE AND CLEAN OF ANY CEMENT. THE INTERNAL AND EXTERNAL SIKES TO BE TIED TOGETHER WITH BUTTERFLY WALL TIES AT 5 / 2.5 SQM INTERVALS WITH BRICKWORK EVERY 4TH BRICK COURSE. CAVITY SHALL BE FILLED WITH CONCRETE BETWEEN FOUNDATIONS AND GROUND FLOOR DPC AND 3 BRICK COURSES BELOW WALL PLATE. WEAPENED AT FLOOR LEVEL AT 450MM CENTRES AND ABOVE WINDOWS AT 450MM CENTRES.**

**INTERNAL: LOAD BEARING BRICKWORK IN SUPER STRUCTURE TO BE 110MM ROK CLAY BRICK WITH PLASTERED AND PAINTED FINISH.**

**NO VERTICAL FACE SHALL BE HIGHER THAN 6.50 METERS MEASURED EXTERNALLY FROM THE NGL VERTICALLY BELOW IT.**

**EXTERNAL AND INTERNAL FINISH: EXTERNAL AND INTERNAL TO BE PLASTERED AND PAINT FINISH AS PER OWNERS APPROVAL TO FUTURE DETAIL.**

**CONCRETE OR PLASTER MIXTURE:**  
STRUCTURAL CONCRETE MIX MUST BE: 1 PART CEMENT, 4 PARTS SAND AND 5 PARTS 19MM GRAVEL STONE. A CONCRETE STRENGTH OF 10 MPa ON 28 DAYS REQUIRE. PLASTER CEMENT MUST BE MIX 1 PART CEMENT, 1.5 PARTS LIME AND 6 PARTS SAND. SAND FOR PLASTER MUST BE CLEAN WITH NO VEGETABLE MATERIAL LIKE SEEDS, ETC.

**DOORS:**  
ALL INTERNAL DOORS TO BE TIMBER AS PER SWARTLAND CAPE CULTURE CATALOGUE OR SIMILAR APPROVED BY CLIENT WITH PAINTED WHITE FINISH. SAMPLES TO BE PROVIDED FOR CLIENT APPROVAL. INTERNAL DOOR SPECIFICATIONS TO BE CONFIRMED WITH CLIENT AT TENDER STAGE. ALL TO BE FROM FROM SWARTLAND CAPE CULTURE CATALOGUE OR SIMILAR APPROVED BY CLIENT. FRAMES TO BE PAINTED TO CLIENT'S CHOSEN COLOUR. DOOR BETWEEN GARAGE AND DWELLING TO MATCH PROFILE OF OTHER INTERNAL DOORS. TO BE 40MM THICK SEMI SOLID 1/2 HOUR FIRE DOOR FITTED WITH SELF-CLOSING DEVICE. ALL EXTERNAL DOORS TO BE EPOXY POWDER COATED (CHARCOAL) OR SIMILAR APPROVED. SIZES TO BE CONFIRMED, COMPLYING WITH AAMSA PERFORMANCE CRITERIA A1, GLAZED IN ACCORDANCE WITH SANS 10160, SANS 10137, (PART N OF SECTION 3) AND SANS 1263 WITH CLEAR GLASS.

**WINDOWS:**  
WISPECO SERIES (CASEMENT 28) CASEMENT OR SIMILAR APPROVED WINDOWS TOP HUNG OR SIDE HUNG WITH EPOXY POWDER COATED (CHARCOAL) OR SIMILAR APPROVED. SIZES TO BE CONFIRMED, COMPLYING WITH AAMSA PERFORMANCE CRITERIA A1, GLAZED IN ACCORDANCE WITH SANS 10160, SANS 10137, (PART N OF SECTION 3) AND SANS 1263 WITH CLEAR GLASS.

**CEILING CONSTRUCTION:**  
ALL CEILINGS TO REMAIN AS

**WATERPROOFING:**  
ALL WATERPROOFING SPECIFICATIONS TO BE OVERSEEN AND APPROVED BY SPECIALIST CONTRACTOR.

**OVERHANDS AND EAVES:**  
ALL EXISTING

**RAINWATER GOODS & DOWNPIPES (SANS 10400, PART R):**  
PROVIDE SABS APPROVED TREATED STANDARD NUTEC 12.5x250mm FASCIA AND BARGE BOARD FROM EVERITE. FASCIAS AND BARGE BOARDS TO BE FIXED TO TIMBER RAFTERS WITH 12 X 40MM COUNTERSUNK BRASS SCREWS.

**WATER TIGHT GUTTERING OR SIMILAR APPROVED DOMESTIC Ogee PROFILE ALUMINIUM SEAMLESS GUTTER, COLOUR TO MATCH THAT OF ALUMINIUM DOORS AND WINDOWS WITH 75 X 50MM PVC DOWNPIPES. RIVETED AND SILICON SEALED TO GUTTER OUTLETS, INCLUDING ALL NECESSARY BENDS, ELBOWS, SHOES, ETC.**

**BRAAI / CHIMNEY: (SANS 10400 - V:2010)**  
IT SHALL BE DESIGNED AND ERECTED FROM NON COMBUSTIBLE MATERIALS AND IN SUCH A MANNER THAT IT WILL NOT CAUSE A FIRE HAZARD TO THE ADJACENT MATERIAL. IT SHALL NOT BE INSTALLED IN SHED OR DUCT IN WHICH SERVICES WHICH MIGHT BE ADVERSELY AFFECTED BY THE HEAT ARE SITUATED.

**COMBUSTIBLE MATERIAL SHALL NOT BE BUILT WITHIN 200MM OF THE INSIDE OF THE CHIMNEY. CHIMNEY OPENINGS MUST BE AT LEAST 1 METER ABOVE THE NEAREST ROOF LINE.**

**ANY DRAINAGE SYSTEM INSTALLATION MUST BE ABLE TO WITHSTAND AN INTERNAL WATER PRESSURE OF 50kPa AND AN EXTERNAL PRESSURE OF 30kPa WITH LEAKING. IT MUST REMAIN WATER TIGHT IN ACCORDANCE WITH THE REQUIREMENTS OF 4.24 OF SANS 10400-P, UNDER NORMAL WORKING CONDITIONS.**

**ALL UNDERGROUND DRAINAGE PIPES ARE TO BE 110MM PVC AND LAID TO FALL TO MANHOLE DRAIN, WHICH COMPLY TO LOCAL AUTHORITY'S REGULATIONS.**

**THE WATER SUPPLY OUTLET TO ANY WASTE FIXTURE SHALL BE SITUATED NOT LESS THAN 200MM ABOVE THE FLOOR LEVEL RIM OF FIXTURE.**

**DRAINS WITH LESS THAN 300MM COVER TO BE ADEQUATELY PROTECTED. REFER TO TYPICAL SEWER DETAIL. MAX LENGTH OF DRAIN LINE NOT TO EXCEED 25 METERS WITHOUT A RODDING EYE. FIXTURE TO RIVESPHROED OR DEEP SEALED TRAPS TO BE PROVIDED WHERE APPLICABLE. MIN. 1 OPEN GUILLET TO BE PROVIDED TO EACH DRAINAGE INSTALLATION. MIN INVERT LEVEL SHALL BE 450MM. NO PERSON SHALL PERFORM THE TRADE OF PLUMBING AS CONTEMPLATED IN GOVERNMENT NOTICE NO.R.1875 OF 31 AUGUST 1979 UNLESS HE IS A TRAINED PLUMBER OR APPROVED COMPETENT PERSON, N.B. DRAINAGE GRADIENT TO BE 1:60.**

**HOT WATER SUPPLY:**  
SOLAR GEYSER TO REMAIN TO SUPPLY HOT WATER TO ALL SINKS, BASINS, BATHS & SHOWERS.

**WATER CONNECTION:**  
SUPPLY 22mm DIA. WATER CONNECTION PIPE WITH APPROVED WATER METER AS PER LOCAL AUTHORITY SPECIFICATIONS.

**ANY SANITARY FIXTURES SHALL BE MADE ON IMPERMEABLE, NON-CORROSIVE MATERIAL. SHALL HAVE SMOOTH AND READILY CLEANABLE SURFACE AND SHALL BE SO CONSTRUCTED AND FITTED AS TO DISCHARGE THROUGH A TRAP INTO A SOIL PIPES OR WASTE PIPS, AS THE CASE MIGHT BE.**

**LINTELS:**  
LINTELS SHALL BE PROVIDED ABOVE ALL WINDOWS AND DOORS OPENINGS IN ACCORDANCE WITH THE REQUIREMENTS OF 4.2.9 OF SANS 10400-K.

PRECAST LINTELS OVER DOOR AND WINDOW OPENINGS MUST BE OVERLAP IN AS PER SPECIFICATION OF THE MANUFACTURE WITH A MIN. OVERLAP OF 250MM BOTH SIDES.

**REINFORCED BRICK LINTELS:**  
OPENING TO 1000MM - 1 COURSE REINFORCING  
OPENING 1000-2000MM - 2 COURSES REINFORCING  
OPENING 2100-3000MM - 4 COURSES REINFORCING  
OPENING 3100-3900MM - 5 COURSES REINFORCING  
OPENING 3900-5100MM - 6 COURSES REINFORCING

CAVITY WALLS MUST BE ANCHOR WITH 2.5 WIRE WALL TIES PER SQ.METER

LINTELS OVER DOUBLE GARAGE OPENINGS WHICH DO NOT EXCEED 5.0 METERS SHALL BE REINFORCED IN ACCORDANCE WITH FIG. 31 AND 32 AND TABLE 28 OF THE REQUIREMENTS OF SANS 10400-K CLAUSE 4.2.9.4.1.

**SILLS:**  
EXTERNAL BRICK SILLS AT MIN. 5 DEGREE ANGLE, PLASTERED AND PAINTED. INTERNAL BRICK SILLS WITH 90 DEG ANGLE, PLASTERED AND PAINTED.

**GLAZING (SANS 10400, PART N):**  
STAIRS: 4mm CLEAR FLAT GLASS THROUGHOUT. EXCEPT SAFETY GLASS TO ALL PANELS BELOW 1.00 METER ABOVE SFL AND PANELS LARGER THAN 1.00sqm. DOORS AND SIDE LIGHTS SHALL BE GLAZED WITH SAFETY GLAZING MATERIAL. WINDOW AREA TO BE MIN 10% OF FLOOR AREA WITH 5% OPENABLE SECTIONS.

GLAZING MATERIAL SHALL COMPRISE EITHER GLASS THAT COMPLIES WITH THE REQUIREMENTS OF PARTS 1 TO 5 OF SANS 50572, OR POLYCARBONATED SHEETING. FRAMES TO RECEIVE GLAZING MATERIALS SHALL EITHER COMPLY WITH THE REQUIREMENTS OF SANS 727 OR SANS 1553-2, OR BE CAPABLE OF WITHSTANDING THE WIND AND IMPACT LOAD DETERMINED IN ACCORDANCE WITH THE REQUIREMENTS OF SANS 1090-B WITHOUT DEFLECTING MORE THAN 1/175th OF THEIR SPAN. A WINDOW THAT HAS A SILL HEIGHT LOWER THAN 500MM FROM THE FLOOR MUST BE SAFETY GLAZING MATERIAL, THAT COMPLIES WITH THE REQUIREMENTS OF SANS 1263-1.

**REFER TO SANS 10400-KA:2021 RATIONAL DESIGN BY APPOINTED ENERGY CONSULTANT (ONLY IF APPLICABLE)**

**BRICKWORK:**  
BRICKS SHALL BE PLACED ABOVE WINDOWS AND DOORS WITHIN BETWEEN EACH LAYER OF BRICK AND SHALL BE IN ACCORDANCE WITH SANS 939 FOR A GRADE 2 COATING.

**DAMP-PROOF COURSE:**  
ANY MATERIAL USED AS A DAMP-PROOF COURSE SHALL COMPLY WITH THE RELEVANT REQUIREMENTS CONTAINED IN SANS 248, SANS 298 OR SANS 952-1 OR SHALL BE THE SUBJECT OF AN AGREEMENT CERTIFICATE IF THE PRODUCT IS NOT COVERED BY THESE STANDARDS.

**IN CASE OF A CAVITY WALL THE DAMP PROOF COURSE SHALL EXTEND FULL THICKNESS OF SUCH LEAF, IN WHICH THE CAVITY SHALL EXCEED 150MM BELOW THE DAMP PROOF COURSE.**

**ELECTRICITY:**  
ALL ELECTRICAL WORK IS TO COMPLY TO LOCAL AUTHORITY'S BY-LAWS. REFER TO "ENERGY USAGE IN BUILDING REPORT"

**REFER TO SANS 10400-KA:2021 RATIONAL DESIGN BY APPOINTED ENERGY CONSULTANT (ONLY IF APPLICABLE)**

**GENERAL NOTES:**

**BUILDING WORK:**  
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 ACQUIRED THEMSELVES WITH SITE CONDITIONS AND MADE ALLOWANCES IN THEIR TENDERS FOR ALL SITE DEVELOPMENT WORK.

**LEVELS:**  
LEVELS AND DIMENSIONS: THE BUILDING IS TO BE LAID OUT AND ERECTED IN THE POSITION AND TO THE LEVELS AS INDICATED ON THE PLAN & SITE LAYOUT PLAN.

THE CONTRACTOR, SUB-CONTRACTORS AND SUPPLIERS MUST VERIFY ALL DIMENSIONS AND LEVELS ON-SITE BEFORE COMMENCING ANY WORK. ALL BUILDING WORK TO COMPLY WITH SANS 10400 EDITION 3 AND MUNICIPAL BY-LAWS.

LAND SURVEYOR TO CONFIRM ALL BOUNDARY PEGS AND TO CHECK ALL LEVELS BEFORE CONSTRUCTION COMMENCES.

TOP SOIL SHALL BE REMOVED FROM THE AREA TO BE BUILT UPON. ALL GRADING AND LEVELING TO BE DONE BY CONTRACTOR.

**MATERIALS:**  
MATERIAL USED IN THE ERECTION OF A BUILDING SHALL BE SUITABLE FOR THE PURPOSE FOR WHICH IT IS TO BE USED.

**TIMBER:**  
ALL TIMBER USED IN THE ERECTION OF A BUILDING SHALL BE TREATED AGAINST TERMITES AND WOOD BORER ATTACK AND FUNGAL DECAY IN ACCORDANCE WITH THE REQUIREMENTS OF SANS 10005 AND SHALL BARE THE PRODUCT CERTIFICATION MARK OF A BODY CERTIFIED BY THE SOUTH AFRICAN NATIONAL ACCREDITATION SYSTEM.

**BUILDING ELEMENTS:**  
THE CONSTRUCTION OF ANY BUILDING ELEMENT SHALL BE SUCH THAT BUILDING ELEMENT AS CONSTRUCTED DOES NOT COMPROMISE THE DESIGN INTENT OF ANY DESIGN SOLUTION THAT SATISFIES THE DESIGN REQUIREMENT OF A FUNCTIONAL REGULATION.

**FINISH FLOOR LEVEL:**  
FINISHED FLOOR LEVEL OF DWELLING TO BE MIN. OF 25mm ABOVE BACK OF FOOTWAY LEVEL AT SEWER CONNECTION. IT IS RECOMMENDED THAT GARAGE FLOOR LEVEL, MIN. OF 1700MM ABOVE BACK OF FOOTWAY LEVEL AT DRIVER ENTRANCE IF ANY.

**OTHER:**  
FLOORS IN ANY LAUNDRY, KITCHEN, SHOWER ROOM, BATHROOM OR ROOM CONTAINING A TOILET PAN OR URINAL MUST COMPLY WITH SANS 10400-J-4.2.

ANY COMBUSTIBLE MATERIAL TO BE 200MM AWAY FROM CHIMNEY FLUE.

THE REQUIREMENTS OF THE NATIONAL BY-LAWS AND ANY OTHER APPLICABLE AUTHORITY MUST BE COMPLIED WITH. THE BUILDERS MUST COMPLY WITH THE NHBRC BY-LAWS.

ALL REINFORCED CONCRETE SLABS AND STAIRS ARE TO BE CASTED STRICTLY TO STRUCTURAL ENGINEER'S SPECIFICATIONS AND DETAILS.

MUNICIPAL REQUIREMENTS AND THOSE OF OTHER AUTHORITIES MUST BE ADHERED TO. CONTRACTORS AND SUB-CONTRACTORS ARE TO CHECK ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE COMMENCING WORK. FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED MEASUREMENTS AND LARGE SCALE DETAILS SUPERSEDE SMALL SCALE DRAWINGS. THE DESIGN ON THIS DRAWING IS THE PROPERTY OF SMART SOLUTION ARCHITECTURE AND ARCHITECTURAL CONSULTANTS AND COPYRIGHT THEREOF IS RESERVED BY THEM.

REV NO.	DATE	DESCRIPTION:
00	24.06.2024	DEPARTURE APPLICATION

DRAWING STAGE:	
COUNCIL SUBMISSION	<input checked="" type="checkbox"/>
DEPARTURE APPLICATION	<input checked="" type="checkbox"/>
SKETCH PROPOSAL	<input type="checkbox"/>
TENDER DRAWING	<input type="checkbox"/>
WORKING DRAWING	<input type="checkbox"/>

SITE RESTRICTIONS:	
STREET BUILDING LINE	4.000m
LATERAL BUILDING LINE	2.000m
REAR BUILDING LINE	2.000m
HEIGHT RESTRICTION	8.000m
TITLE DEED BUILDING LINES (see drawings) N/A	

ZONE APPLICABLE:	
SINGLE RESIDENTIAL (SR1)	<input checked="" type="checkbox"/>
TOWN HOUSING - ZONE 1 (GR1)	<input type="checkbox"/>
TOWN HOUSING - ZONE 2 (GR2)	<input type="checkbox"/>
FLATS - ZONE 3 (GR3 and DR4)	<input type="checkbox"/>
LESS FORMAL DEVELOPMENT (LFD)	<input type="checkbox"/>

PROJECT NAME:	
PROPOSED ALTERATIONS AND ADDITIONS ON ERF 4805	
MOSSEL RIVER DRIVE, KWAAIWATER EASTCLIFF, HERMANUS	
7200	

FOR SUNETTE HUYSAMER TRUST	
DWG TITLE:	SECTIONS AND ELEVATIONS

**SMART SOLUTION ARCHITECTURE**  
and Architectural Consultants  
Members of SACAP / CIA / and SAAT  
PRINCIPAL: Ian Smit / v/a Smart Solution Architecture

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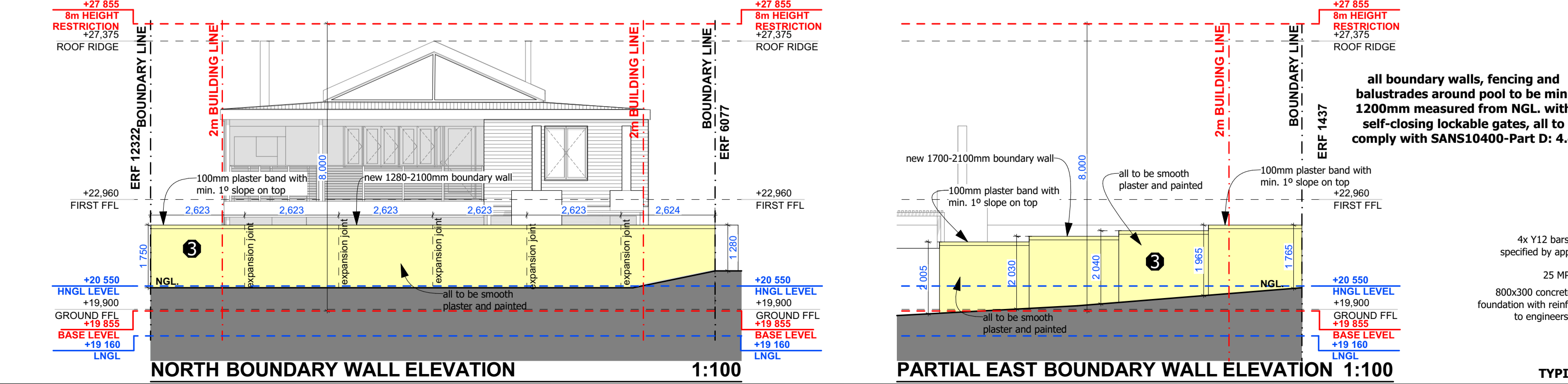
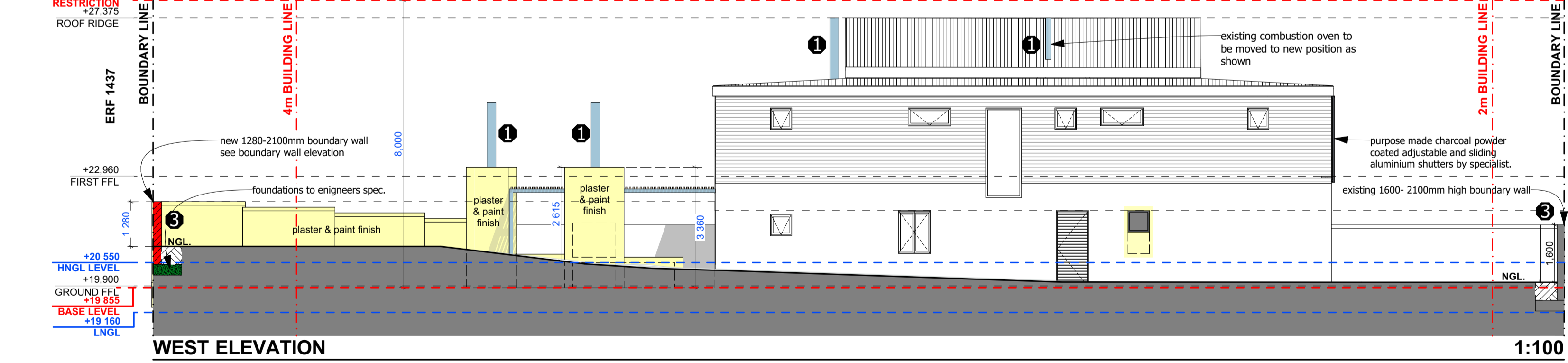
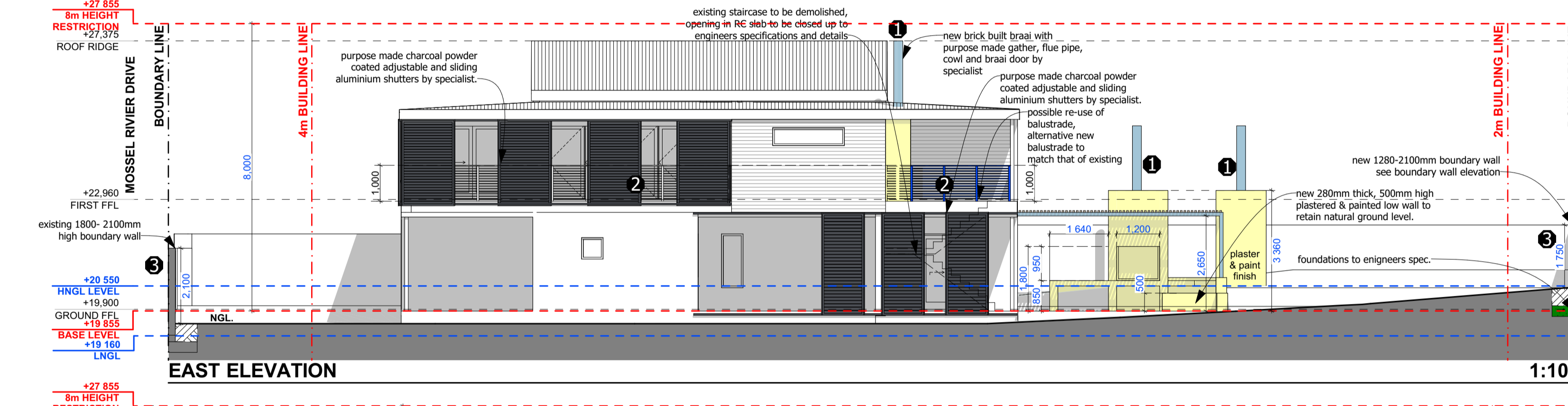
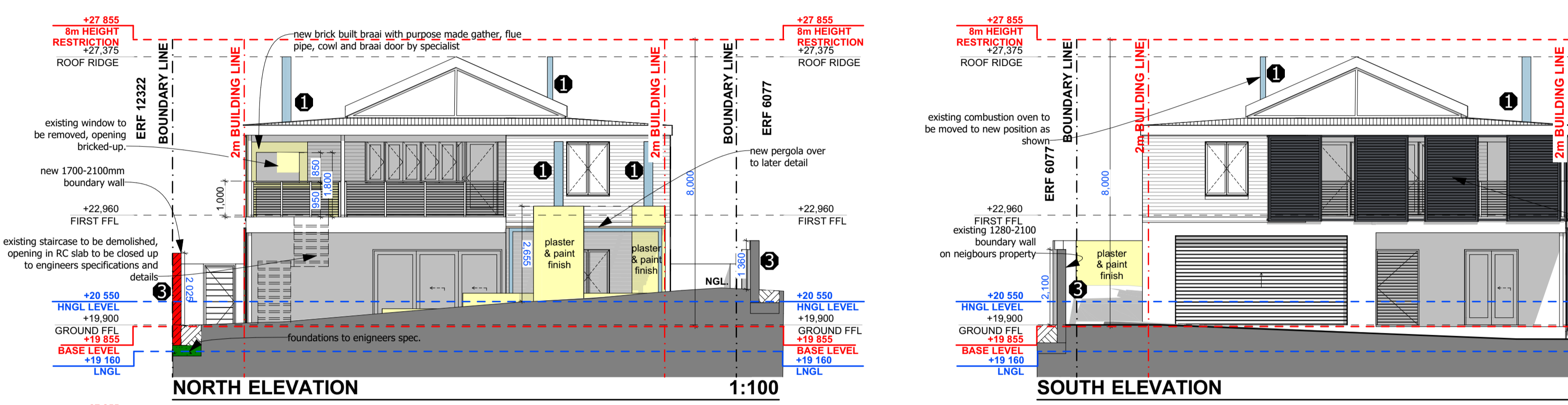
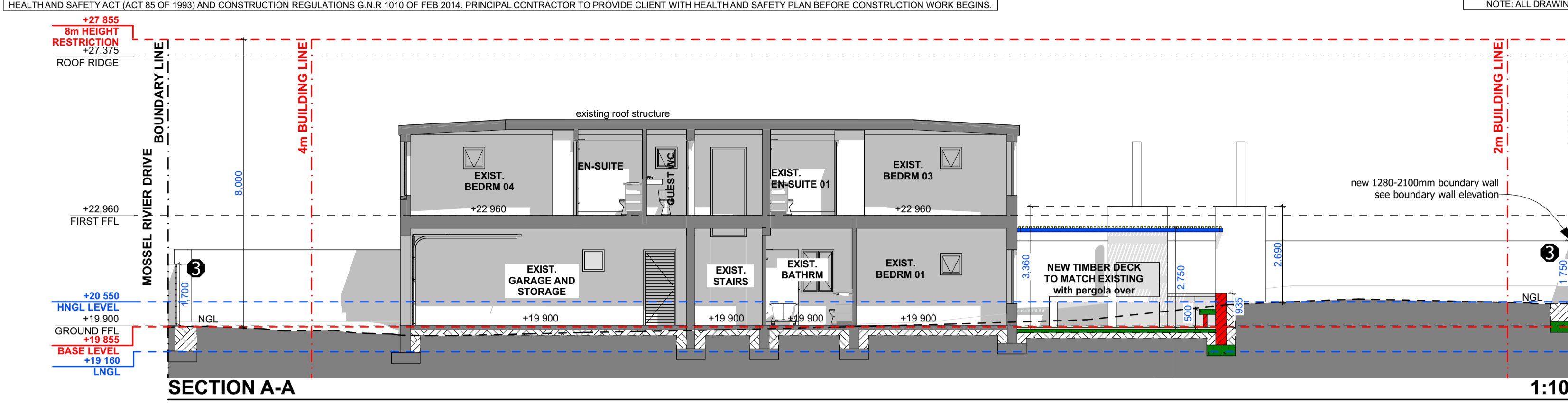
**DATE:** 24.06.2024

**DRAWN BY:** D SWART + J NEL

**CHECKED BY:** D SWART    **SACAP REG. PSAT24749037**

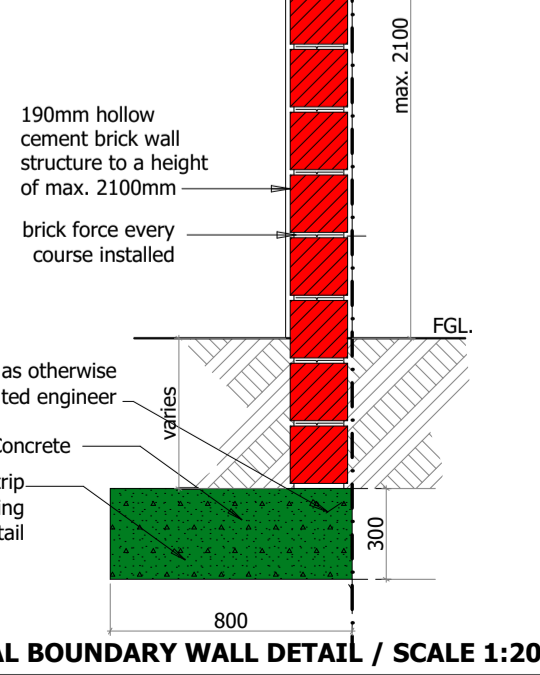
**DRAWING SCALE AS SHOWN**    **PRINT A1 LANDSCAPE**

**DRAWING NO. 10517 / A1 / 02**    **REV NO. 00**



**NOTE:**  
HERMANUS FALLS WITHIN THE SOUTHERN CAPE CONDENSATION PROBLEM AREA (SCPP area), THUS NO SINGLE LOW-E EMISSIVITY GLAZING PERMITTED

**ALL CONCRETE WORKS TO ENGINEER'S DETAILS AND SPECIFICATIONS. ENGINEERS' DRAWINGS SUPERSEDE THESE DRAWINGS AND SPECIFICATIONS**



**BOUNDARY WALLS & STRUCTURES:** NOTE: NO WALL, FOUNDATION OR BUILDING WORK WILL PROTRUDE OVER ERF BOUNDARY LINE.

**HEALTH & SAFETY:** PRINCIPAL CONTRACTOR TO MAKE ADEQUATE PROVISION FOR HEALTH AND SAFETY MEASURES FOR THE DURATION OF THE CONSTRUCTION PROCESS. PRINCIPAL CONTRACTOR TO COMPLY WITH THE HEALTH AND SAFETY ACT (ACT 85 OF 1993) AND CONSTRUCTION REGULATIONS G.N.R. 1010 OF FEB 2014. PRINCIPAL CONTRACTOR TO PROVIDE CLIENT WITH HEALTH AND SAFETY PLAN BEFORE CONSTRUCTION WORK BEGINS.

**ALL WATERPROOFING TO BE OVERSEEN BY A REGISTERED AND APPROVED WATERPROOFING SPECIALIST/CONTRACTOR. ALL TO BE DONE ACCORDING TO MANUFACTURERS SPECIFICATIONS AND DETAILS, DEPENDING ON WATERPROOFING METHOD/PRODUCT USED.**

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**ALL SERVICES, DUCTS, CONDUITS AND/OR SLEEVES (PLUMBING, ELECTRICAL, AIR CONDITIONING, WATER SUPPLY, POOL HEATING) MAY NOT BE VISIBLE AND MUST BE CONCEALED IN THE WALLS OR IN DUCTS.**

**MINIMUM HEIGHT FROM GROUND TO FLOOR LEVEL MUST COMPLY WITH PART K OF SANS 10400.**

**BOUNDARY AND YARD WALLS TO COMPLY WITH PART-K OF SANS 10400.**

**COLD AND HOT WATER SUPPLY PIPE LINES MUST BE PROPERLY PLANNED. PIPES MUST BE MAINLY ACCOMMODATED WITHIN CONCRETE SLAB AND EXTERNAL CAVITY WALLS AS FAR AS POSSIBLE. HOT WATER PIPES IN CAVITY WALLS AND FLOOR SLABS TO RECEIVE LAGGING AS PER ENERGY REPORT.**

**ALL DRAWINGS TO BE READ IN CONJUNCTION WITH "ENERGY USAGE ASSESSMENT REPORT".**

**NOTE: ALL LEVELS SHOWN ON THIS DRAWING MAY VARY ACCORDING TO SITE CONDITIONS.**

**NOTE: ALL DRAWINGS MUST BE READ IN CONJUNCTION WITH EACH OTHER.**

**ROOF NOTES:**

**ROOF CONSTRUCTION:**

**R-01** EXISTING 0.53mm CORRUGATED S-PROFILE ZINC ALUMINIUM (CHARCOAL) ROOF SHEETING @ 4 DEG. PITCH (SEE DRAWINGS) ON 76X50MM TREATED SABS APPROVED SA PINE PURLINS ON SABS APPROVED UNDERLAY ON SABS APPROVED TREATED SA PINE RAFTERS, BUILT INTO WALL AND TIED DOWN WITH GALV. WIRE ROOF ANCHORS.

FOR CEILING REFER TO GENERAL SPECIFICATIONS.

**ROOF CONSTRUCTION:**

**R-02** EXISTING 0.53mm CORRUGATED S-PROFILE ZINC ALUMINIUM (CHARCOAL) ROOF SHEETING @ 25 DEG. PITCH (SEE DRAWINGS) ON 76X50MM TREATED SABS APPROVED SA PINE PURLINS ON SABS APPROVED UNDERLAY ON SABS APPROVED TREATED SA PINE PRE-FABRICATED ENGINEERED ROOF TRUSSES BUILT INTO WALL AND TIED DOWN WITH GALV. WIRE ROOF ANCHORS.

FOR CEILING REFER TO GENERAL SPECIFICATIONS.

**ROOF ASSEMBLIES:**

All roofs shall achieve a minimum R-Value of 3.7 in accordance with SANS 10400:PART XA:2021 Table 8. Direction of heat flow for Climatic zone 2 = Up

**R-01**

Mono Pitch Roof @ 4 deg. slope. - Refer to drawings	
Outdoor air film (7 m/s)	0.03
Alu Zinc Sheet	0.30
1 x layer of RaderShield Climaseal	1.57
Airspace (non-reflective)	0.15
1 x layer of 75mm Isotherm	1.88
9.5 mm Plaster board	0.045
Indoor air film (7 m/s)	0.11
<b>TOTAL R-VALUE ACHIEVED:</b>	<b>4.085</b>

**R-02**

Double Pitch Roof @ 25 deg. slope. - Refer to drawings	
Outdoor air film (7 m/s)	0.03
Alu Zinc Sheet	0.30
1 x layer of RaderShield Climaseal	1.57
Airspace (non-reflective)	0.15
1 x layer of 75mm Isotherm	1.88
9.5 mm Plaster board	0.045
Indoor air film (7 m/s)	0.11
<b>TOTAL R-VALUE ACHIEVED:</b>	<b>4.085</b>

Refer to Ration Design done by appointed Energy Consultant for final roof assembly specifications and details

**GENERAL ENERGY USAGE IN BUILDING NOTES**

**HOT WATER:** Hot water heating requirement: at least 50% of the annual average hot water heating requirement shall be provided by means other than electrical resistance heating including but not limited to solar heating, heat pumps, heat recovery from other systems or processes and renewable combustible fuel in accordance with SANS 10400: PART XA:2021 Ed 2.

**HOT WATER PIPING INSULATION:** Provided and install Armaflex gaging insulation on all hot water services pipes in accordance with SANS 10400:PART XA:2021 Ed 2. Install Armaflex pipe insulation of 25mm thickness for Nominal ID of 15mm with a R-Value of 1.32. (A minimum R-Value of 1.00 is required for internal dia. = 60mm).

**ROOF INSULATION:** All roofs shall achieve a minimum R-Value of 3.7 in accordance with SANS 10400:PART XA:2021 Ed 2. Direction of heat flow for Climatic zone 2 = Up.

**GLAZING:** Building fenestration to comply with requirements in accordance with SANS 10400-XA:2021 Ed 2. All doors and windows to be powder coated aluminium unless otherwise specified elsewhere.

**FLOORS:** Provide and install 30mm Isoboard with a R-Value of 1.00 around the vertical edge of the dwelling houses in accordance to SANS 10400-XA:2021

**THERMAL INSULATION:** All Thermal insulations to be in accordance with SANS 10400-XA:2021 Ed 2. Reflective insulation shall be installed with the necessary airspace and in accordance with Table 9.

**LIGHTING AND POWER:** The minimum lighting levels shall be determined in accordance with the requirements of SANS 10400-XA:2021 Ed 2, TABLE 12.

**BUILDING SEALING:** Building sealing shall be done in accordance with SANS 10400-XA:2021 Ed 2.

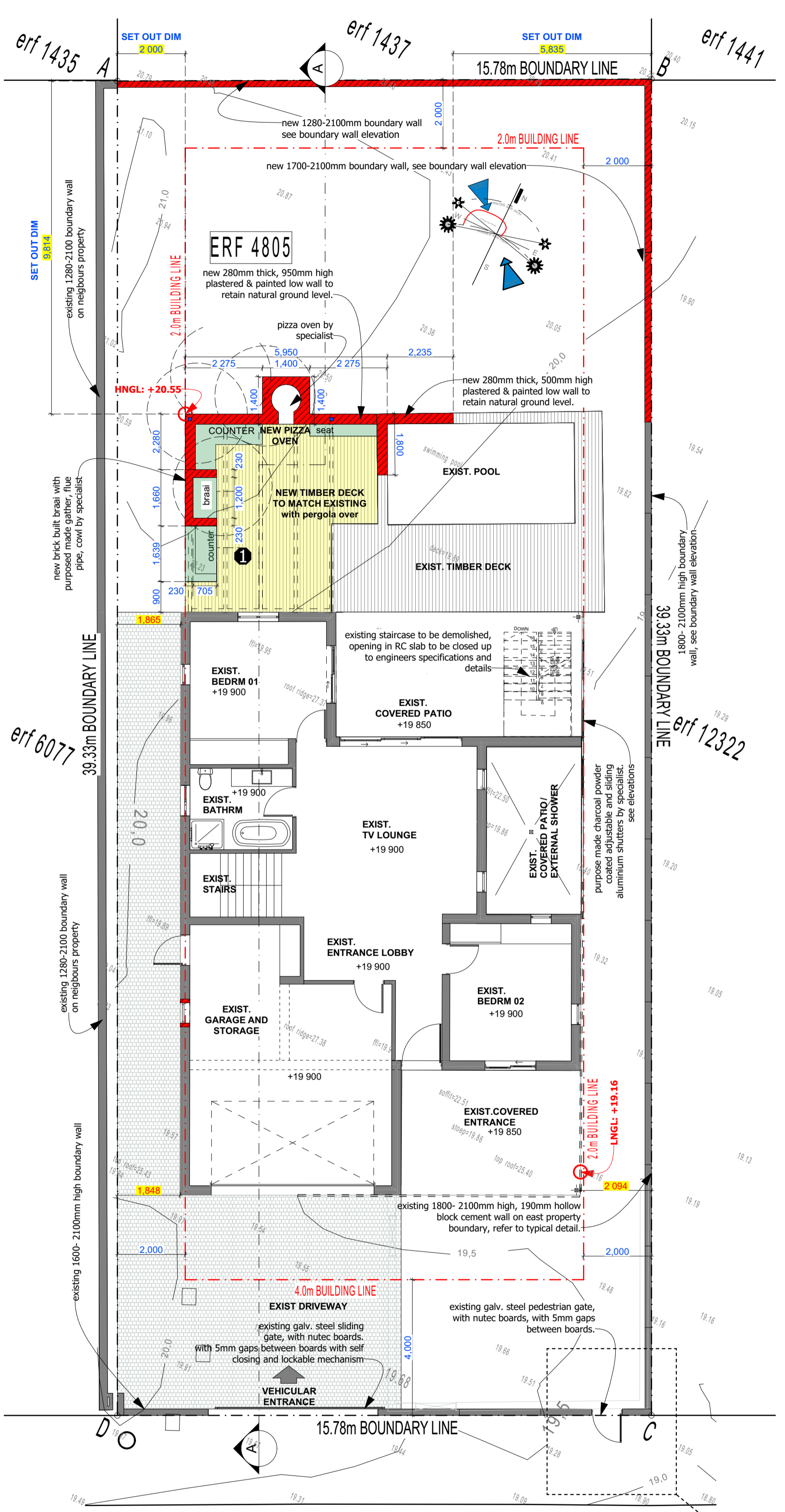
**GENERAL:** Windows shall be sealed in accordance with SANS 10400-XA:2021 Ed 2. External doors shall be sealed in accordance with SANS 10400-XA:2021 Ed 2. Air leakage for glazing shall be in accordance with SANS 10400-XA:2021 Ed 2. Chimneys and flues shall be sealed in accordance with SANS 10400-XA:2021 Ed 2. Roof underlay of radiant barriers shall be sealed in accordance with SANS 10400-XA:2021 Ed 2. Beams shall be in accordance with SANS 10400-XA:2021 Ed 2.

**REFER TO ENERGY USAGE IN BUILDING REPORT FOR CALCULATIONS**

MUNICIPAL REQUIREMENTS AND THOSE OF OTHER AUTHORITIES MUST BE ADHERED TO. CONTRACTORS AND SUB-CONTRACTORS ARE TO CHECK ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE COMMENCING WORK. FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED MEASUREMENTS AND LARGE SCALE DETAILS SUPERSEDE SMALL SCALE DRAWINGS. THE DESIGN ON THIS DRAWING IS THE PROPERTY OF SMART SOLUTION ARCHITECTURE AND ARCHITECTURAL CONSULTANTS AND COPYRIGHT THEREOF IS RESERVED BY THEM.

**VARIOUS:**

REV NO.	DATE:	DESCRIPTION:
00	24.06.2024	DEPARTURE APPLICATION



**THE BUILDINGS TOTAL**

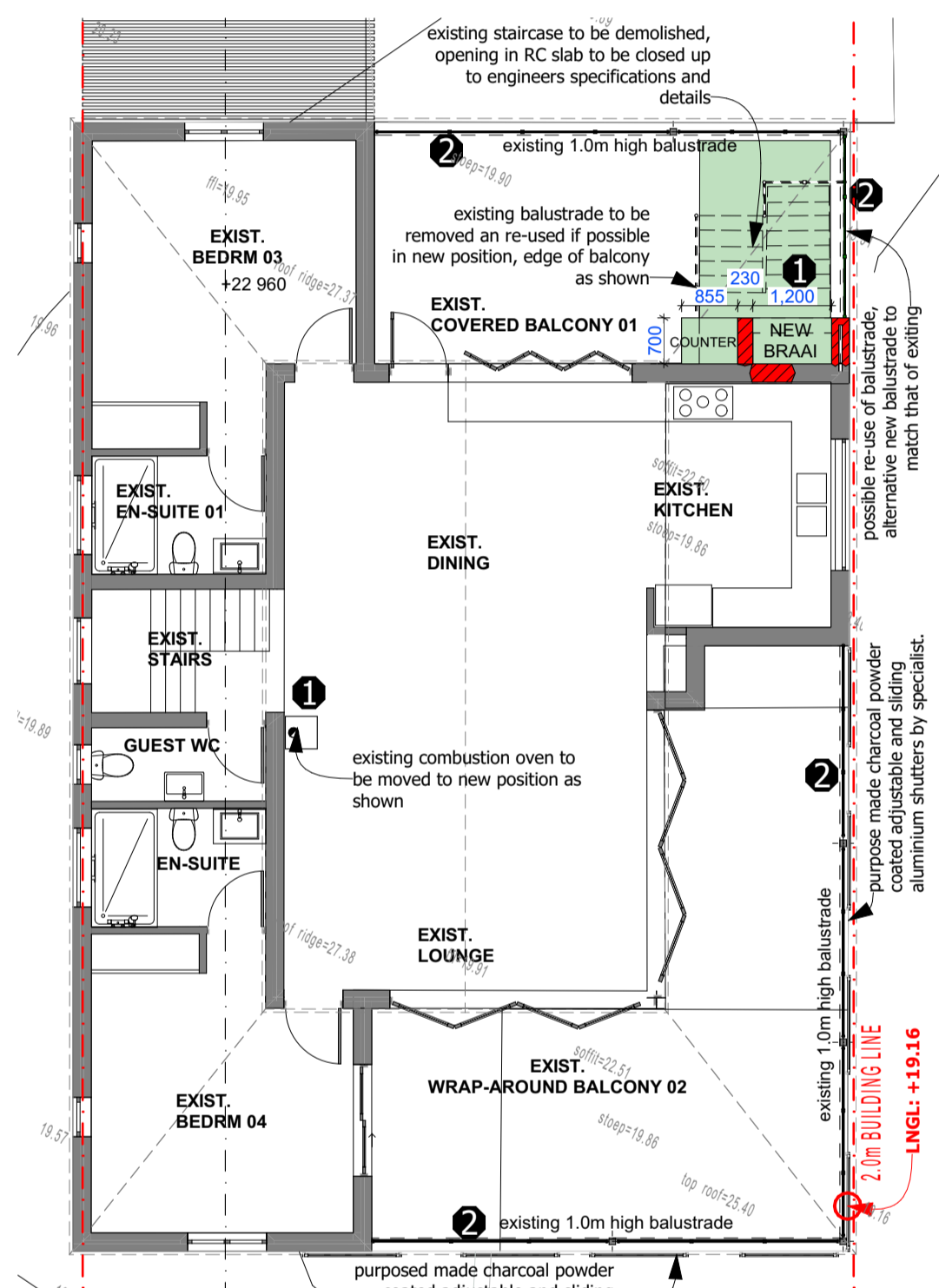
DESCRIPTION	TOTAL
EXISTING GROUND STOREY	200.00m²
EXISTING FIRST STOREY	200.00m²
NEW OPEN DECK & PERGOLA	32.23m²
<b>TOTAL COVERED FOOTPRINT</b>	<b>200.00m²</b>
<b>TOTAL COVERED FLOOR AREA</b>	<b>400.00m²</b>

**THE SITE**

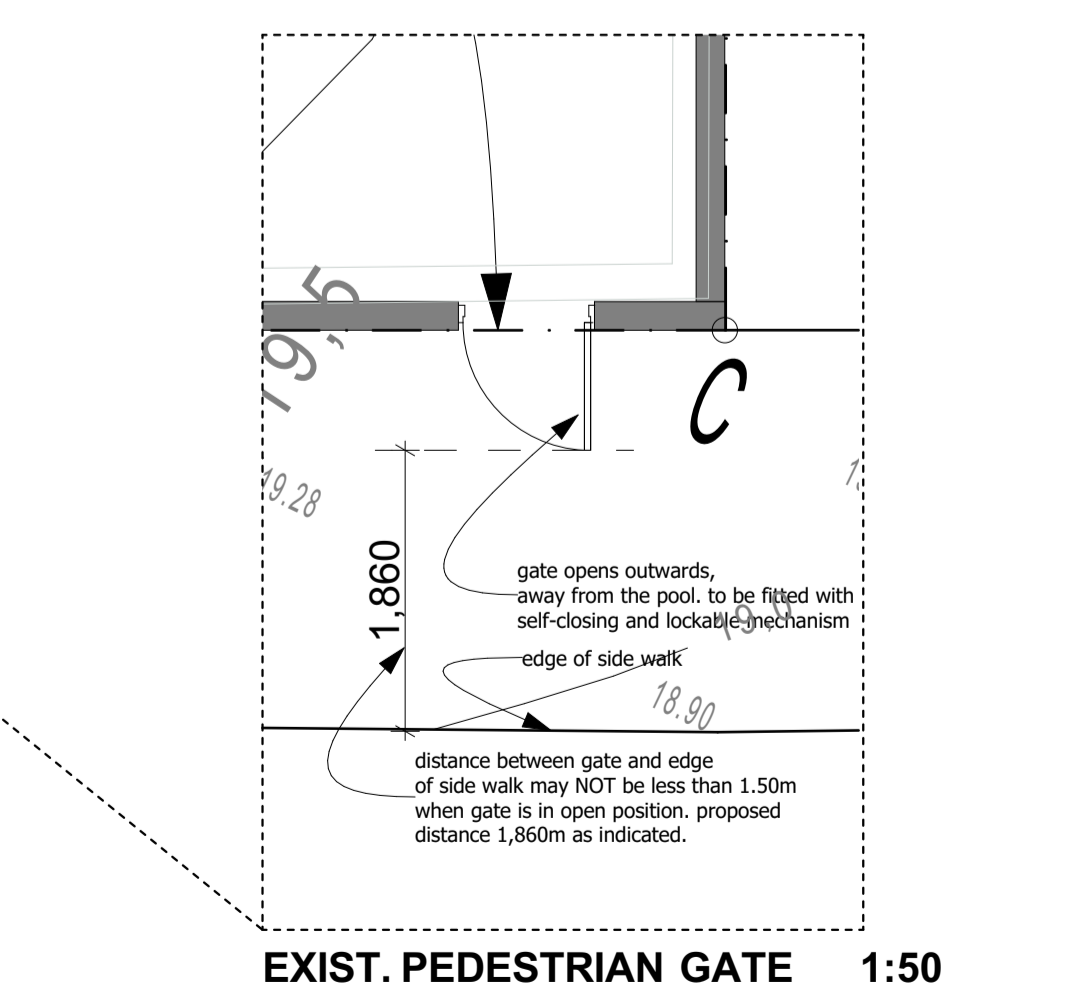
ERF SIZE	621m²
COVERAGE PERMITTED	50.00%
EXISTING COVERAGE	32.20%

**DWELL. BASE LEVEL CALCULATIONS**

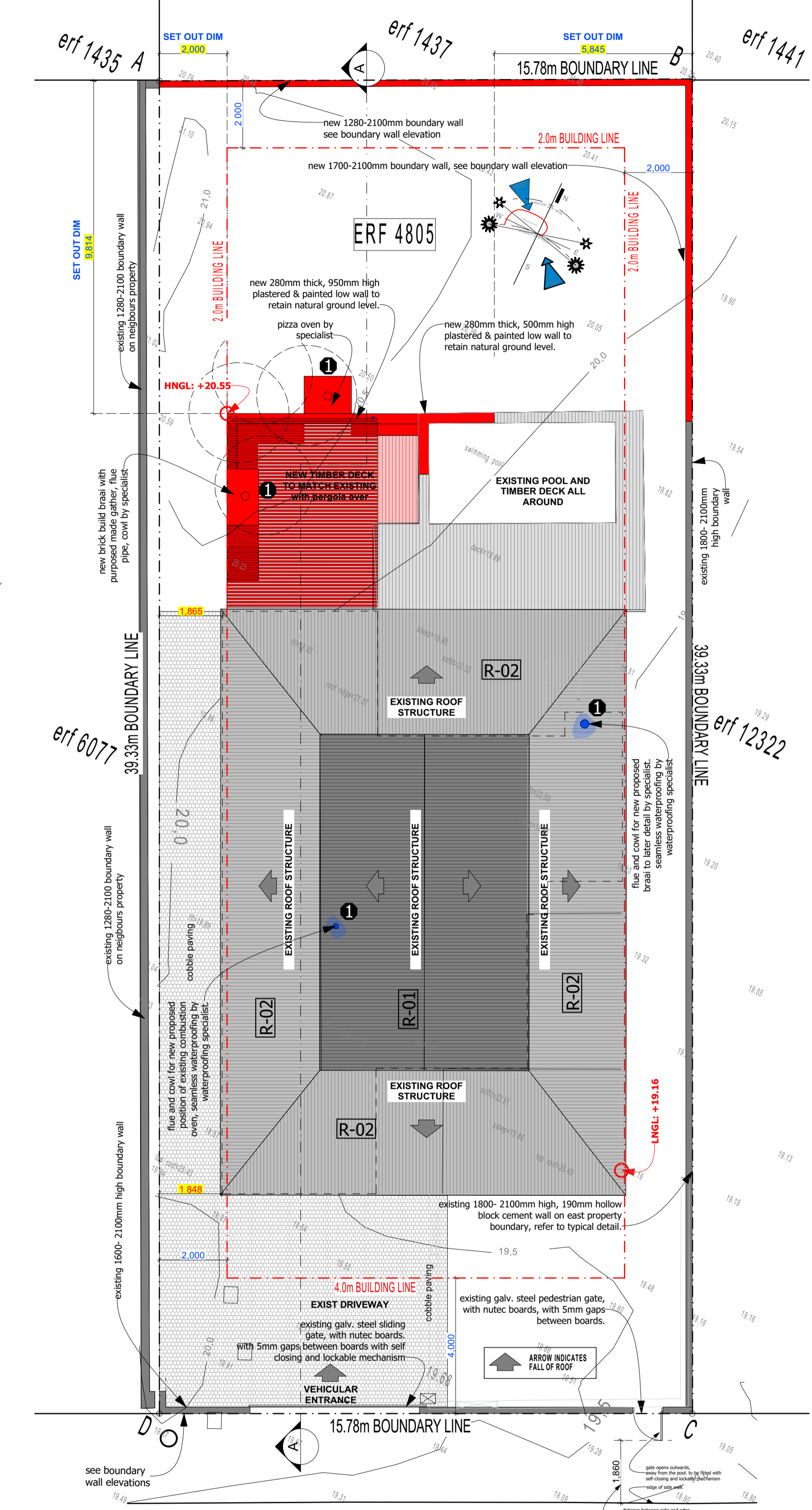
LOWEST LEVEL	19.160
HIGHEST LEVEL	20.550
BASE LEVEL	19.855
8.0m HEIGHT RESTRICTION	27.855



**FIRST STOREY LAYOUT 1:100**



**EXIST. PEDESTRIAN GATE 1:50**



**SITE AND ROOF PLAN LAYOUT 1:100**

all boundary walls, fencing and balustrades around pool to be min. 1200mm measured from NGL with self-closing lockable gates, all to comply with SANS10400-Part D: 4.4

**NOTE:** HERMANUS FALLS WITHIN THE SOUTHERN CAPE CONDENSATION PROBLEM AREA (SCCP area), THUS NO SINGLE LOW-E EMISSIVITY GLAZING PERMITTED. ALL CONCRETE WORKS TO ENGINEER DETAILS AND SPECIFICATIONS. ENGINEERS' DRAWINGS SUPERSEDE THESE DRAWINGS AND SPECIFICATIONS

**DRAWING STAGE:**

COUNCIL SUBMISSION	<input checked="" type="checkbox"/>
DEPARTURE APPLICATION	<input checked="" type="checkbox"/>
SKETCH PROPOSAL	<input type="checkbox"/>
TENDER DRAWING	<input type="checkbox"/>
WORKING DRAWING	<input type="checkbox"/>

**SITE RESTRICTIONS:**

STREET BUILDING LINE	4.000m
LATERAL BUILDING LINE	2.000m
REAR BUILDING LINE	2.000m
HEIGHT RESTRICTION	8.000m
TITLE DEED BUILDING LINES (see drawings)	N/A

**ZONE APPLICABLE:**

SINGLE RESIDENTIAL (SR1)	<input checked="" type="checkbox"/>
TOWN HOUSING - ZONE 1 (GR1)	<input type="checkbox"/>
TOWN HOUSING - ZONE 2 (GR2)	<input type="checkbox"/>
FLATS - ZONE 3 (GR3 and DR4)	<input type="checkbox"/>
LESS FORMAL DEVELOPMENT (LFD)	<input type="checkbox"/>

**SMART SOLUTION ARCHITECTURE**  
and Architectural Consultants  
Members of SACAP / CIA / and SAIA  
PRINCIPAL: Ian Smit / Smart Solution Architecture

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**PROJECT NAME:**  
**PROPOSED ALTERATIONS AND ADDITIONS ON ERF 4805, MOSSSEL RIVIER DRIVE, KWAAIWATER EASTCLIFF, HERMANUS 7200**

FOR  
**SUNETTE HUYSAMER TRUST**

**DWG TITLE:**  
SITE, FLOOR AND ROOF PLAN LAYOUTS

**DATE:** 24.06.2024

**DRAWN BY:** D SWART + J NEL

**CHECKED BY:** D SWART

**DRAWING SCALE:** AS SHOWN

**DRAWING NO.:** 1 0517 / A1 / 01

**SACAP REG.:** PSAT24749037

**PRINT A1 LANDSCAPE**

**REV NO.:** 00

MUNICIPAL APPROVAL STAMP