

MUNISIPALITEIT OVERSTRAND
ERF 535, STIRLINGSTRAAT 58, DE KELDERS:
AANSOEK OM OPHEFFING VAN 'N BEPERKENDE
TITELAKTEVOORWAARDE,
VERGUNNINGSGEBRUIK EN BEPALING VAN 'N
ADMINISTRATIEWE BOETE: TOWN & COUNTRY
NAMENS AD & AS BRANDT

Kennis word hiermee gee ingevolge Artikels 47 en 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 (Verordening) van die volgende aansoeke van toepassing op die bogenoemde erf, naamlik:

Opheffing van beperkende titelaktevoorwaarde
Aansoek ingevolge Artikel 16(2)(f) van die Verordening vir die opheffing van voorwaarde F. (c) soos vervat in Titelakte 56519/2013, om 'n residensiële gebou op die eiendom te akkommodeer.

Vergunningsgebruik
Aansoek ingevolge Artikel 16(2)(o) van die Verordening, om 'n residensiële gebou (losieshuis met vier (4) slaapkamers) op die eiendom te akkommodeer.

Bepaling van 'n administratiewe boete
Aansoek ingevolge Artikel 16(2)(q) van die Verordening, om die bestaande residensiële gebou op die eiendom te akkommodeer.

Besonderhede aangaande die voorstel lê ter insae gedurende weksdae tussen 08:00 and 16:30 by die Departement: Stadsbeplanning te Patersonstraat 16, Hermanus en by Gansbaai Biblioteek, Hoofweg, Gansbaai. Enige kommentaar moet skriftelik ingedien word in terme van Artikels 51 en 52 van die bogenoemde Verordening by die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za voor of op **Vrydag, 30 Augustus 2024**, vergesel van u naam, adres, kontak besonderhede, belang in die aansoek en redes vir kommentaar. Telefoniese navrae kan gerig word aan die **Stadsbeplanner, Mnr P Roux** by 028-313 8900. Die Munisipaliteit mag weier om kommentare 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 formuleer.

DGI O'Neill
MUNISIPALE BESTUURDER
Munisipaliteit Overstrand
Posbus 20
HERMANUS
7200

Munisipale Kennisgewing Nr. 105/2024

OVERSTRAND MUNICIPALITY
ERF 535, 58 STIRLING STREET, DE KELDERS:
APPLICATION FOR REMOVAL OF A RESTRICTIVE
TITLE DEED CONDITION, CONSENT USE AND
DETERMINATION OF AN ADMINISTRATIVE
PENALTY: TOWN & COUNTRY ON BEHALF OF AD
& AS BRANDT

Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law), of the following applications applicable to the above-mentioned erf, namely:

Removal of restrictive title deed condition
Application in terms of Section 16(2)(f) of the By-Law to remove condition F. (c) as contained in Title Deed 56519/2013, to accommodate a residential building on the property.

Consent use
Application in terms of Section 16(2)(o) of the By-Law, to accommodate a residential building (boarding house with four (4) bedrooms) on the property.

Determination of an administrative penalty
Application in terms of Section 16(2)(q) of the By-Law, to accommodate the existing residential building on the property.

Detail regarding the proposal is available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning at 16 Paterson Street, Hermanus and Gansbaai Library, Main Road, Gansbaai. Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-law to the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za on or before **Friday, 30 August 2024** quoting your name, address, 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 comment 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.

DGI O'Neill
MUNICIPAL MANAGER
Overstrand Municipality
P O Box 20
HERMANUS
7200

Municipal Notice No. 105/2024

UMASIPALA WASE-OVERSTRAND
ISIZA 535, 58 STIRLING STREET, DE KELDERS:
ISICELO SOKUSUSWA KWEMIQATHANGO
ENEZITHINTELO KWITAYITILE, IMVUME
YOKUSEBENZISA KUNYE NOKUGQITYWA
KWESOHLWAYO: ABAKWA-TOWN &
COUNTRY EGAMENI LABAKWA-AD & AS
BRANDT

Kukhutshwa isaziso ngokumayela neCandelo 47 neCandelo 48 loMthetho Otshintshiweyo woMasipala waseOverstrand ongokuSetyenziswa Nokucetywa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala), ukuba kufunyenwe ezi zicelo zilandelayo ezimayela nesiza echazwe ngasentla, ukuba:

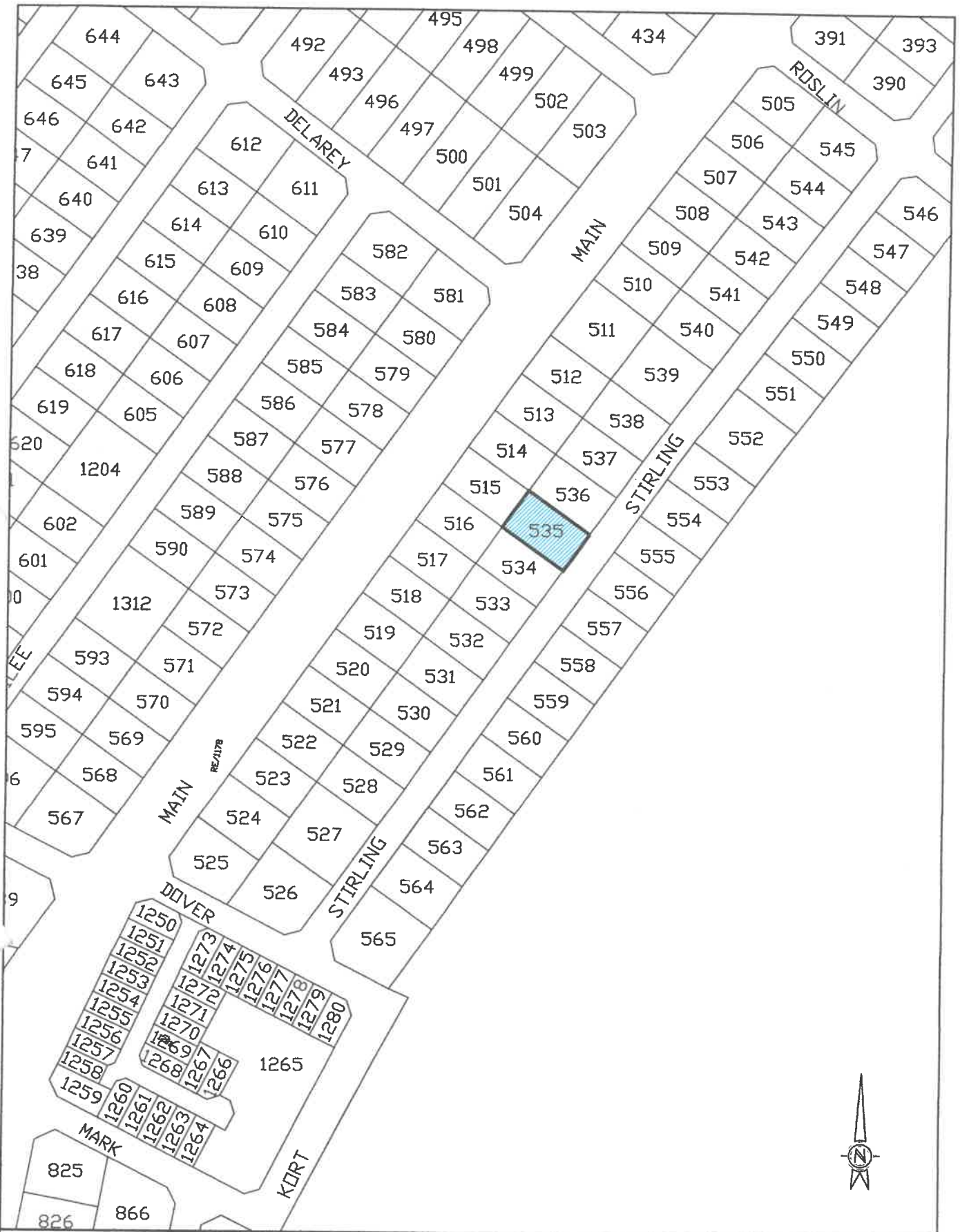
Ukususwa kwemiqathango enezithintelo kwitayitile
sicelo ngokumaye neCandelo 16(2)(f) loMthetho kaMasipala ukuba kususwe umqathango F. (c) njengoko uqulethwe kwiTayitile 56519/2013, ukulungiselela isakhiwo sokuhlala kwipropathi.

Imvume yosetyenziso:
Isicelo ngokumayela neCandelo 16(2)(o) loMthetho kaMasipala ukulungiselela isakhiwo sokuhlala (indlu eqeshisayo enamagumbi okulala amane (4)) kwipropathi; kunye

Ukugqitywa kwesohlwayo
Isicelo ngokweCandelo 16(2)(q) loMthetho kaMasipala ukuze ezi zakhiwo zifakelelweyo zenziwe zibe semthethweni.

linkcukacha ezihambelana nesi siphakamiso ziyafumaneka kwiintsuku zaphakathi evekini ukuze zihlolwe phakathi kwentsimbi ye-08:00 ne- 16:30 kwiSebe: Izicwangciso ngeDolophu kwa16 Paterson Street, Hermanus nakwithala leencwadi lase Gansbaai. 'Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zeSoloty lama-51 nelama-52 loMthethwana kaMasipala ochazwe ngentla (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za ngomhla okanye ngaphambi komhla we **30 uAgasti 2024** uchaze igama lakho, idilesi, neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zokuhlomla. Imibuzo ngefowuni ingabuzwa kuMnu. **P Roux** kwa-028-313 8900. UMasipala angala ukwamkela izimvo emva kokuvala. Nabani na ongakwazi ukufunda nokubhala angandwendwela kwiSebe leziCwangciso zeDolophu acele igosa limncede ukufaka uluvo lwakhe ngokusemthethweni.

DGI O'Neill
UMPHATHI KAMASIPALA
Umasipala iOverstrand, Ibhokisi yePosi 20
HERMANUS, 7200
Inothisi kaMasipala iNomb. 105/2024



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 Creative Land Solutions
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PROJECT
LOCALITY PLAN: ERF 535 DE KELDERS
OVERSTRAND MUNICIPALITY

 **Town & Country**
 Creative Land Solutions

Land Surveyors • Town Planners

DRAWN LT	CHECKED LT
SCALE NTS	DATE FEB 2024
DWG No. Locality	REVISION
Notes:	

MOTIVATIONAL REPORT

PROPOSED REMOVAL OF TITLE DEED RESTRICTIONS, CONSENT USE FOR A RESIDENTIAL BUILDING AND DETERMINATION OF AN ADMINISTRATIVE PENALTY: ERF 535, DE KELDERS

Ref. DEK/3115

1. INTRODUCTION

This office was appointed by Mr Tony Brandt, on behalf of his parents Arthur Duncan Brandt and Aleyda Sophia Brandt, to prepare the town planning application for a removal of title deed restrictions and a Consent use on Erf 535. The application is required to accommodate the use of the existing house as a residential dwelling - to allow for four (4) rooms to be rented out to borders. The use has already commenced and is accommodated inside the existing house and no extensions to the house are proposed.

2. APPLICATION

Application is made for:

- I. Removal of Restrictions, in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, to allow for the use of the property as a residential building.
- II. Consent use in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning for purposes of a residential building.
- III. Determination of an Administrative Penalty in terms of Section 90(3) of the By-Law) of the Overstrand Municipality By-Law on municipal land use planning.

The Primary uses for a Single Residential property is crèche, dwelling house, guest rooms, home occupation, second dwelling unit and self-catering.

Consent Uses: day care centre, green house, guest house, house shop, institution, place of instruction, place of worship, residential building and intensive horticulture.

The definition for a "residential building" as given by the Overstrand Integrated Zoning Scheme:

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“residential building” means a building where lodging is provided for human habitation, together with such outbuildings ordinarily used therewith, where facilities are shared, restricted to boarding houses and old age homes;

3. PROPERTY DETAILS

TOTAL AREA	595m ²
REGISTERED OWNER	Arthur Duncan Brandt and Aleyda Sophia Brandt
Boundaries: North	Erven 514, 515 and 536
East	Stirling Street and Erven 555 and 556
South	Stirling Street and Erven 557 and 534
West	Erven 515 and 516

Erf 535 is registered under title deed 56519/2013.



Photo 1. Erf 535 in a north-western direction from Stirling Street.

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4. SITE DESCRIPTION AND SURROUNDING AREA

Erf 535 is located in Sterling Street, De Kelders. The erf is fairly flat, with a gentle slope from north-west to south-east. It is developed with a house and an outside building that contains a garage and a storeroom.



Google Earth Image, to illustrate the location of Erf 535 and surrounding land uses.

Properties surrounding Erf 535 are generally of a residential nature, with a high-density residential development and commercial node towards the south-west.

5. ZONING

Erf 535 is zoned Single Residential, with houses in the immediate vicinity of the property also zoned as Residential Zone I.





Extract from the De Kelders Zoning Plan

6. PROPOSED REMOVAL OF TITLE DEED RESTRICTIONS

Application is made for the removal of certain title deed restrictions registered against the property, as per deed 56519/2013, that influence the proposed development. These restrictions as follow:

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F. (c) 'That not more than one dwelling, together with the necessary outbuildings and appurtenances be erected on this erf.

Removal of this restrictions is required to allow for the use of the property as a residential building. After removal of title deed restrictions, the applicable Municipal Scheme Regulations will govern development restrictions on the erf. We believe that the area and also development criteria changed since the restrictions were imposed and by using Municipal Scheme Regulations as the only set of rules, development becomes much more flexible to changing circumstances and needs.

According to the title deed, the property can only be used for one dwelling. In terms of the zoning scheme a dwelling's use is restricted to only one family. Residents of a boarding house is generally not related and an application is therefore required to have the restriction removed, to be able to use the property as a residential building.

In terms of Section 35 (4) (a) to (f): When the Municipality considers the removal, suspension or amendment of restrictive conditions, the Municipality must have regard to the following:

Criteria for assessing	The application
(a) the financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement;	It is not believed that this restriction holds any financial benefit, since the applied for uses deliver a service to the general community.
(b) the personal benefits which accrue to the holder of rights in terms of the restrictive condition;	As far as we know there is no personal benefit in maintaining the conditions.
(c) the personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is amended, suspended or removed;	The owners will have the benefit from the removal, since they will be able to generate an income from the property.
(d) the social benefit of the restrictive conditions remaining in place in its existing form;	We do not believe there is social benefit in the condition remaining.



(e) the social benefit of the removal, suspension or amendment of the restrictive condition; and	The social benefit derived from the removal will include an alternative to accommodation available in De Kelders.
(f) whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.	The application is for the complete suspension of the condition with regards to not being allowed the erections of guest accommodation. The rest of the conditions in the title deed will remain.

7. PROPOSED CONSENT USES

The current zoning of Erf 535 is Single Residential Zone. No change in the primary zoning is proposed.

Application is made for consent use to allow for:

- A residential building (boarding house with four bedrooms)

There is a growing number of Overstrand residents that cannot afford to buy or rent a house. The boarding house at Erf 535 allows individuals the opportunity to stay in a well-maintained house in a safe neighbourhood, along with other people. They have access to the entire house, that includes the open plan kitchen, inside braai area, a living room and a dining room. There is a large garden at the back of the house where residents can relax.

8. DETERMINATION OF AN ADMINISTRATIVE FEE

Rooms are currently already rented out to borders. A determination of an administrative fee is therefore required.

The boarding house provides a community service in terms of making an alternative, more affordable form of accommodation available in the Overstrand area. With the property providing in a basic need, i.e., accommodation, it is not possible to close the facility down.



The use applied for is small and similar to that of a single residential dwelling, with no extensions being applied for. The impact on surrounding landowners is therefore limited. Boarders are not allowed to have guests late at night – therefor preventing the possibility of any nuisance to neighbours.

With the determination of an administrative fee, Council is asked to please take the above into consideration.

A determination of an Administrative Penalty in terms of Section 90(3) of the By-Law) of the Overstrand Municipality By-Law on municipal land use planning is required, due to the facility that is already operational.

In terms of the By Law the applicant must, to the satisfaction of the Municipality, provide the following information such as-

(a) the nature, duration, gravity and extent of the contravention;

No additional buildings were erected. The use is a consent use on a residential zoning and can therefore be reconciled with existing surrounding land uses. All integrated zoning scheme parameters will generally be complied with and it is not believed that the uses have a negative impact on surrounding neighbouring properties.

(b) the conduct of the person (allegedly) involved in the contravention;

The Brandt family were under the impression that they could rent rooms out to borders.

(c) a report by a quantity surveyor in matters of unauthorised building/construction;

As far as we are aware no unauthorised construction took place.

(d) whether the unlawful conduct was stopped;

The unlawful conduct was not stopped, due to the borders not having any alternative accommodation.



(e) whether the person allegedly involved in the contravention has previously contravened this By-Law or a previous planning law.

We do not know if there were previous contraventions.

9. THE PROPOSED DEVELOPMENT

The house on Erf 535 is a comfortable family house with a large lounge / dining room area and an indoor braai. It has a floor area of approximately 168m². Mr Tony Brandt is overseeing the property for his parents and would like to apply for the following uses, in addition to the single dwelling primary uses:

A residential building

Application is made to be able to continue the use of the house as a Residential Building. There are four bedrooms in the house and they are all available to be rented out. Boarders can rent a room, or decide to share a room with other people. A total of 10 people could potentially stay in the house. For the four bedrooms there are two bathrooms. The boarders make use of a communal kitchen, dining/ living room entertainment and outside areas. There is sufficient on-site parking as prescribed, although none of the borders have cars.

There is currently a housekeeper that cleans the house and when required by the residents, can cook meals for them. Boarders can be of any age, but they need to be fully mobile and be able to help themselves.

The house is within walking distance of a commercial node. Making the house very convenient for the boarders who currently don't own cars.



10. RELEVANT OVERHEAD PLANNING POLICY

Various local, provincial and national forward planning documents are applicable to the application.

10.1 OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK (SDF)

The vision of the Overstrand SDF is based on the vision of the Overstrand IDP and is as follows:

‘Overstrand Municipality is striving to be the most desirable destination to visit, stay and do business’.

In order to achieve this, the document identifies various principles:

Development Principles:

- Efficient and integrated planning – Promote efficient and integrated planning and development through:
 - Integrated development and planning in rural and urban areas with a view to mutual support
 - Optimal utilisation of existing developed resources including bulk infrastructure
 - Promotion of compaction and densification as opposed to low-density sprawl
 - Protection of the agricultural resource base
 - Spatially co-ordinating sectoral activities
 - Addressing historically distorted spatial patterns

RELEVANT GOALS & OBJECTIVES FORMULATED BY THE DOCUMENT INCLUDE AMONG OTHER THE FOLLOWING:

Goal	Objective
To provide an environmentally and economically sustainable bulk service infrastructure and road transport network.	<ul style="list-style-type: none">• To ascertain the overall carrying capacity of existing bulk services related to existing and future growth, and where appropriate, determine flood lines;• To identify critical problem areas relating to bulk water supply, groundwater abstraction and quality;



	<ul style="list-style-type: none"> • To improve and maintain the standard of bulk services with particular reference to bulk water supply, sewerage and solid waste and sewage management; and • To create an efficient, well defined hierarchy of roads.
To address the social needs and expectation of all sections of the community.	<ul style="list-style-type: none"> • To provide housing for different lifestyle choices, income groups and life stages. • To provide access to a full spectrum of social services and facilities; • To ensure the provision of basic housing and services; • To encourage public participation in all issues of public concern; and • To co-ordinate the joint management of certain functions on a sub-regional level, e.g. sporting facilities, education and health facilities.
To promote the conservation and sustainable use of the natural resources in the Overstrand municipal area.	<ul style="list-style-type: none"> • To protect, conserve, and restore where appropriate, all areas deemed to be conservation worthy; • To ensure that the impact of existing and proposed development is adequately evaluated from a holistic environmental perspective, taking current and future generations into account; • To promote the sound management of natural areas to ensure their sustainability; • Rehabilitate and/or restore degraded and disturbed environments where necessary to meet conservation or environmental management objectives; • To limit and control development and activities within environmentally sensitive and/or conservation worthy areas so as to ensure their sustainability taking into account affects on biodiversity; • To promote efficient use of water and energy resources; and • To implement water conservation and demand management objectives within municipal areas in order to promote savings and decrease the demand for costly bulk water supply systems.
To ensure that ongoing development pressure and its spatial implications are managed in a sustainable manner that protects the unique character of the existing cultural landscape and the place-specific character and form of the existing settlement pattern.	<ul style="list-style-type: none"> • To promote a spatial development pattern that contains urban sprawl/urban development and promotes compact well-defined settlements; • To retain and strengthen the unique identity of the municipal areas and its districts; • To determine clear limits to urban development and define the urban edge/limits of existing settlements; • To conserve and improve the visual quality of the landscape and the scenic route experience of the primary movement corridors; and • To improve the aesthetic quality of the built environment.



The SDF describes De Kelders as a popular residential, holiday and retirement destination.

The Greater De Kelders Spatial Development Framework provides guidelines that should steer future development in the area. This include:

- Urban sprawl should be contained by implementing a densification policy and by providing a clearly defined urban edge.
- Densification should take place by the process of infill development, higher residential densities and the maximum utilisation of existing land uses within the town's structure.
- All new developments should be evaluated in terms of the capacity of the existing services infrastructure.
- Linear development should be avoided by limiting development outside of the established urban area. Only small-scale development, that compliments the rural character or promotes tourism, should be permitted within these areas.
- Land use restrictions should be revised in order to adapt to the changing urban environment.

PROPOSED DEVELOPMENT COMPLIANCE

The development as proposed complies with the general goals and objectives set for the Overstrand Municipal area. The proposed use is compatible with the existing Single Residential Zoning and will address on a small scale an existing social need in the Overstrand Municipal area.

The proposed boarding house will make use of existing infrastructure and be located inside an existing dwelling. It provides an alternative form of housing for people who doesn't want to, or can't afford to live alone in a traditional single dwelling.

10.2 OVERSTRAND SECTORAL DENSIFICATION STRATEGY

A densification study was completed by Urban Dynamics, for the Overstrand Municipality in 2010. The objective of this study is to:

- Promote a more compact, denser, efficient and environmentally sustainable;



- Protect sensitive environments and resources within and outside the urban edge; and
- Rationalise bulk infrastructure and service capacity to ensure that the bulk capacity is provided in the urban areas where growth and development is considered desirable

Critical Contextual Informants being used in the study, includes:

- Historical Development Pattern and Heritage Resources of the towns and settlements within the Overstrand Municipal Area,
- Current Land Use and Distribution Patterns (zoning, densities, land ownership, land values, erf sizes)
- Natural elements and setting
- Population growth and Housing demand
- Bulk Service Capacities
- Traffic capacities and circulation

The Growth Management Strategy indicates Erf 535 for residential purposes, inside block 4. Please refer to the extract of the growth plan below. The density indicated is 10 – 20 units per hectare.



Extract from the Growth Management Strategy: De Kelders Plan H: Proposal, indicating the location of Erf 535.

The proposed consent uses do not deviate from what is proposed in the Growth Management Strategy.

10.3 PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF) 2014

The Western Cape Provincial SDF was approved in 2014 by the Western Cape Parliament and serves as strategic spatial planning tool that “communicates the provinces spatial planning agenda”.

The recent shift in legislative and policy frameworks have clearly outlined the roles and responsibility of provincial and municipal spatial planning and should be integrated towards the overall spatial structuring plan for the province to create and preserve the resources of the province more effectively through sustainable urban environments for future generations. This shift in spatial planning meant that provincial inputs are in general limited to provincial scale planning. However, it is important to note some of the key policies laid down by the PSDF have a bearing on the application.

The proposed development compliments the SDF spatial goals that aim to take the Western Cape on a path towards:

- (i) Greater productivity, competitiveness and opportunities within the spatial economy;
- (ii) More inclusive development in the urban areas;
- (iii) Strengthening resilience and sustainable development.

Key policies that is supported by this application:

Policy E3: Revitalise and Strengthen Urban Space-Economies as the Engine of Growth

5. Existing economic assets (e.g. CBDs, township centres, modal interchanges, vacant and under-utilised strategically located public land parcels, fishing harbours, public squares and markets, etc.) should be targeted to levers the regeneration and revitalisation of urban economies.

- 1. Incentives should be put in place to attract economic activities close to dormitory residential areas, facilitate brownfields development.

Policy S3: Ensure Compact, Balanced & Strategically Aligned Activities & Land Uses



This policy reflects the main aim of the policy through targeting economic assists (e.g. Modal Interchanges underutilised strategically located land parcels) should be used as a lever to regenerate and revitalise urban settlements.

Promoting functional integration and mix land use to increase liability of urban areas. Thus the policy specifies the importance to- increase density of settlements and number of units in new housing projects; continue to deliver public investment to meet the needs in settlement developments; integrate packages of land, infrastructure and services as critical to promote densification and efficiency associated with agglomeration.

11. ACCESS & PARKING

Access to the property is proposed from an access point in Sterling Street. Access is given to the rear of the property and an existing garage.

According to the Integrated Zoning Scheme Regulations applicable to the Overstrand, parking needs to be supplied at follow:

Use	Regulation	Proposed area of development	Parking Required
Residential Building	1 Bay per bedroom	4 Bedrooms	4
	2 Bays for the owner		2
Total			6

The site plan makes provision for six (6) on-site parking spaces. Two of the parking bays that will be used by the Brandt family (proposed tandem parking bays 1 and 2) when visiting the house , with parking bays 3 to 6 available by boarders. None of the current residents however owns a car. Please refer to the extract of the site plan below.



12. SERVICES

All services are existing, and it is not expected that any upgrades will be required.

Water: Supplied by the Overstrand Municipality

Electricity: Supplied by the Overstrand Municipality

Sewerage: Overstrand Municipality

Rubbish Removal: Overstrand Municipality

13. DESIRABILITY

Title Deed

- There are restrictions in terms of the Title deed, that will have an influence on this application. Application is made to have this condition removed.

Impact on Neighbours

It is not believed that the application for the residential building will have a negative impact on surrounding owners, since there are strict rules in place and with the housekeeper daily visiting the house – unlikely that there will be a noise disturbance.

There is sufficient on-site parking and should not lead to cars parked in the road reserve.

Physical Characteristics of the Property

- The erf is already fully developed, and no natural vegetation will be removed.
- The erf is flat, that ensure comfortable movement for the residents.
- The size of the erf makes it suitable for the proposed uses, since the provision of enough onsite parking spaces is possible on the property.

Overhead Planning

The project generally complies with the overhead planning for the area:

- The erf is inside the Urban Edge as indicated on the approved Overstrand Spatial Development Framework.



- It complies with general goals and objectives set in local planning documents.
- It provides an alternative form of housing, that addresses a growing need in smaller and more affordable housing.
- The proposal is in line with the Provincial Spatial Development Framework in that it explores alternatives in the market and diversifies to keep up with demand, while protecting our natural resources.

Character of the Area

- The property is located in a residential area, within walking distance from 'n commercial node.
- The immediate area has a residential character. The current form and appearance of the building remains unchanged. The primary use remains that of a single residential property.
- No change in scale or character is proposed.

Potential of the Site

- The house is large enough for what is proposed.
- It is close to a commercial node, allowing residents to walk to a shop.

Economic and social Benefit

- The proposal provides an alternative form of accommodation for people that don't require a house, or who can't afford to rent a whole house.
- It offers an alternative to pensioners who no longer wants the responsibility of an own house, but wants to scale down.

14. CONCLUSION

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The proposed use will not detract from already existing uses in the surrounding neighbourhood. The proposed use is in line with general principles set by forward planning documents, providing accommodation that is more affordable, due to residents sharing facilities.

From the above it can be concluded that the application for:

- I. Consent use in terms of Section 16(2)(o) of the Overstrand Municipality By-Law on Municipal Land Use Planning for purposes of a residential building.
- II. Determination of an Administrative Penalty in terms of Section 90(3) of the By-Law of the Overstrand Municipality By-Law on municipal land use planning.

meets the criteria as set out in The Spatial Planning and Land Use Management Act (SPLUMA) and the Overstrand Municipal Land Use Planning Bylaw, is desirable and it is therefore recommended that the application for the proposal be supported by the relevant authorities and approved by the Overstrand Municipality.

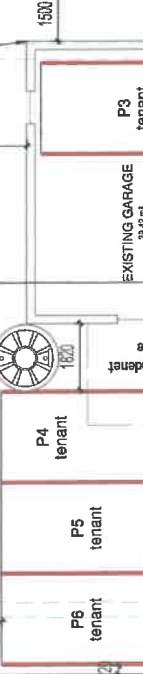
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Erf 515

Site Boundary 18.90 m

1.57m TD Building Line
2m Scheme Building Line



ERF 535
595 m²



1.57m TD Building Line
2m Scheme Building Line



ERF 534
595 m²



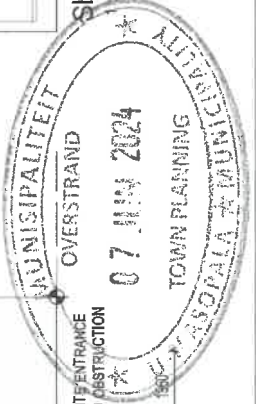
4.72m TD Building Line



Site Boundary 18.90 m

Site Entrance
NO CONSTRUCTION

58 STERLINGS STREET



SITE PLAN - ROOF PLAN

100

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LEGEND:

Red	New Brickwork
Yellow	New Thatchwork
Blue	New Steel Elements
Green	New Foundation/Concrete work
Black	Existing building/structure
Grey	Cancelled work
White	New Fire Protection Elements

GENERAL:

- ALL WORK TO COMPLY WITH NATIONAL BUILDING REGULATIONS.
- All dimensions and levels to be checked on site before any work commences.
 - This drawing is not to be scaled and only figured dimensions are to be used.
 - All work is to be carried out in accordance with local authority requirements.
 - All levels unless otherwise indicated are finished floor levels.
 - Finished floor levels are to be min. 150mm above N.G.L.
 - Any discrepancies are to be reported to the offices of the Architect.
 - All glazing is to comply with part N of the NBR.
 - Building to comply with National Building Regulations.
 - Structural work to comply with accordance to Erf's spaces & details.

SCHEDULE OF RIGHTS

PROPERTY DESCRIPTION
Erf Number: 535 Site Area: DE NELDERS
Erf size: 895m²

ZONING INFORMATION

Town Planning Scheme: OVERSTRAND
Use Zone: GENERAL RESIDENTIAL ZONE

DEVELOPMENT CONTROL MEASURES

Ground Floor : 172.82m²
Garages : 42.39m²
TOTAL Coverage : 215.21m²
 : 58.17%

The information provided above is hereby certified to be correct & precise

J.L.S GERIQUE Signature:
Name: 16 APRIL 2024 Plan No: 58/7B/24
Date:

PROJECT:
Proposed Alterations for Erf 535, De Nelders.

DESCRIPTION:
SITE PLAN - GROUND FLOOR & ROOF PLAN

SHEET FORMAT:
A2

OCCUPATION:
H4

SCALE:
As Indicated

DRAWING #: 58/7B/24

PAGE #: 1

DRAWING DATE: 2024/04/18 14:23:50

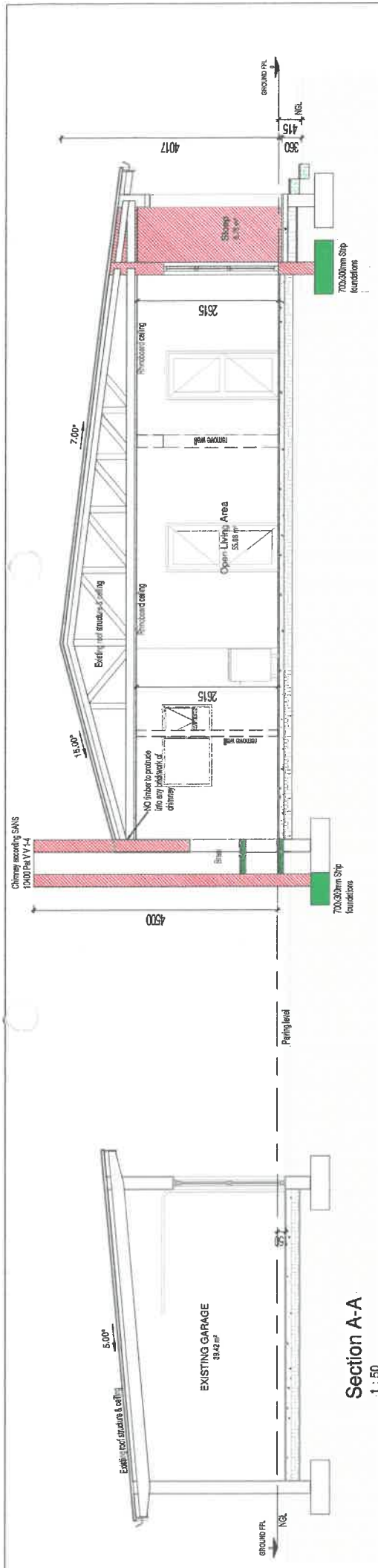
PLOT DATE: 14 APRIL 2024

DRAWN: Johan Gerique

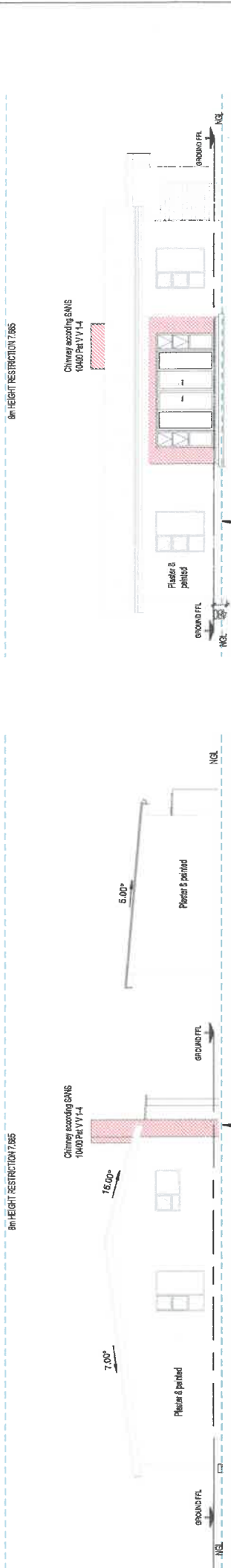
SIGNATURE: *Johan Gerique*

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SACAP : DB869 Prof Arch Draught



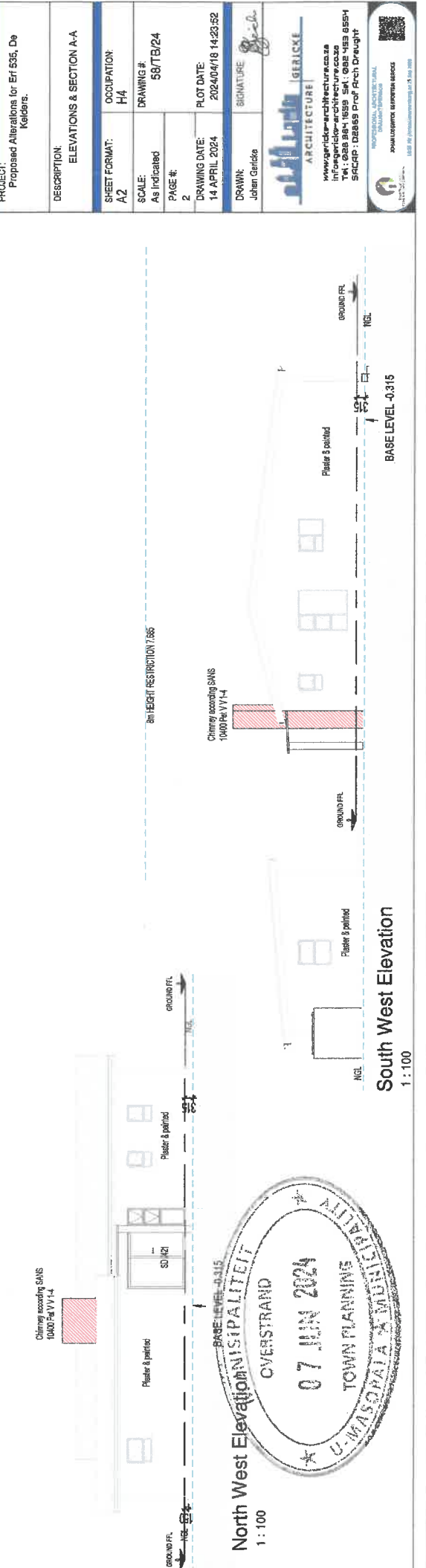


Section A-A
1 : 50



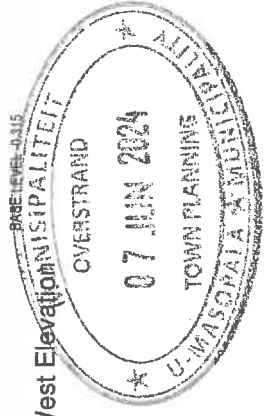
North East Elevation
1 : 100

South East Elevation
1 : 100



South West Elevation
1 : 100

PROJECT: Proposed Alterations for Erf 535, De Kelders.	
DESCRIPTION: ELEVATIONS & SECTION A-A	
SHEET FORMAT: A2	OCCUPATION: H4
SCALE: As Indicated	DRAWING #: 58/18/24
PAGE #: 2	PLOT DATE: 2024/04/18 14:23:52
DRAWN: John Gerlicke	SIGNATURE: <i>[Signature]</i>



North West Elevation
1 : 100