



ERF 6196, 54 FLAT STREET, EASTCLIFF, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF MEO BROWN

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

- ❖ **Departure** in terms of Section 16(2)(b) of the By-Law to:
 - relax the western side building line from 2m to 1.21m to accommodate the height extension to the existing exterior wall and new roof.

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) on or before **20 June 2025**, 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 6196, FLATSTRAAT 54, EASTCLIFF, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM AFWYKING : MNRE WRAP PROJECT OFFICE NAMENS MEO BROWN

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

- ❖ **Afwyking** ingevolge Artikel 16(2)(b) van die Verordening om:
 - die westelike syboullyn van 2m to 1.21m te verslap om die hoogteverlening aan die bestaande buitemuur en nuwe dak te akkommodeer.

Volle besonderhede rakende die voorstel is beskikbaar vir inspeksie gedurende woensdae 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) voor of op **20 Junie 2025**, 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 6196, 54 FLAT STREET, EASTCLIFF, HERMANUS, KAMASIPALA WASE-VERSTRAND: ISICELO UKUTENXA: MESSRS WRAP PROJECT OFFICE EGAMENI LIKA MEO BROWN

Isaziso sinikwe apha ngokweCandelo lama-48 loMthetho kaMasipala oLungisiweyo waseOverstrand kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 (uMthetho kaMasipala) wokuba isicelo sifunyenwe koku kulandelayo:

- ❖ **Ukutenxa ngokweCandelo le-16(2)(b) loMthetho kaMasipala ukuya:**
 - nciphisa umgca wesakhiwo wecala elingasentshona ukusuka kwi-2m ukuya kwi-1.21m ukulungiselela ukwandiswa kobude kudonga lwangaphandle olukhoyo kunye nophahla olutsha.

linkcukacha ezipheleleyo malunga nesindululo ziyafumaneka ukuze zihlolwe phakathi evekini phakathi kwe-08:00 kunye ne-16:30 kwiSebe: UCwangciso lweDolophu, ePaterson Street, eHermanus. Naziphi na izimvo ezibhaliweyo zinokungeniswa ngokungqinelana nezibonelelo zeCandelo 51 nelama-52 loMthetho kaMasipala oxeliweyo (16 Paterson Street, Hermanus / (e) alida@overstrand.gov.za) **20 ngoJuni 2025** okanye ngaphambi koko, ucaphula igama lakho, idilesi kunye neenkukacha zoqhagamshelwano, umdla kwisicelo kunye nezizathu zezimvo. Imibuzo yomnxeba inokwenziwa **kuMkwangcisi weDolophu, uMnu. P Roux** ngo-028-313 8900. UMasipala usenokwala ukwamkela izimvo azifumeneyo emva komhla wokuvala. Nawuphi na umntu ongakwaziyo ukufunda nokubhala angatyelela iSebe loCwangciso lweDolophu apho igosa likamasipala liya kubancedisa ukuze benze izimvo zabo zibe sesikweni.

1. Locality Plan Erf 6196 - Hermanus



Subject property

Plan prepared by: Veronica Jansen

Tel: 028 313 1411

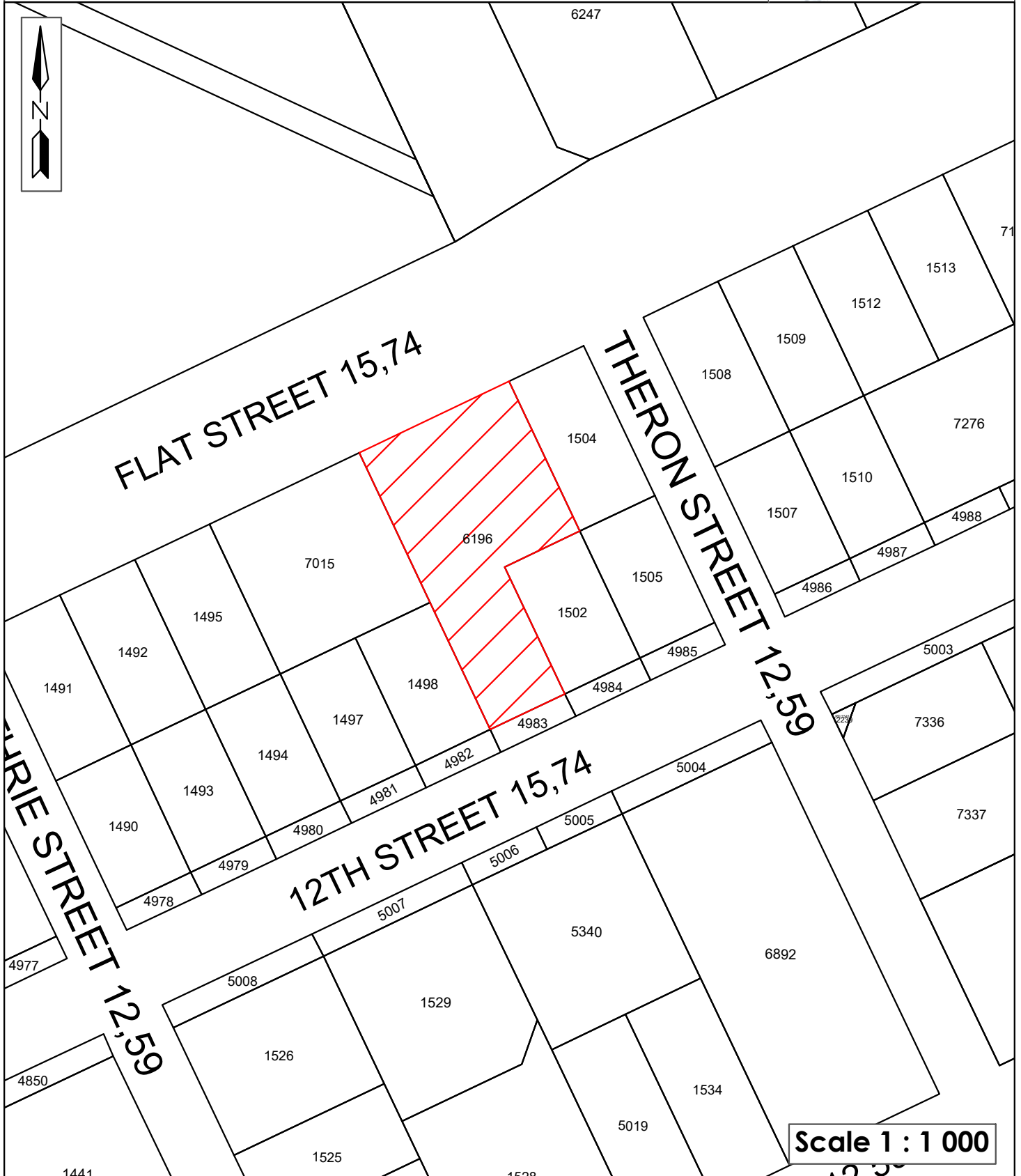
Email: admin@wrapgroup.co.za

Unit B, Standard House,
Corner of Royal and Dirkie Uys
Street Hermanus, 7200



Project Office

Town Planning & Project Management



Scale 1 : 1 000



1. ABBREVIATIONS

OM	Overstrand Municipality
OMLUS	Overstrand Municipality Land Use Scheme, 2020
BY-LAW	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020
PSDF	Western Cape Provincial Spatial Development Framework, 2014
MSDF	Overstrand Spatial Development Framework, 2020
SR1	Residential Zone 1: Single Residential

2. PROPERTY DETAILS

Consultant	WRAP Project Office
Erf Number	Erf 6196 Hermanus
Extent	1 413m ²
Zoning	Residential Zone 1: Single Residential

3. BACKGROUND AND INTENT

Erf 6196 Hermanus, hereafter referred to as the subject property, is located at 54 Flat Street, Eastcliff (refer to **Plan 1 - Locality Plan**). The owner appointed WRAP Project Office to submit a land use application on their behalf, refer to **Annexure A - Power of Attorney**.

The owner wishes to extend the height of the existing exterior wall and roof of their dwelling marginally in order to create a higher ceiling for their living room to make it more spacious. The existing house was originally approved within the 2m side building line up to 1,21m from the property boundary. As a rule, the Overstrand Municipality does not easily support building line departures for any habitable structures within the 2-meter side building line. Historically, however, structures were allowed up to 1,5m from the side boundary of the property, but in terms of the OMLUS, the building line is now 2m from the side boundary.

Therefore, the height extension of the exterior wall and roof necessitates a permanent departure from the western side building line. As a result, approval of the following applications is required:

- Permanent departure from the western side building line.

4. PROCEDURE TO ACHIEVE THE OWNERS' INTENT

WRAP compiled this report to ensure that the owner's requirements are met.

The following is proposed:

4.1 Permanent Departure from the 2m western side building line to 1,21m to allow the height extension of the existing exterior wall and roof.

The permanent departure from the 2m western side building line to 1.21m is a reasonable and justifiable request based on the historic location of the existing exterior wall and roof, the minimal impact on neighbouring properties, and the functional benefits to the homeowner.

The existing dwelling was originally approved within the 2m building line, with a portion extending up to 1.21m from the boundary. Given that past regulations allowed structures up to 1.5m from the boundary, this proposal is in line with the established built environment and does not introduce any new encroachments beyond the existing footprint.

The minimal extension of the exterior wall and roof height is necessary to improve the internal living space, allowing for a higher ceiling in the living room without altering the overall footprint of the building, refer to **Figure 1** below.

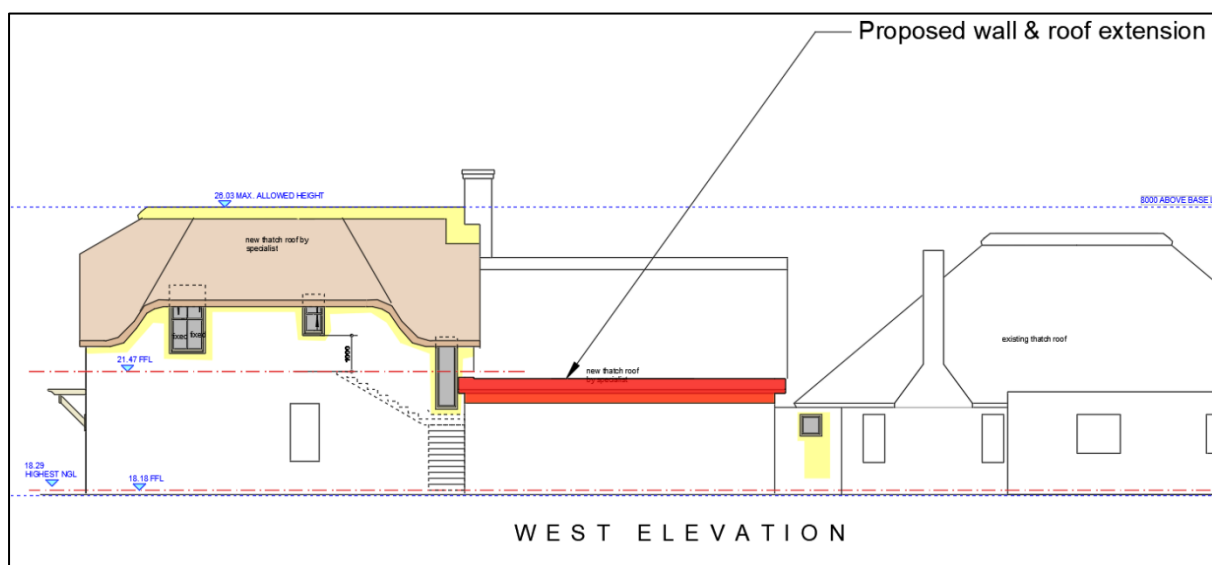


Figure 1: Encroachment of the proposed height extension of the existing exterior wall and roof

Higher ceilings create a sense of openness and spaciousness, making the living area feel more comfortable and visually appealing. This is particularly beneficial in residential design, as it improves the overall ambiance of the space. Higher ceilings contribute to better temperature regulation within the home. Hot air rises, creating a more comfortable living space at the occupant level, especially in warmer climates such as Hermanus.

Homes with higher ceilings often have a more modern and sophisticated design appeal which will contribute to the architectural character of the property. Furthermore, to the appeal of the proposal, higher ceilings provide more options for interior decor, including the possibility of statement lighting fixtures and exposed beams. This allows for a more dynamic and customizable living space for the owner.

This change enhances the functionality and comfort of the space while maintaining architectural consistency with the surrounding area. The extension does not negatively affect adjacent properties in terms of privacy, overshadowing, or access



MOTIVATION

to natural light, ensuring that the proposed departure remains compatible with the character of the neighbourhood.

Furthermore, the application adheres to sound spatial planning principles by promoting efficient land use without compromising the intent of the Overstrand Municipality's building regulations. The departure will not impact on municipal services, nor will it disrupt the streetscape or overall urban design of the area. Given these considerations, the application balances the homeowner's needs with the broader planning objectives of the municipality.

5. LAND USE ENVIRONMENT

The subject property is located in Eastcliff, an established residential area. The property is surrounded by other Residential Zone 1: Single Residential properties, a Private Open Space and Public Streets. The surrounding area's zonings are illustrated in **Plan 3 - Zoning Plan**.

6. TITLE DEED

Title deed T101552/1997 (refer to **Annexure B**) was perused and there is no restrictive condition that prohibits the proposal.

7. ZONING

The following zoning parameters were assessed in conjunction with the SR1 OMLUS zoning as this is a relevant consideration in terms of Section 66(1)(q) of the OM By-Law:

RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL			
	Parameters	Proposal	Comply/ deviate
Primary use	Crèche, Dwelling House , Guest Rooms, Home Occupation, Second Dwelling Unit and Self-Catering.	Dwelling House	Comply
Consent use	Day Care Centre, Green House, Guest House, House Shop, Institution, Place of Instruction, Place of Worship, Residential Building, and Intensive Horticulture.	N/A	N/A
Development parameters			
Coverage	The maximum coverage for all buildings on the land unit is determined in accordance with the net erf area: 400m ² and greater = 50%	32%	Comply



MOTIVATION

Building lines	(i) The street building line is determined in accordance with the net erf area: <ul style="list-style-type: none"> • 400 m² and greater = 4m (ii) The side and rear building lines are determined in accordance with the net erf area: <ul style="list-style-type: none"> • Greater than 400 m² = 2m 	(i) The street building line is being adhered to. (ii) Permanent departure from the 2m western side building line to 1,21m to allow the height extension of an existing exterior wall and roof.	Deviate, motivated and applied for.
Height	The maximum height of a building, measured from the base level to the top of the structure, is 8,0 m.	The existing dwelling adheres to the 8,0m height restriction.	Comply
Garages and carports	Garages and carports may be constructed within building lines in accordance with Chapter 16.1.2.	There is an existing garage with additional parking options on the property.	Comply

8. SERVICES

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA and is herewith illustrated.

Electricity, Water, Sewage and Solid Waste

The subject property is connected to the existing networks in the area, which include electricity, water and sewage. The proposal of this application is not anticipated to have an impact on the existing services.

Solid waste is collected every week by the OM.

Access and Egress

Access and egress to the property is gained from Flat Street.

9. NEED AND DESIRABILITY

The need and desirability of the approval and implementation of this proposal in accordance with Section 66(1)(c) of the OM By-Law may be illustrated as follow:

Need and desirability.

The need for the land use application was a result of addressing all the land use requirements and ensuring the property meets the requirements of the owner. To achieve this, the owner is required to apply for a permanent departure from the western side building line.



Socio-economic impact	The permanent departure is not predicted to have a socio-economic impact.
Compatibility with surrounding uses	The proposal is to ensure the property complies with the OMLUS. It is not predicted that the proposal is out of line with the surrounding area as it will still be used for residential purposes.
Impact on the external engineering services	Refer to <i>Section 8</i> of this report.
Impact on safety, health and wellbeing of the surrounding community	It is not predicted that the proposal will have an impact on safety, health, and wellbeing of the surrounding community.
Impact on heritage	The subject property is not listed in the OM Heritage Register.
Impact on the biophysical environment	It is not predicted that the proposal will have an impact on the biophysical environment.
Traffic impacts, parking, access and other transport related considerations	The proposal will not have an impact on traffic, parking or access.

Impact on views, sunlight and character of the area

The subject property is located in a residential setting and the dwelling is existing. The area is surrounded by large trees and the proposed marginal height extension of the existing exterior wall and roof is not predicted to affect any surrounding property owners as the height of the dwelling still adheres to the maximum height of 8 meters.

Economic impact

The proposal is not expected to have a long-term economic impact, but a short-term economic impact may occur when the building work is being done.

Opportunity cost

An opportunity cost in the context of land use planning refers to a development proposal that leads to the devaluation or foregoing of valued land use rights of interested and affected parties when an application is approved. The proposal is not predicted to have a negative impact on surrounding properties.

Environmental impact

The subject property is located within an environmentally important area, refer to *Section 10* below.

10. POLICIES AND REGULATIONS

10.1 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The subject property is located within the 'Route of Regional Scenic Significance' HPOZ.

Scenic Route

The subject property is located along the Main Road running through Hermanus, which is identified as a 'Route of Regional Scenic Significance'. The property owner acknowledges the significance of the route and the proposal to extend the height of



an existing exterior wall and roof on the side of the property, however, is not expected to have an impact on the scenic route.

10.2 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The subject property is not located within the EMOZ.

10.3 Spatial Planning Policies

This proposal is not in conflict with any provisions of the Western Cape Provincial Spatial Development Framework, 2014 or the Overstrand Spatial Development Framework, 2020.

11. PLANNING PRINCIPLES

Chapter 2 of SPLUMA contains 5 uncompromisable planning principles by which each development application must be guided by. Policy proposals in SPLUMA which are pertinent to this proposal are recorded below:

Spatial justice

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. This proposal to marginally extend the height of an existing exterior wall and roof to create a more spacious living room area, is not predicted to influence past spatial injustices.

Spatial sustainability

Spatial sustainability refers to planning proposals which result in communities that are viable. The proposed departure intends to ensure the subject property is utilised to its maximum capabilities.

Efficiency

This proposal is intended to maximise the usage of the subject property.

Spatial resilience

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience.

Good administration

The OM has a credible track record of good administration regarding the method of public participation. Public participation forms an integral part of the land use planning process.

The public participation process provides people who may be affected by the proposal with an opportunity to provide comment and to raise issues of concern about the proposal or make possible suggestions that may result in an enhanced outcome of which both parties benefit. Comments will be reviewed and considered after which it will be addressed accordingly.



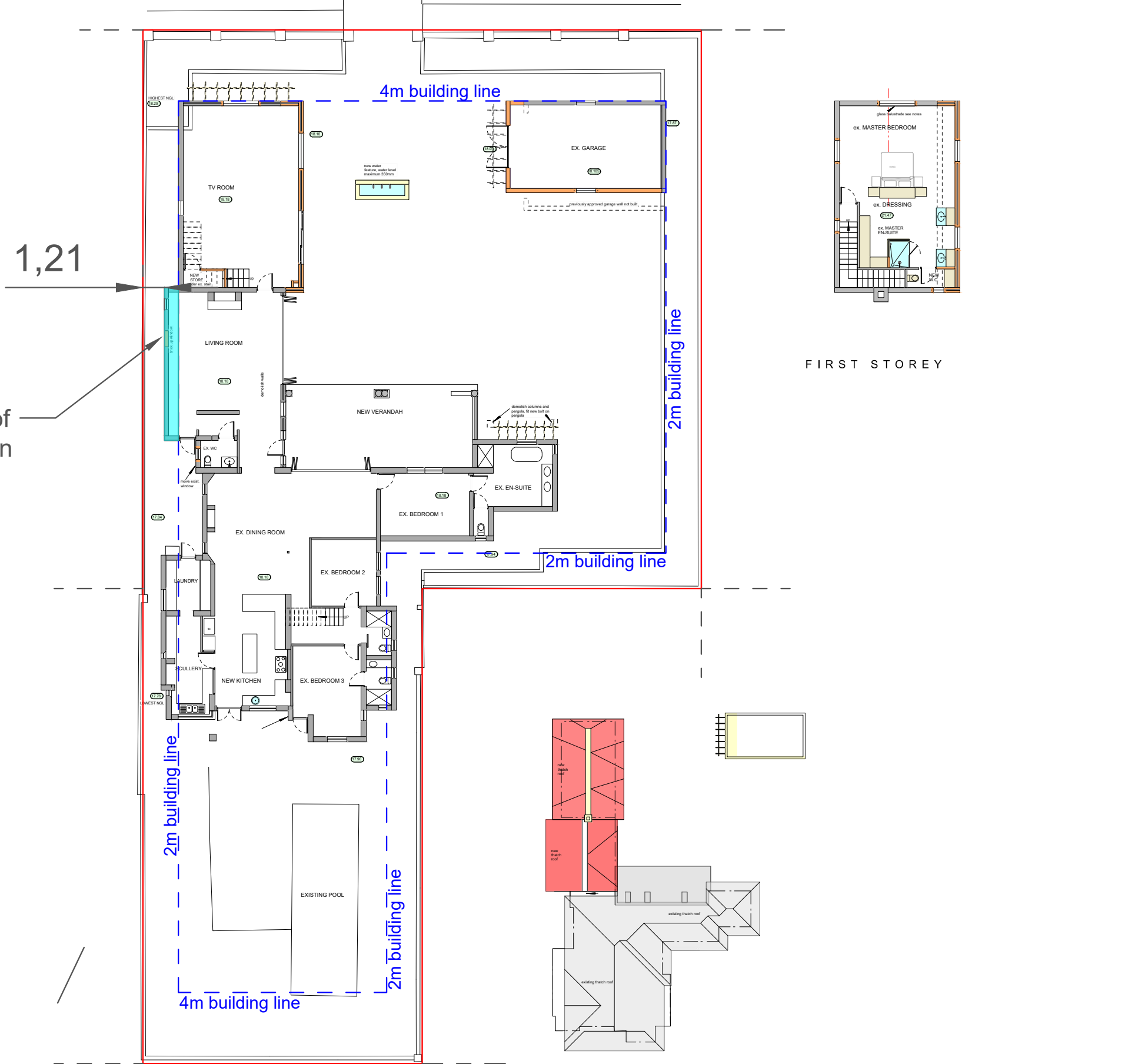
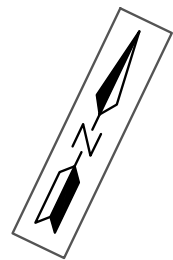
12. EVALUATION

The purpose of submitting this application is to enable the owner to marginally extend the height of an existing exterior wall and roof to create a more spacious living room area. The permanent departure of the side building line is only required due to the existing house historically built in its current position. The proposal adheres to sound spatial planning principles by promoting efficient land use without compromising the intent of the Overstrand Municipality's building regulations.

13. RECOMMENDATION

Based on the abovementioned motivation, it is recommended that the following be approved:

- 13.1 Permanent Departure** from the 2m western side building line to 1,21m to allow the height extension of the existing exterior wall and roof in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



Proposed wall & roof extension

1,21

4m building line

2m building line

2m building line

2m building line

2m building line

4m building line

FIRST STOREY

ROOF PLAN 1:200

SCALE 1 : 250

4.1 Departure Plan Erf 6196 Hermanus

Permanent departure from the **2m** western side building line to **1,21m** to allow the height extension of the existing exterior wall & roof.

Plan prepared by: Veronica Jansen on 10/04/2025
Based on plans from HCGArchitect

Plan Number - 25/033 (002)

All distances are approximate
and subject to a survey

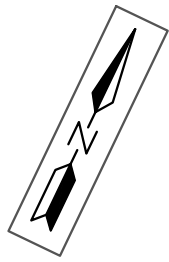
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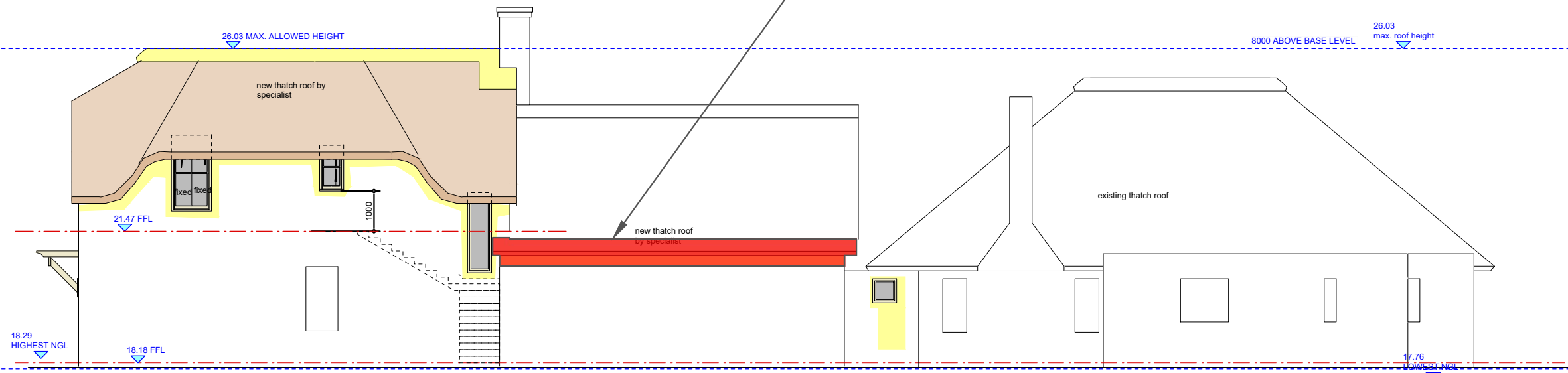
Project Office
Town Planning & Project Management



4.2 Departure Plan
Erf 6196 Hermanus

Permanent departure from the **2m** western side building line to **1,21m** to allow the height extension of the existing exterior wall & roof.

Proposed wall & roof extension



WEST ELEVATION

Plan prepared by: Veronica Jansen on 10/04/2025
Based on plans from HCGArchitect

Plan Number - 25/033 (002)

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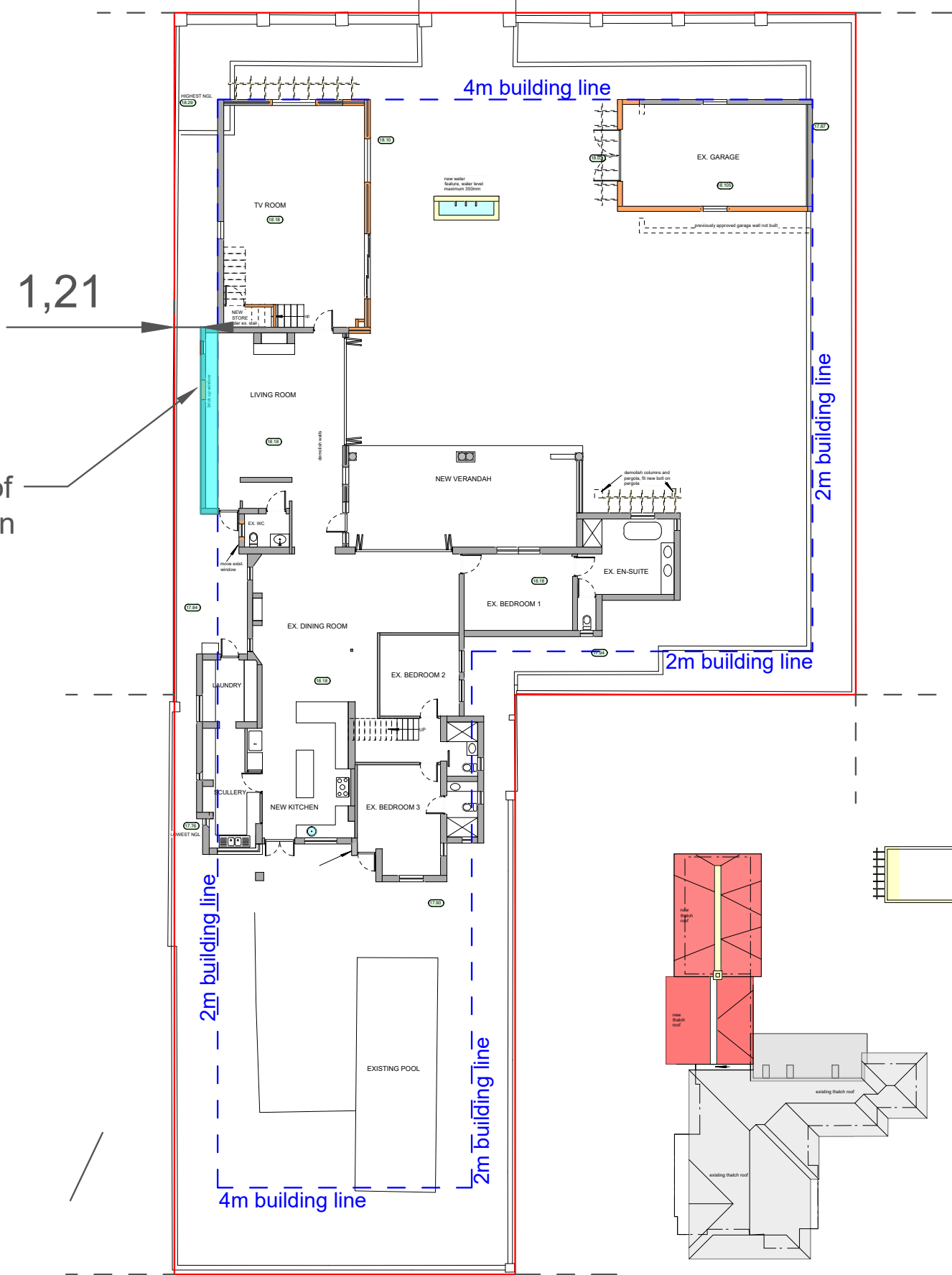
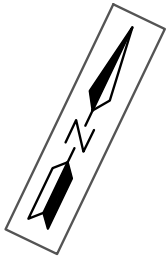
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SCALE 1 : 125



Project Office
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Proposed wall & roof extension

1,21

4m building line

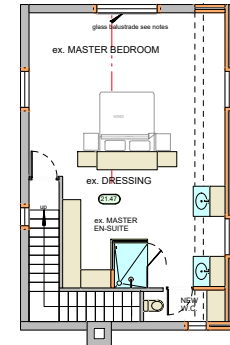
2m building line

2m building line

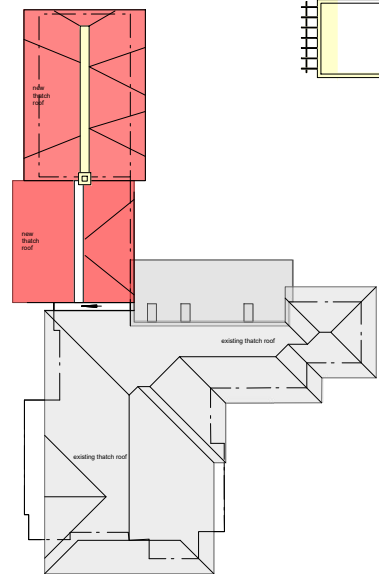
2m building line

2m building line

4m building line



FIRST STOREY



ROOF PLAN 1:200

SCALE 1 : 250

4.1 Departure Plan Erf 6196 Hermanus

Permanent departure from the **2m** western side building line to **1,21m** to allow the height extension of the existing exterior wall & roof.

Plan prepared by: Veronica Jansen on 10/04/2025
Based on plans from HCGArchitect

Plan Number - 25/033 (002)

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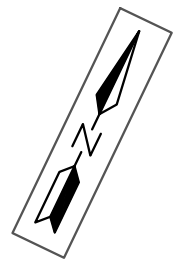
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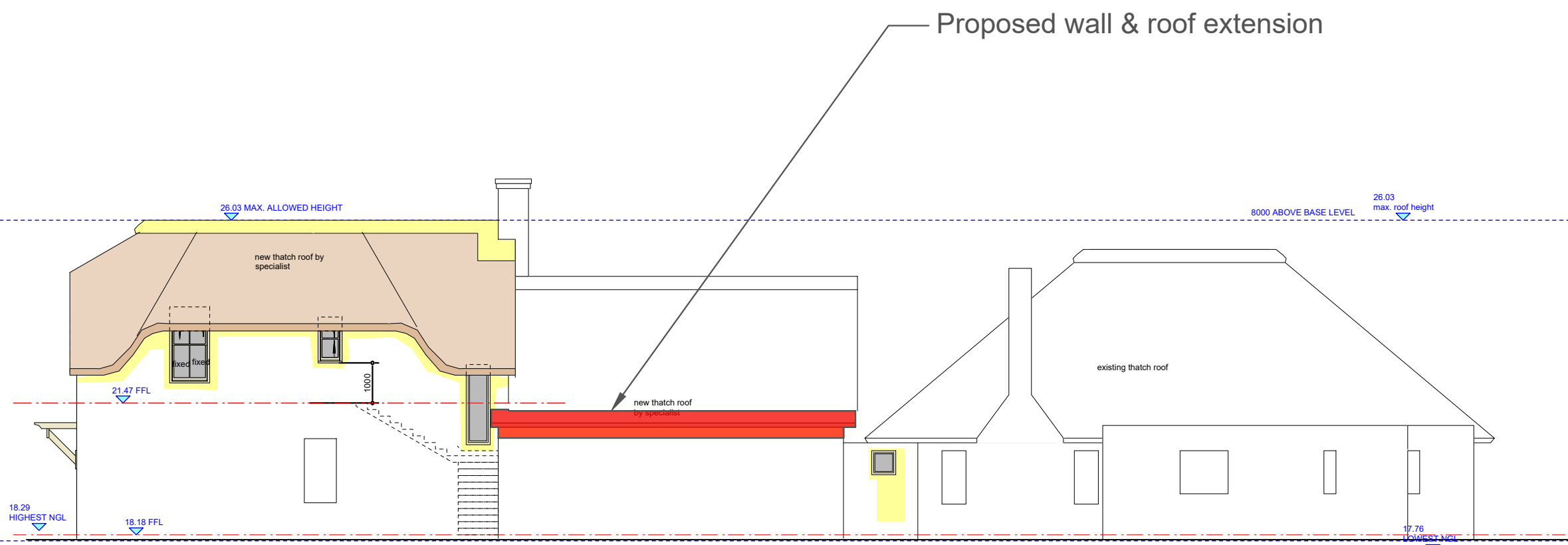


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Town Planning & Project Management



4.2 Departure Plan Erf 6196 Hermanus

Permanent departure from the **2m** western side building line to **1,21m** to allow the height extension of the existing exterior wall & roof.



WEST ELEVATION

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SCALE 1 : 125



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