



## **ERF 737, 44 MALMOK CRESCENT, VERMONT: APPLICATION FOR DEPARTURE: CJ ROUX ON BEHALF OF ESTATE LATE PJ ROUX**

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 that an application has been received for a **departure** in terms of Section 16(2)(b) to relax the eastern lateral building line from 2m to approximately 1,66m to accommodate a portion of the proposed new pergola, and the change of use of the existing store room to a proposed new on-suite bathroom and the existing entrance porch to a proposed new store room.

Full 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. 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 / (f) 0283132093 / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) on or before **30 August 2024**, quoting your name, address and contact details, interest in the application and reasons for comments. Telephonic enquiries can be made to **Mr. H Olivier** 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 737, MALMOKSINGEL 44, VERMONT: AANSOEK OM AFWYKING: CJ ROUX NAMENS BOEDEL WYLE PJ ROUX**

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek om **afwyking** ingevolge Artikel 16(2)(b) ontvang is om die oostelike syboullyn vanaf 2m tot ongeveer 1,66m te verslap om 'n gedeelte van die voorgestelde nuwe prieël te akkommodeer, en om die gebruiksveranderinge van die bestaande stoorkamer na 'n voorgestelde nuwe en-suite badkamer en die bestaande ingangspoortaal na 'n voorgestelde nuwe stoorkamer 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 / (f) 0283132093 / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) voor of op **30 Augustus 2024**, met die naam, adres en kontakbesonderhede, belang in die aansoek sowel as redes vir die kommentaar aangedui. Telefoniese navrae kan gerig word aan **Mnr. H Olivier** at 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.

## **U-ERF 737, 44 MALMOK CRESCENT, VERMONT: ISICELO SOPHAMBUKO: CJ ROUX EGAMENI LALOWO UNGASEKHOYO, U- PJ ROUX**

Isaziso sinikezelwa ngokwemiqathango yeCandelo 48 loMthetho kaMasipala oLungisiweyo woMasipala wase-Overstrand ongoCwangciso lokuSetyenziswa koMhlaba kaMasipala, 2020 sokokuba isicelo sifunyenwe **sophambuko** ngokwemiqathango yeCandelo 16(2)(b) ukunyenya umgca wesakhiwo kwicala elise mpuma ukusuka kwii-mitha ezi 2m ukuqikelela kwii-mitha eziyi 1,66m, ukulungiselela ubungakanani be-pergola entsha ecetywayo, kwakunye notshintsho losetyenziso lwe gumbi logcino esele lukhona ukuba libe kwigumbi lokuhlambela elitsha elicetywayo, kwakunye ne potshi ekhoyo yokungena kwi gumbi elitsha lokugcina elicetywayo.

linkcukacha ezipheleleyo malunga nesi sindululo ziyafumaneka ngeentsuku zomsebenzi phakathi kweyure-08:00 ne-16:30 kwiSebe: loCwangciso lweDolophu, Paterson Street, eHermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho kaMasipala mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)) ngomhla okanye ngaphambi komhla **30 Agasti 2024**, unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umnxeba **kuMnu H Olivier** kule nombolo yomnxeba 028-313 8900. UMasipala angala ukuzamkela izimvo ezifike emva komhla wokuvalela. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhale izimvo zakhe.



ERF 737 VERMONT, HERMANUS  
APPLICATION FOR RELAXATION OF  
EASTERN BUILDING LINE



---

APPLICANT: CJ ROUX

## Table of Contents

1. Property & general details .....	3
2. Background .....	3
3. Proposed application .....	5
4. Desirability.....	6
5. Character of the environment	7
6. Other legislation requirement	7
7. Forward Planning Documentation .....	7
8. Planning Principles .....	8
9. Conclusion .....	8

## ANNEXURES

Annexure A: Power of Attorney.

Annexure B: Site Development Plan.

Annexure C: Title deed.

## 1. Property & general details

Erf Number	Erf 737, Vermont, Hermanus
Property Owner	Overstrand Municipality
Title Deeds	T41868/1986
Erf Size	761m <sup>2</sup>
Zoning	Residential Zone 1: Single Residential
Site Access	44 Malmok Crescent

## 2. Background

Erf 737, Vermont (44 Malmok Crescent) is developed with a three-bedroom dwelling and auxiliary double garage, the building is single storey and is historically developed 1.66m away from the eastern building line. The dwelling is developed as per building plan dated 1983. The property is situated in a residential suburb of Hermanus and is surrounded by similar zoned erven and uses, which mainly consists of dwelling houses.

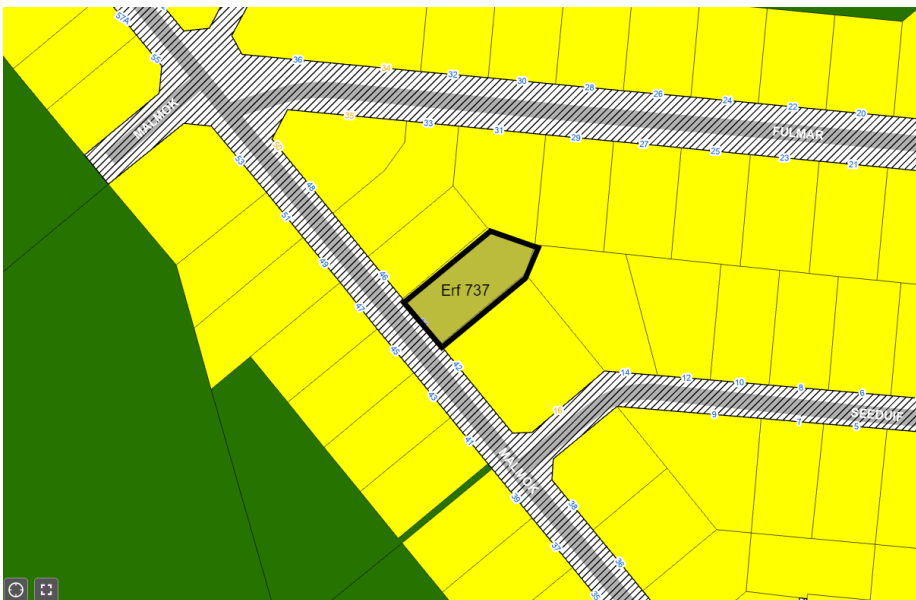
The property belonged to the late PJ Roux who passed away in December 2020. I, CJ Roux (Kobus), am to inherit the property and seek to renovate it in order to maximise the potential of the property and to increase the living comfort of the existing occupants. The house being over 40 years old, was designed as a holiday home with small rooms and few amenities, the renovations applicable to this application is over the 2m eastern lateral building line (west of erf 2080). The renovations proposed will incorporate the following:

- The addition of a northern facing pergola,
- Change of use of the existing storeroom to an en-suite for the main bedroom, and
- The enclosure of a small entrance stoep in order to become a small storeroom.

Map 1 : Locality map:



Map 2 : Zoning Map:



### 3. Proposed application

The applicant's intention will be motivated in conjunction with the design proposal below.

Figure 1: Internal layout of eastern section of the dwelling and application area (marked in red)

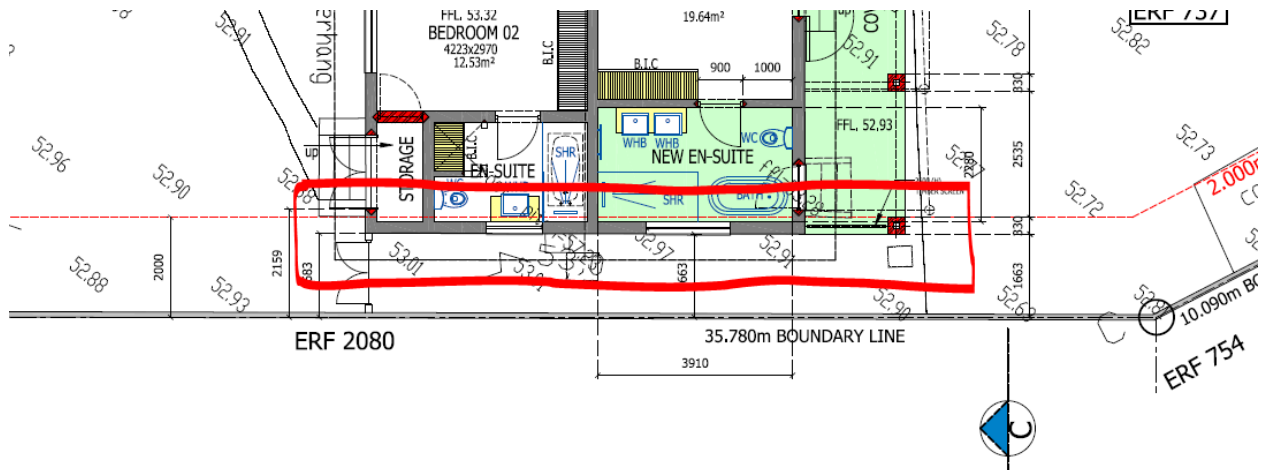
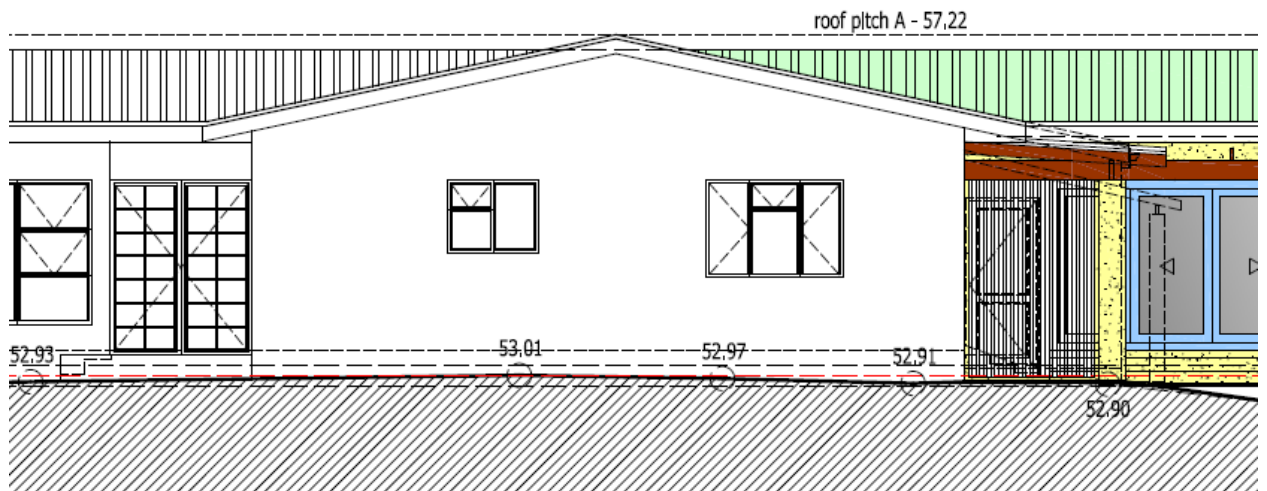


Figure 2: External elevation of eastern section of the dwelling ( existing windows to be replaced with obscured glass)



The following applications are being applied for in terms Section 16 (2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020:

- Relaxation of the eastern lateral building line from 2m to approximately 1.66m in order to allow for the change of use of the storeroom to ensuite, the accommodation of a portion of the proposed pergola and the change of use of entrance porch to storeroom.

#### **4. Desirability**

All the proposed encroachments will be approximately 0.34m over the 2m building line which will be little more than the width of the outer wall of the existing dwelling, refer to figure 1.

A small section of the proposed pergola will be situated over the lateral building line, in fact it will mainly consist of the supporting pillar and a portion of the wooden framework. This structure is a minor structure which will not lead to the privacy of the adjacent property owners to be affected. The intent of the pergola is to provide an aesthetic appearance to the proposed outdoor stoep area.

The existing storeroom is a relatively large room which still houses some of the house's old furniture. Given the size of the storeroom the space is severely underutilised, and it is intended to alter the use of the storeroom into that of an en-suite for the main bedroom. The existing bathroom (in the centre of the house) has severely outdated amenities which is shared by the guests and the family members. The addition of the en-suite will greatly improve the living standards for the current tenants and add value to the structure. The existing east facing window and northern facing door, will be replaced with obscured bathroom windows which opens upward. This will also allow for the privacy of the adjacent property owners to be maintained.

On the building plans dated 1983 the one bedroom (bedroom no 03 on the proposed plans) is not interleading with the dwelling. This bedroom was developed with a small stoep/covered entrance and ensuite, as it was intended to be used separately from the dwelling. Some years later my father made the room interleading with the main dwelling and I recently replaced the bedroom window (southward facing and not over building lines) with a sliding door in order to make better use of the garden views. The existing small stoep/covered entrance which used to provide access to bedroom no 3, does not have a function anymore and it is proposed to change it to a small storage room for household goods.

The only neighbouring property affected by the proposed developments are the owners of Erf 2080, the application was discussed with the property owner prior to the submission of the application.

Although the changes to the dwelling could be considered minor, the value added to the property and the occupants is of great significance. The proposal could be considered desirable as it will add value to the existing property whilst being of no negative impact towards the adjacent property owners.

## **5. Character of the environment**

Erf 737 is situated in Malmok Crescent which runs through a residential suburb known as Vermont. The surrounding erven are zoned as Residential Zone 1: Single Residential and the uses proposed by this application are fitting to the primary use of the zoning, refer to Map 1 and 2. Considering this the character of the area will be maintained.

## **6. Other legislation requirement**

### Impact on engineering services

The property is already serviced, and no additional services will be required, access via Malmok Crescent will remain unchanged.

### Impact on heritage

The site is not located in the Heritage Protection Overlay Zone and not older than 60 years, the proposal will therefore would not have an impact on any heritage aspects.

### Impact on the biophysical environment

The site is not located in the Environmental Management Overlay Zone and therefore would not have an impact on the environmental aspects.

## **7. Forward Planning Documentation**

The application complies in terms of the Overstrand Municipal Wide Spatial Development Framework, 2020 in the following aspects:

- the application areas are situated within the urban edge and
- application will not alter the primary use of the property or add additional densities.

The proposed applicant remains consistent with existing planning policies applicable to the study area.

## **8. Planning Principles**

The desirability of the application is further based on spatial planning, land development and land use management principles as described in Section 7 of the Spatial Planning Land Use Management Act, 2013, as follows:

### The principle of spatial justice

The subject property is an existing property in Hermanus and therefore it does not apply to this principle.

### The principle of spatial sustainability

The proposal does not have an impact on environmentally sensitive or historically sensitive areas. The existing dwelling will be more fully optimised, thereby making the development more sustainable as existing materials will be used and the dwelling improved.

### The principle of efficiency

No urban sprawl will be promoted and the existing layout and functioning of the existing house will be enhanced.

### The principle of spatial resilience

The subject property is located in an area which is governed by strategic frameworks.

### The principle of good administration

The application will follow the required planning procedures to ensure that land use activity is in line with Municipal By-Laws and the community's need.

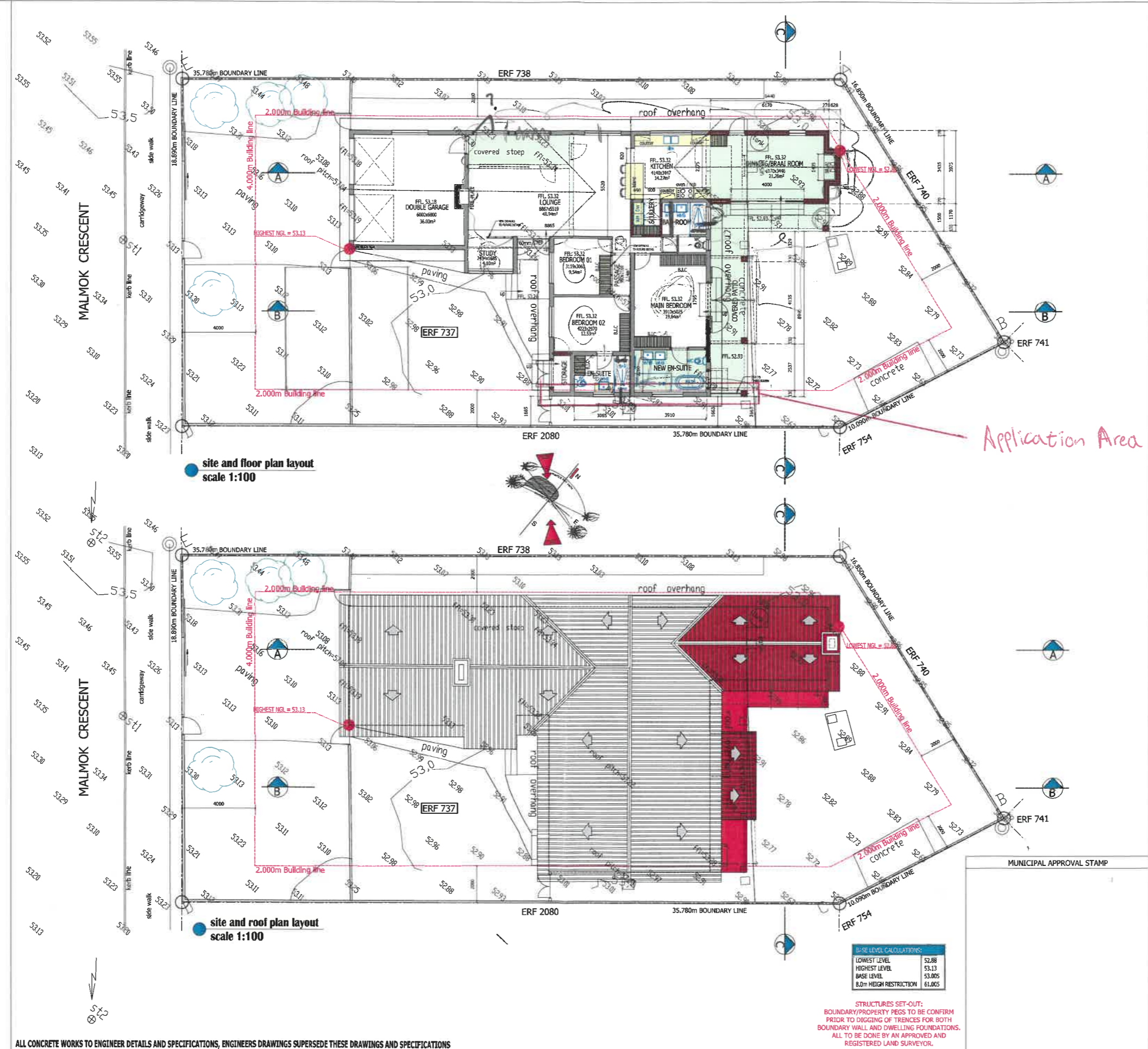
## **9. Conclusion**

The approval of this proposal will be an asset to the property owner and add value to the current occupant/owner and neighbourhood. The dwelling will be more optimally developed and current structure will be retained as opposed to demolishing it.

The site already has existing services and is easily accessible. The proposal is in line with the character of the surrounding area and will not negatively impact the character. The proposal is in line with the Overstrand Municipality forward planning policies. The application complies with the General Principles in terms of LUPA and SPLUMA.

Considering the above, it is trusted that the application could be considered desirable by the Municipality and may be supported.

**CONSTRUCTION NOTES:**



● site and floor plan layout scale 1:100

● site and roof plan layout scale 1:100

± 00 LEVEL CALCULATIONS:	
LOWEST LEVEL	52.88
HIGHEST LEVEL	53.13
BASE LEVEL	53.005
8.0m HEIGHT RESTRICTION	61.005

STRUCTURES SET-OUT:  
BOUNDARY/PROPERTY PEGS TO BE CONFIRM  
PRIOR TO DIGGING OF TRENCHES FOR BOTH  
BOUNDARY WALL AND DWELLING FOUNDATIONS.  
ALL TO BE DONE BY AN APPROVED AND  
REGISTERED LAND SURVEYOR.

ALL CONCRETE WORKS TO ENGINEER DETAILS AND SPECIFICATIONS, ENGINEERS DRAWINGS SUPERSEDE THESE DRAWINGS AND SPECIFICATIONS

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 COPYRIGHT THEREOF IS RESERVED BY THEM.

VARIATIONS:		
REV NO.	DATE:	DESCRIPTION:
00	XX-XX-XXXX	XXXXXXXXXXXXXXXX

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

ZONE APPLICABLE:	
SINGLE RESIDENTIAL (SR1)	<input 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 / CAZ / and SAIA  
15 Smith Street, 1st Floor, Sandown, Durban  
D Swart 072 654 1778  
Mall Collection 124, Michel & Annes Estate, Howlands, 7260

PROJECT NAME:  
**HOUSE ROUX**  
ERF 737  
MALMOK CRESCENT  
VERMONT  
7200

MUNICIPAL APPROVAL STAMP

DWG TITLE:  
**SITE AND FLOOR PLAN LAYOUT/ROOF PLAN LAYOUT**  
DATE:  
24-05-2021

DRAWN BY:  
D SWART  
CHECKED BY:  
D SWART SACAP REG.

DRAWING SCALE  
AS SHOWN

DRAWING NO. 1 0390/A1/02  
REV NO. 0