

ERF 2225, 58 TENTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR DEPARTURE: MESSRS WRAP PROJECT OFFICE ON BEHALF OF ANFA TRUST

Notice is hereby given in terms of Section 48 of the Overstrand Municipality Amended 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:

- accommodate three (3) storeys in lieu of two (2) storeys within the 8m permissible height restriction;
- relax the rear building line from 3m to 0m, to accommodate three (3) garages on the ground floor; and
- relax the eastern- and western lateral building line from 3m to 2m, to accommodate four (4) flats on the first and second floor.

Full details regarding the proposal are available for inspection during weekdays between 08:00 and 16:30 at the Department: Town Planning, 16 Paterson Street, Hermanus. Any written comments must be submitted in accordance with the provisions of Sections 51 and 52 of the said By-Law and reach the Municipality (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) on or before **Friday, 15 December 2023**, quoting your name, address and contact details, interest in the application and the reasons for comment. Telephonic enquiries can be made to **Mr P Roux** at 028-313 8900. The Municipality may refuse to accept comments received after the closing date. Any person who cannot read or write may visit the Town Planning Department where a municipal official will assist them in order to formalize their comment.

ERF 2225, TIENDESTRAAT 58, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: AANSOEK OM AFWYKING: MNRE WRAP PROJECT OFFICE NAMENS ANFA TRUST

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:

- drie (3) verdiepings in plaas van twee (2) binne die 8m toelaatbare hoogtebeperking te akkommodeer;
- die agterboulyn vanaf 3m na 0m te verslap, om drie (3) motorhuise op die grondvloer te akkommodeer; en
- die oostelike- en westelike lateraleboulyn vanaf 3m na 2m te verslap, om vier (4) woonstelle op die eerste en tweede vloer 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 ingevolge die bepalings van Artikels 51 en 52 van die Verordening en die Munisipaliteit (Patersonstraat 16, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) bereik voor of op **Vrydag, 15 Desember 2023**, met u naam, adres en kontakbesonderhede, belang in die aansoek sowel as die redes vir kommentaar. Telefoniese navrae kan gerig word aan **Mnr P Roux** by 028-313 8900. Die Munisipaliteit mag weier om die kommentaar te aanvaar na die sluitingsdatum. Enige persoon wat nie kan lees of skryf nie kan die Departement Stadsbeplanning besoek waar hul deur 'n munisipale amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

ISIZA 2225, 58 TENTH STREET, VOËLKLIP, HERMANUS, KUMASIPALA WASE-OVERSTRAND: ISICELO UKWAHLUKA: WRAP PROJECT OFFICE EGAMENI LIKA ANFA TRUST

Isaziso siyanikezelwa ngokweCandelo lama-48 loMthetho kaMasipala kaMasipala waseOverstrand kuCwangciso lokuSetyenziswa koMhlaba kaMasipala, ka-2020 (uMthetho kaMasipala) sokuba isicelo sifunyenwe soku kulandelayo:

Ukutenxa ngokuhambelana malunga Candelo 16(2)(b) malunga noku kulandelayo:

- thatha imigangatho emithathu (3) endaweni yemigangatho emibini (2) phakathi komlinganiselo wobude obuvumelekileyo obusisi-8m;
- khulula umda wesakhiwo ongasemva ukusuka kwi-3m ukuya ku-0m, ukuze kuhlaliswe iigaraji ezintathu (3) kumgangatho ophantsi; kwaye
- khulula umda wesakhiwo osecaleni ongasempuma kunye nasentshona ukusuka kwisi-3m ukuya kwi-2m, ukuze kuhlaliswe iiflethi ezine (4) kumgangatho wokuqala nowesibini.

Inkcukacha mayela nesindululo siyafumaneka ukuze sihlolwe phakathi evekini ngamaxesha omsebenzi ukusuka kwintsimbi ye08:00 ukuya kweye16:30 kwiSebe: Izicwangciso Zedolophu kwanombolo 16 Paterson Street, eHermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelo zamaCandelo 51 nelama-52 alo Mthetho uYilwayo yaye mazithunyelwe kuMasipala (16 Paterson Street, Hermanus / (f) 0283132093 / (e) alida@overstrand.gov.za) ngomhla okanye ngaphambi wama-**Ulwesihlanu, 15 Eyomnga 2023** unike igama lakho, idilesi neenkukacha zonxibelelwano nawe, umdla wakho kwesi sicelo nezizathu zokunika izimvo. Xa ufuna ukubuza into malunga nesi saziso ungatsalela umnxeba Umcwangcisi **Wedolophu uMnu. P Roux** kule nombolo 028-313 8900. Umasipala angala ukuzamkela izimvo ezifike emva komhla wokuvalwa. Nabani na ongakwaziyo ukufunda okanye ukubhala makaye kwiSebe loYilo lweDolophu apho igosa likamasipala liya kumncedisa azibhalezimvo zakhe.

1. Locality Plan Remainder of Erf 2225 - Hermanus

Plan prepared by: Thian 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





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
B3	Business Zone 3: Local Business

2. PROPERTY DETAILS

Consultant	WRAP Project Office
Erf Number	Remainder of Erf 2225 Hermanus
Extent	495m ²
Zoning	Business Zone 3: Local Business

3. BACKGROUND AND INTENT

The subject property, the Remainder of Erf 2225 Hermanus, is located in Tenth Street, Voëlklip, refer **Plan 1 - Locality Plan**. WRAP Project Office was appointed to submit this land use application.

The subject property is zoned Business Zone 3: Local Business which aligns with the proposed development. The property is rather unique as it is one of a few with business zoning located within the predominant residential area of Voëlklip. The proposal is to utilise the property as mixed use site, where there would be office space on the ground floor together with four flats above the ground floor, the proposal aligns with the primary right of the current zoning of the property. The proposal is to apply for a departure from the permissible number of storeys allowed within the height parameters allowed in terms of the Overstrand Municipality Land Use Scheme, 2020 (OMLUS).

The proposed three-storey building will be utilised as follows:

Ground Floor	The ground floor will contain approximately 48m ² office space, which will be connected to a staircase leading to the floors above. Furthermore, the development's parking will be accommodated on the ground floor.
First Floor	The first floor will comprise of two residential units, each containing three bedrooms and two/three bathrooms. These units are connected by walkways and stairs that lead to the proposed second floor (third storey).
Second Floor	The second floor (third storey) is also intended to include two three-bedroom units. The roof will be flat, and its height will remain below the permissible limit of 8.5 meters.





MOTIVATION

The proposal is not to increase the allowable height of the property however only to allow three floors instead of the permissible two within the same height parameter of 8,5m. The property is currently improved with a small commercial office space used by Greeff Properties. The proposal is that the structure be demolished and be replaced by the proposed development.

To ensure compliance with the OMLUS, approval of the following applications is required:

- Permanent Departure from the maximum number of storeys; and
- Permanent Departure from the building lines.

4. PROCEDURE TO ACHIEVE THE PROPERTY OWNER'S INTENT

WRAP compiled this report to ensure the property owner's intentions are met. The following is proposed:

4.1 Permanent Departure from the maximum number of storeys from two to three in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

As mentioned in section 3 above, the proposal is to allow the owners to be able to improve the property with a structure with three storeys instead of the permissible two within the allowable height. The intent is to demolish the small existing structure and improve the property with a mixed-use development that will add value to the surrounding area while being able to maximise the use of the property within the allowable height parameters.

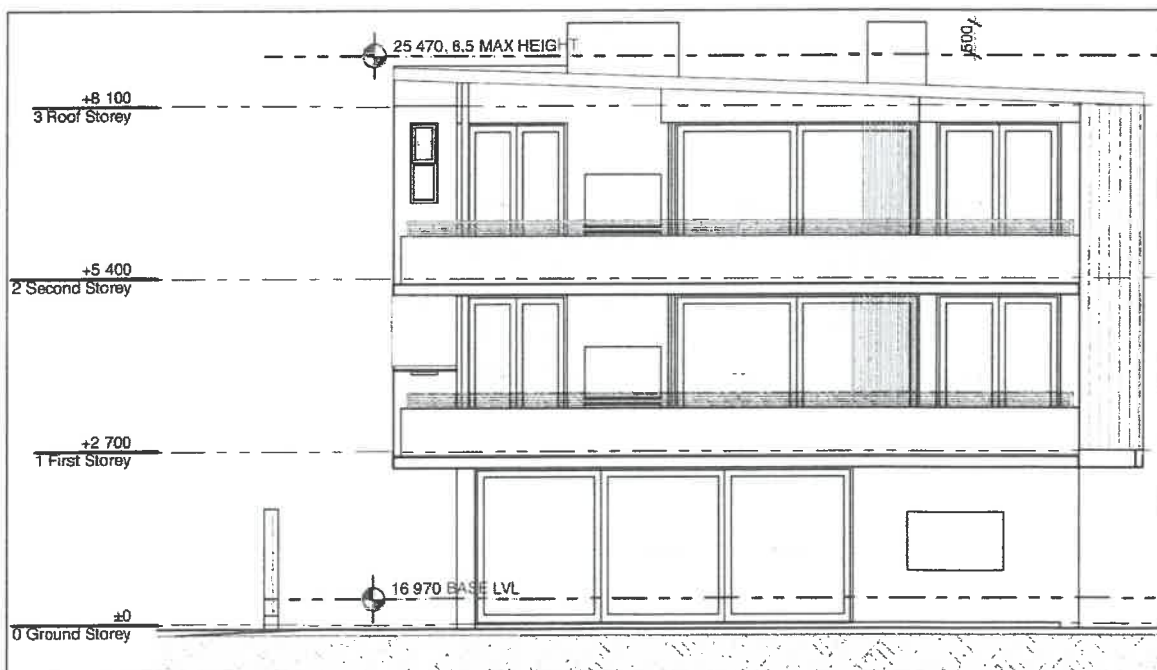


Figure 1: Proposed development in relation to the allowable maximum height





MOTIVATION

Perspective 3D render plans are annexed as **Annexure C – Architects Perspective**, that provides a clear illustration of the proposal and how the property will function.



Figure 2: 3D Renders of the proposed development

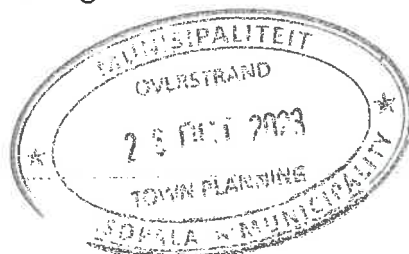
Ground floor

The ground floor is proposed to accommodate $\pm 47,7\text{m}^2$ office space that will be aligned with the primary rights of the property's zoning. Together with the office space the proposed development's parking will also be accommodated on the ground floor.

Parking requirements are set out by the OMLUS which are as follow:

Land Use	Parking Ratio	Parking Bays required	Parking Bays provided
Offices	Four bays per 100m ² GLA	47,7m ² GLA = 1,908 (2) Parking Bays required	1 Garage and 1 Parking Bay
Flats	Two bays per two and more bedroom dwelling units	Four (4) three-bedroom flats = 8 Parking bays required	1 Garage and 1 Parking Bay per flat 4 Garages and 4 Parking Bays = 4 flats
		9.908 Parking Bays required	10 Parking Bays provided

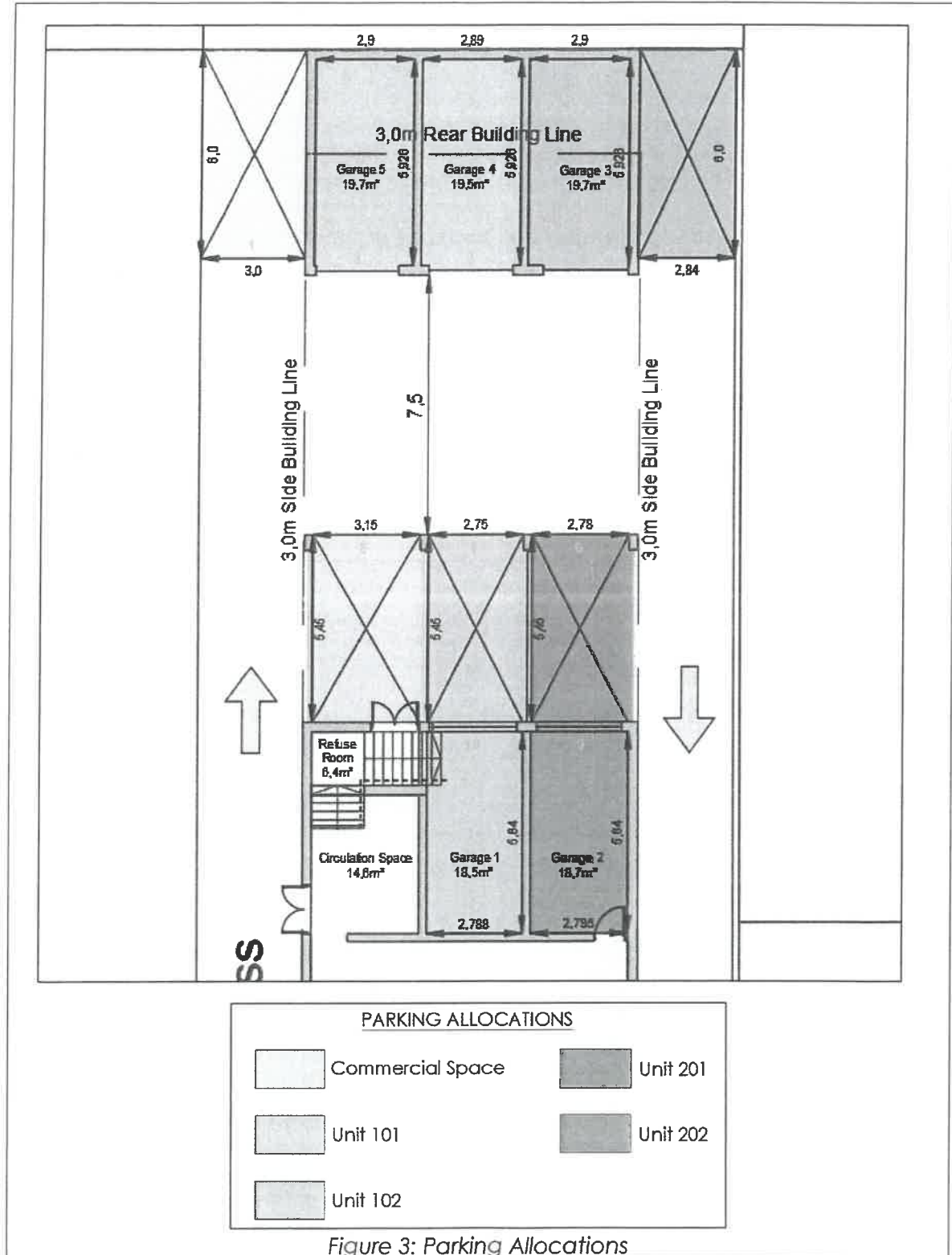
The proposal has 10 parking bays, five of which will be enclosed and lockable garage, while the remaining five is a mixture between open and covered parking bays. The parking requirement are being adhered to and no additional parking needs to be provided.





MOTIVATION

Referring to the ground floor plan, **Plan 4.1**, the plan indicates how the parking bays will be allocated to each of the respective uses:





MOTIVATION

It's important to mention that all the parking bays exceed the minimum size requirement according to the OMLUS. The smallest parking bay measures 2.75m x 5.45m, ensuring ample space for manoeuvring and exiting a vehicle after parking. In the case of two of the flats, they will both be allocated tandem parking bays, which means the parking spaces will be stacked. Both parking spaces will be assigned to the same owner, who will have the responsibility of managing the parking arrangements.

Tandem parking bays, which involve cars being parked one behind the other, are a widely accepted and common practice. Their usage extends beyond flats, they are also being used in throughout the Overstrand in various residential neighbourhoods. It is a regular occurrence to observe cars neatly lined up in tandem, a strategy efficiently employed to optimize limited parking space and reduce the spatial footprint of parking facilities.

Furthermore, the proposed plan introduces two carriageway crossings within the property's layout. One of these carriageways will serve exclusively as an access point, facilitating the smooth ingress of vehicles, while the other will be designated for egress, ensuring an unobstructed flow of vehicles on the property. Together, these carriageways will have a combined width of 5.84 meters.

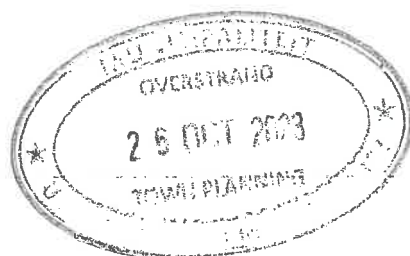
The design has been throughout to ensure the space is maximized, which includes the use of tandem parking bays and dual carriageways, this not only acknowledges the need for efficient space utilisation but also prioritises the seamless movement of vehicles within the property. It aligns with urban planning principles that seek to balance the demand for parking with the necessity of, reducing congestion, and promoting sustainable, community-friendly living environments. Consequently, this proposal serves as a testament to responsible and forward-thinking property development.

First floor & Second Floor

In addition to the office space on the ground floor, the proposal is to utilise the first and second floors above the ground floor as flats which is also a primary right in terms of the existing zoning. A total of two flats are proposed per floor, one facing north offering mountain views while the other will be facing south towards the ocean. Each flat will offer three bedrooms with two/three bathrooms, one being an ensuite to the main bedroom.

The flats proposed will have an extent above 100m² excluding balconies, which is supplying a demand that is not often catered for in the surrounding area which are smaller lock up and go style units that offer the same advantages as a single residential property in Voëlkop with less maintenance.

The proposal is to apply for a third storey within the permissible 8.5m height restriction, it is not expected to have a negative impact on the surrounding area as no additional height is being applied for.





The allowable height is 8,5m which is being adhered to:

Refer to the extract below of the OMLUS:

"7.2.2 The following development parameters apply:
...
c) Height
(i) The maximum height of a building, measured from the base level to the top of the structure, is 8,5 m.
(ii) **The maximum number of storeys is 2.**"

Only a departure from the maximum number of storeys is being applied for. The height of the proposed building will not exceed the allowable height of 8,5m. The proposed building is not expected to have a negative impact on the surrounding area as the height allowed on the **surrounding residential properties are 8,0m, only 0,5m less than what is allowed on the subject property.**

Permanent Departure from the scheme building lines in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Proposal is also being made to allow several building line encroachments. The property has 3,0m lateral and rear building lines due to the property being surrounded by residential properties which is a requirement within the OMLUS to reduce the impact on these adjacent properties.

Refer to the extract below of the OMLUS:

"7.2.2 The following development parameters apply:
...
e) Building lines
(i) the street building line is 0 m, provided that a 5,0 m building line applies where fuel pumps are erected;
(ii) the side building line is 0 m, **provided that where any Business Zone 3 abuts another zone, the side building line is 3,0 m;**
(iii) the rear building line is 3,0 m, **provided that where any Business Zone 3 abuts another zone, the rear building line is 3,0 m;** and
(iv) provided that the Municipality may require more restrictive building lines in the interests of public health or safety or the environment or in order to enforce any applicable law or right; and
(v) the building line exemptions in 16.1 apply."





MOTIVATION

The commercial aspect of the proposed development is in compliance with the 3,0m side and rear building lines. However, the residential component located on the first and second floors intends to slightly encroach upon the building lines, aligning with the standard residential measurements of around 2,0m.

The intention behind the proposal is to avoid any adverse effects on neighbouring properties while allowing the property to be utilised to its full potential. The proposed departures from the building lines are moderate and in line with the standard single residential building lines for the area. The subsequent section will clearly outline the specific permanent departures being requested, along with the rationale for why these deviations are not expected to have any detrimental impact.

4.2 Permanent Departure from the rear 3,0m building line to 0m to allow the proposed garages on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

As mentioned above, the proposal is to have five secure and lockable garages on the ground floor, of which three of these garages are proposed to be located across the rear building line which is not considered out of the ordinary as there are several examples of garages encroaching on building lines.

Garages are also part of the general encroachments allowed on the side and rear building lines should the conditions set out in Section 16.1.1 (c) of the OMLUS be complied with. These three garages do however exceed the allowable width of the garages which excludes it from the conditions set out in Section 16.1.1 (c) of the OMLUS. It is however not expected that these three garages will have a negative impact on the property sharing the boundary with the subject property.

A garage is not a habitable structure and is only used for the housing of vehicles and storage of other miscellaneous objects. Additionally, the height of the garages is proposed to be less than 2,7m in height which aligns with Section 16.1.1 (c) of the OMLUS. Referring to the figure below, the green area is the area, which is encroaching on the 3,0m rear building line:



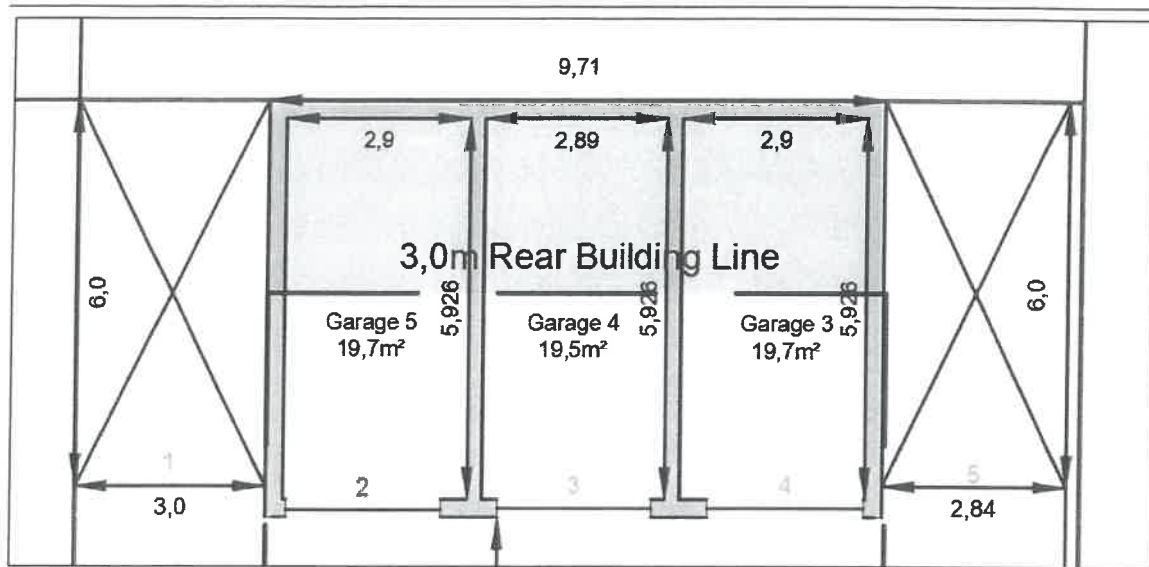


Figure 4: Proposed garages encroaching the rear building line.

The total area of the green section as illustrated above is $\pm 29,1\text{m}^2$ and the rear wall will not have any door or windows and is not expected to be a nuisance to the adjacent property owners.

4.3 Permanent Departure from the eastern and western side 3,0m building line to 2,0m to allow the proposed flats on the first and second floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

As previously mentioned, approval is required for the flats to extend beyond the side building lines by one meter. The proposed 2,0m lateral building lines for the flats on the first and second floors are consistent with the prevalent residential zoning in the area, where the 2,0m building line are also applicable to the neighbouring properties.

Plans 4.2 and 4.3 visually illustrate the area where encroachments are being proposed and what rooms specifically are being applied for to encroach on the side building lines. The uses are however aligned with the residential nature of the area and the bedrooms, bathrooms and balconies are not expected to be nuisance land uses and are aligned with the character of the area.

As mentioned, no other uses than residential are proposed to encroach on the building lines, as the property has a business zoning, several other development proposals could have been proposed. The owner is aware of the residential nature of the area, they opted for this proposal to be as less obtrusive and aligned with the area as possible.

Regarding the primary uses for Business Zone 3, which includes shops, dwelling units (above the ground floor), flats (above the ground floor), offices, restaurants, caretaker's accommodations, and self-catering establishments, it's crucial to weigh their impact. Among these, flats and offices are deemed to have the least intrusive impact.





MOTIVATION

Comparatively, a restaurant or shops will be less compatible with the area's character and would have a more substantial adverse impact compared to the current proposal.

This has been done with thought and careful consideration to ensure that the proposed development is viable while compatible with the surrounding area.





5. APPLICATION

Considering the above, application is made for the following:

- 5.1 Permanent Departure** from the maximum number of storeys from two to three in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 5.2 Permanent Departure** from the rear 3,0m building line to 0m to allow the proposed garages on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and
- 5.3 Permanent Departure** from the eastern and western side 3,0m building line to 2,0m to allow the proposed flats on the first and second floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

6. LAND USE ENVIRONMENT

The subject property is located in the Voëlklip area, an established residential area in Hermanus. The property is surrounded by Residential Zone 1: Single Residential and Public Open Spaces properties. The surrounding area's zonings are illustrated in **Plan 2** (zoning plan).

7. TITLE DEED

Title deed T11127/2018 (refer **Annexure B**) was perused and there are no restrictive conditions that prohibit the proposed development.

8. ZONING

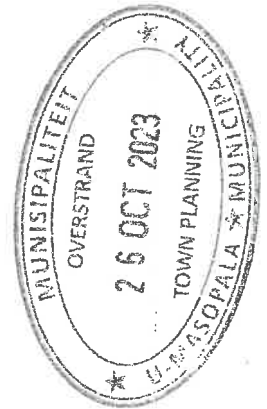
The following zoning parameters were assessed in conjunction with the B3 OMLUS zoning as this is a relevant consideration in terms of Section 66 (1) (a) of the OM By-Law:





MOTIVATION

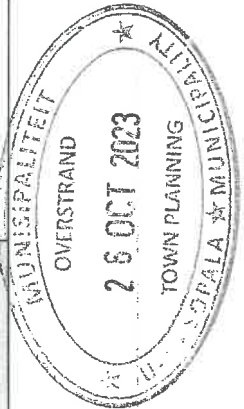
BUSINESS ZONE 3: LOCAL BUSINESS (B3)			
Land Use Restrictions			
	Parameters	Proposal	Comply/ deviate
Primary use	Shops, Dwelling Unit (above ground floor) in accordance with 6.3.2, Flats (above ground floor), Offices, Restaurant, Caretaker's Accommodation and Self-Catering.	Offices and flats above ground floor	Comply
Consent use that may be applied for	Bottle Store, Business Premises, Clinic, Conference Facility, Dwelling Unit (on ground floor) in accordance with 6.3.2, Flats (On Ground Floor), Town Housing in accordance with 6.3.2, Tourist Accommodation, Hotel, Institution, Place of Assembly, Place of Entertainment, Place of Instruction, Place of Worship, Recreational Facilities, Residential Building, Sale of Alcoholic Beverages, Service Station, Service Trade and Transmission Apparatus (subject to the provisions of chapter 16.10)	N/A	N/A
Development parameters			
Coverage	The maximum coverage for all buildings on the land unit is 75% .	Proposed Coverage – 330m ² / 66,67%	Comply
Floor Factor	The maximum floor factor is 1.5	1.04	Comply
Height	i. The maximum height of a building, measured from the base level to the top of the structure, is 8,5 m. ii. The maximum number of storeys is 2.	i. The building will adhere to the 8,5m height restriction. ii. 3 Storeys	Applied for and motivated.





MOTIVATION

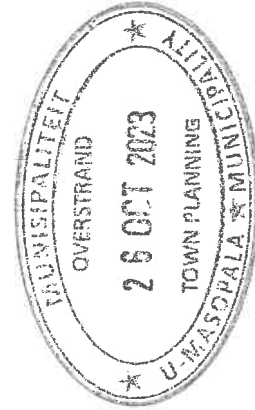
<p>Building Lines</p>	<p>i. The street building line is 0 m, provided that a 5,0 m building line applies where fuel pumps are erected;</p> <p>ii. The side building line is 0 m, provided that where any Business Zone 3 abuts another zone, the side building line is 3,0m;</p> <p>iii. The rear building line is 3,0 m, provided that where any Business Zone 3 abuts another zone, the rear building line is 3,0m; and</p> <p>iv. Provided that the Municipality may require more restrictive building lines in the interests of public health or safety or the environment or in order to enforce any applicable law or right.</p>	<p>i. No fuel pumps are proposed, 0m building line is being adhered to.</p> <p>ii. Applied for a 2,0m side building lines on the first and second floor (Western and Southern building line).</p> <p>iii. Applied for a 0m rear building line.</p> <p>iv. This is noted.</p>	<p>Applied for and motivated.</p>						
<p>Window and door placement</p>	<p>i. Where a 0 m building line applies and where a wall of a building is erected 1,0 m or less from the side or rear building line, no door or window shall be permitted in the wall concerned.</p> <p>ii. Any portion of the building which contains a door or window onto a side or rear boundary shall be at least 1,5 m away from such boundary.</p>	<p>This is noted, the proposed garages on the ground floor will not have any openings on the 0m building line.</p>	<p>Comply</p>						
<p>Parking and access</p>	<p>According to section 17.1 of the OMLUS:</p> <p>Office Four bays per 100m² GLA</p> <p>Flats Two bays per two and more bedroom dwelling units</p>	<p>Refer to figure 3 and Plan 4.1 for the parking allocation.</p> <table border="1" data-bbox="1093 454 1273 1146"> <thead> <tr> <th>Land Use</th> <th>Parking Bays required</th> </tr> </thead> <tbody> <tr> <td>Office</td> <td>47,7m² GLA = 1,908 2 Parking Bays required</td> </tr> <tr> <td>Flats</td> <td>Four (4) three-bedroom flats = 8 Parking bays required</td> </tr> </tbody> </table>	Land Use	Parking Bays required	Office	47,7m ² GLA = 1,908 2 Parking Bays required	Flats	Four (4) three-bedroom flats = 8 Parking bays required	<p>Comply</p>
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9.908 Parking Bays required	10 Parking Bays provided											
Loading Bays	The minimum off-street loading must be provided to the satisfaction of the Engineering Department.	To be determined										





9. 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 and Sewage

The subject property has a historic connection to the local services networks, which includes electricity, water and sewage. As the scale of the proposal is not at such an extent it is not predicted to have a negative impact on the surrounding area and the infrastructure networks. Moreover, the property owners have committed to contributing to the bulk infrastructure within the surrounding vicinity to ensure that the development is adequately supported by the necessary infrastructure. These measures reflect a thoughtful approach to ensuring that the proposed development is sustainable and supported by the required infrastructure.

Solid Waste

Solid waste will be collected weekly by the OM. The solid waste will be accumulated in the proposed refuse room that has an extent of 6,37m² on the ground floor below the stairs. The space will be compliant with Section 17.4.1 of the OMLUS and the final building plans will show all requirements being adhered to.

Access and Egress

To ensure smooth traffic flow and to minimize congestion in any street, access and egress to the subject property will be split between two carriage way crossings with a combined distance of 5,84m. As a result of the proposal the property will be able to accommodate the traffic flow and to accommodate the required parking and not place any burden on the public street network.

10. 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 can be illustrated as follow:

Need and desirability.

The need for the land use application is a result of addressing all the land use requirements and ensuring the property meets the needs of the owners. To achieve this, permanent departures are required.

<p>Socio-economic impact</p>	<p>The socio-economic impact of a I development refers to the potential effects it may have on the social and economic aspects of the surrounding area.</p> <p>This includes factors such as population growth, employment opportunities, income levels, housing affordability, property values, and demand for local services and amenities such as schools, shops, and healthcare facilities. The proposed development has the potential to create jobs, increase the tax</p>
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MOTIVATION

	base for the local government, and contribute to economic growth as more individuals will be residing in the area and spending their money in the local economy.
Compatibility with surrounding uses	The proposal to establish a residential development in the area while being able to accommodate a small office space is not seen as out of the ordinary to the area. The proposal is highly compatible since it would seamlessly extend the existing land uses and activities in the surrounding area while adding to the economic activity of the property.
Impact on the external engineering services	Refer Section 9.
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 anticipated that the proposed development will have any negative impact on the biophysical environment.
Traffic impacts, parking, access and other transport related considerations	Refer to Section 8 and 9.

Impact on views, sunlight and character of the area

The majority of the surrounding properties comprise single residential dwellings and the proposed development is likely to impact the views and character of the area to some extent. However, the property has a historic business zoning, and the proposal is not to alter the zoning, but only to depart from the development parameters applicable to the zoning. Therefore, the proposal will have an impact, but it is not considered to be negative or out of character with the surrounding area as majority of the proposal and mixed-use development will be residential in nature.

Views

It is important to consider the impact of any proposed development on the surrounding area, especially when it comes to the preservation of views. However, in the case of the subject property, the proposed development is expected to have an impact on the surrounding area's views as the property is majority vacant at this stage and any proposal will have an impact as the surrounding area has become accustomed to the almost vacant erf. The proposal is however being made not to alter the height restriction and adhere to the requirements by only increasing the allowed storeys on the property from 2 to 3 as was motivated in Section 4.1 of this report.

Overall, it is evident that the owners have taken into account the potential impact of the proposed development on the surrounding area and have taken measures to mitigate any negative effects. With regards to the uses and number of units being proposed, the proposal is only to accommodate four units that fits into the exclusive and sought after neighbourhood of Voëklip.





MOTIVATION

Sunlight

The proposed development is not expected to have a negative impact on the sunlight of surrounding properties or individuals. The development will be situated 3,0m away from the property boundary at the rear and 2,0m from the side boundary lines, providing ample space and ensuring that the buildings do not obstruct sunlight, which is less than what would be applied if the property was zoned as single residential.

Additionally, the proposal includes not to increase the height of the proposed building. Only the number of storeys being to be accommodated within the prescribed height restriction. The gap between the structures should provide enough space to ensure that sunlight reaches the adjacent properties without significant obstruction.

Character

The proposed development aims to improve the property with uses aligned with the area, not wanting to develop the property with uses negatively affecting the area. The uses remain aligned being majority residential with a small office space that is not expected to have a negative impact on the area and its character. The proposal is to replace the existing structure which is currently being used as an office for a local estate agency which will remain unchanged as they will be moving into the new space on the ground floor. Moreover, the target market will remain high end to ensure that the development fits into the neighbourhood where it is being proposed.

Economic impact

The proposed development will have both a short- and long-term economic impact on the surrounding area and the Overstrand Municipality.

In the short term, once the approval has been received, the construction phase will commence, creating construction jobs and providing income to several residents of the Hermanus and the municipal area in general. Long term economic impact will be in terms of the additional rates and taxes that will be payable to the Overstrand Municipality.

Opportunity cost

An opportunity cost in the context of land use planning refers to a development proposal which leads to the devaluation or foregoing valued land use rights of interested and affected parties when an application is approved. This is not expected to be the case as it currently stands the property is a semi-vacant and underutilised property that will be able to add to the appeal of the area while being able to increase the number of residents in the area.

Environmental impact

The subject property is not located within an environmentally important area.





11. POLICIES AND REGULATIONS

11.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The property is not located within the HPOZ.

11.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The property is not located within the HPOZ.

11.3 Spatial Planning Policies

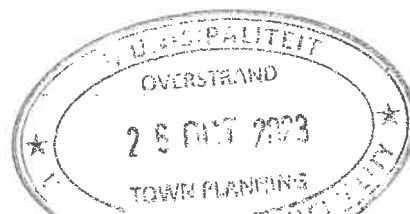
The consistency of the proposed development with the applicable spatial development policies will herewith be illustrated. The spatial policies which are pertinent to the submitted proposal are the following:

PSDF
<p>The PSDF is a product of a provincial inter-departmental and inter-governmental collaboration under the guidance of the inter-departmental steering committee in collaboration with the private sector, academia, and non-governmental organisations. This broad participatory process has created a shared spatial vision that is intended to inform spatial development patterns in urban and rural areas in the province.</p> <p>Throughout the PSDF the importance of developing integrated and sustainable settlements as an objective of the framework is highlighted. The PSDF also provides a settlement agenda which addresses the full spectrum of Western Cape settlements irrespective of their size from metropolitan Cape Town to the smallest hamlets.</p>
OMSDF
<p>The Municipal Spatial Development Framework is a sectoral component of the IDP (Integrated Development Plan) that, in terms of the MSA (Municipal Systems Act), is aimed at providing general direction to guide decision making on an ongoing basis, aiming at the creation of integrated, sustainable and habitable regions, cities, towns and residential areas.</p>

The PSDF and OMSDF are frameworks to be interpreted on a local level. National policies, such as the National Development Plan, National Spatial Development Frameworks etc. provide guidelines on several important aspects which includes human settlements. To focus on provincial and local policies will ensure alignment with the above-mentioned higher hierarchy of legislation and policies.

PSDF

To ensure the proposed development is in line with the PSDF, the Provincial settlement policy objectives, the proposed development was evaluated in terms of the policy objectives. The PSDF has several principles which include spatial efficiency that *relates to the form of settlements and use of resources - compaction as opposed to sprawl, mixed-use as opposed to mono-functional land uses; residential areas close to work opportunities as opposed to dormitory settlement, and prioritisation of public transport over private car use. When a settlement is compact higher densities provide thresholds*





MOTIVATION

to support viable public transport, reduce overall energy use, and lower user costs as travel distances are shorter and cheaper.

The mixed-use, higher-density approach proposed in the development is perfectly aligned with these principles. It aims to create a more efficient urban space by accommodating multiple functions within the area while effectively utilizing existing properties to generate new housing opportunities. This approach represents a proactive stance toward urban development and planning, fostering sustainability and community well-being.

Furthermore, the proposal represents the concept of brownfield development. In essence, this signifies that the property, although previously established and developed, will undergo redevelopment to better align with current development norms and trends. This ensures the area's future viability and enhances its compatibility with contemporary urban development practices.

OMSDF

The Overstrand Municipal Spatial Development Framework (OMSDF) stands as a crucial document, offering essential guidance for spatial development within the municipality. It is crafted in accordance with national, provincial, and municipal planning legislation, policies, and plans, including SPLUMA, LUPA, By-Laws, PSDF, and the IDP. The primary aim of the OMSDF is to steer appropriate land use and spatial development within the urban boundary, ensuring that development proposals harmonize with the shared spatial vision.

The OMSDF's creation involved contributions from state departments and the public, with a key focus on providing sufficient housing options to accommodate the rapidly increasing population. The proposed residential development is consistent with the OMSDF's objectives, specifically addressing the pressing need for housing, particularly in the Voëlklip area, which is integral to the Greater Hermanus region.

As evidenced by Table 2.7 on page 25 of the OMSDF, population growth is on the rise across the entire Overstrand, including Voëlklip. To cater to this demand for housing, the proposed development will emphasize the provision of additional housing options within the Hermanus area. This population increase aligns precisely with the growth projections outlined in Table 2.7 of the OMSDF. Consequently, the proposed development targets the identified demand identified by the OMSDF and is poised to be well-received within the high-demand housing market in the Hermanus and Voëlklip vicinity.

In essence, this application aligns seamlessly with the OMSDF's principles and objectives, positioning the Overstrand Municipality to effectively address future housing demands while ensuring a diverse range of residential choices within the Hermanus area. The OMSDF acts as a comprehensive framework, setting the guidelines for the proposed development to meet policy requirements and align harmoniously with the municipality's shared spatial vision.





12. 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 increase the enjoyment of the property is not predicted to influence past spatial injustices, the development will be open to all members of the community, regardless of their socioeconomic status.

Spatial sustainability and efficiency

Spatial sustainability involves planning proposals aimed at creating communities that are environmentally and economically sustainable. The intended residential development is designed to foster economic growth in the Voëlklip area, primarily by increasing tax revenue for the Overstrand Municipality, as emphasized in Section 10. This development aims to strategically position residential units, offering easy access to the natural attractions of the Voëlklip area while remaining conveniently located near major transportation routes leading to Hermanus and other towns within the Overberg and Western Cape regions.

The proposed development is expected to have a positive impact on the local economy. It will generate new job opportunities not only during its construction but also in the long term. The increased housing density is likely to stimulate demand for local goods and services, potentially benefiting local businesses. Additionally, its proximity to key commercial and transportation hubs will improve access to essential services and amenities, ultimately enhancing residents' quality of life and promoting economic growth.

In summary, this proposed development aligns perfectly with the principles of spatial sustainability by contributing to the social, economic, and environmental well-being of the Voëlklip area and the broader Overstrand Municipality.

Spatial resilience

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience. The policies identified earlier in Section 11.3 are guided by a higher hierarchy of several policies and legislation that the proposal is aligned with.

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.





13. EVALUATION

The purpose of submitting this application is to enable the owners to utilize their property for the creation of a unique mixed-use development. This development aims to address the housing demand, which has been identified as a pressing issue within the OMSDF. To achieve this goal, the property owners intend to increase the number of residential units by adding additional storeys, within the allowable height restrictions.

Furthermore, the proposal includes allowing the flats to encroach upon the 3,0m building line, which is imposed due to the property's business zoning and its adjacency to residential properties. The proposed 2,0m building lines on the sides align with the surrounding area's regulations and are not expected to deviate significantly from the norm.

Moreover, it's important to note that the proposed development is not considered undesirable or out of context with the surrounding area. On the contrary, it has been meticulously designed to minimize its impact on the area's views, sunlight, and overall character. This development is envisioned as an integral part of the Voëlklip area, contributing to its revitalization and enhancing the town's appeal.

Finally, the proposed development is expected to provide an economic boost for the OM through increased tax revenue. This aligns perfectly with the OM's objectives of promoting sustainable economic growth in the region. In conclusion, the proposed development represents a well-conceived and thoughtfully planned project that adheres to the principles of spatial sustainability, promising to contribute significantly to the long-term viability of the Voëlklip area and the broader Overberg region.

14. RECOMMENDATION

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

- 14.1 Permanent Departure** from the maximum number of storeys from two to three in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;
- 14.2 Permanent Departure** from the rear 3,0m building line to 0m to allow the proposed garages on the ground floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020; and
- 14.3 Permanent Departure** from the eastern and western side 3,0m building line to 2,0m to allow the proposed flats on the first and second floor in terms of Section 16(2)(b) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.



2. Zoning Plan Remainder of Erf 2225 - Hermanus



Transport Zone 2: Road and Parking



Residential Zone 1: Single Residential



Business Zone 3: Local Business

Plan prepared by: Thian Jansen

All distances are approximate
and subject to a survey

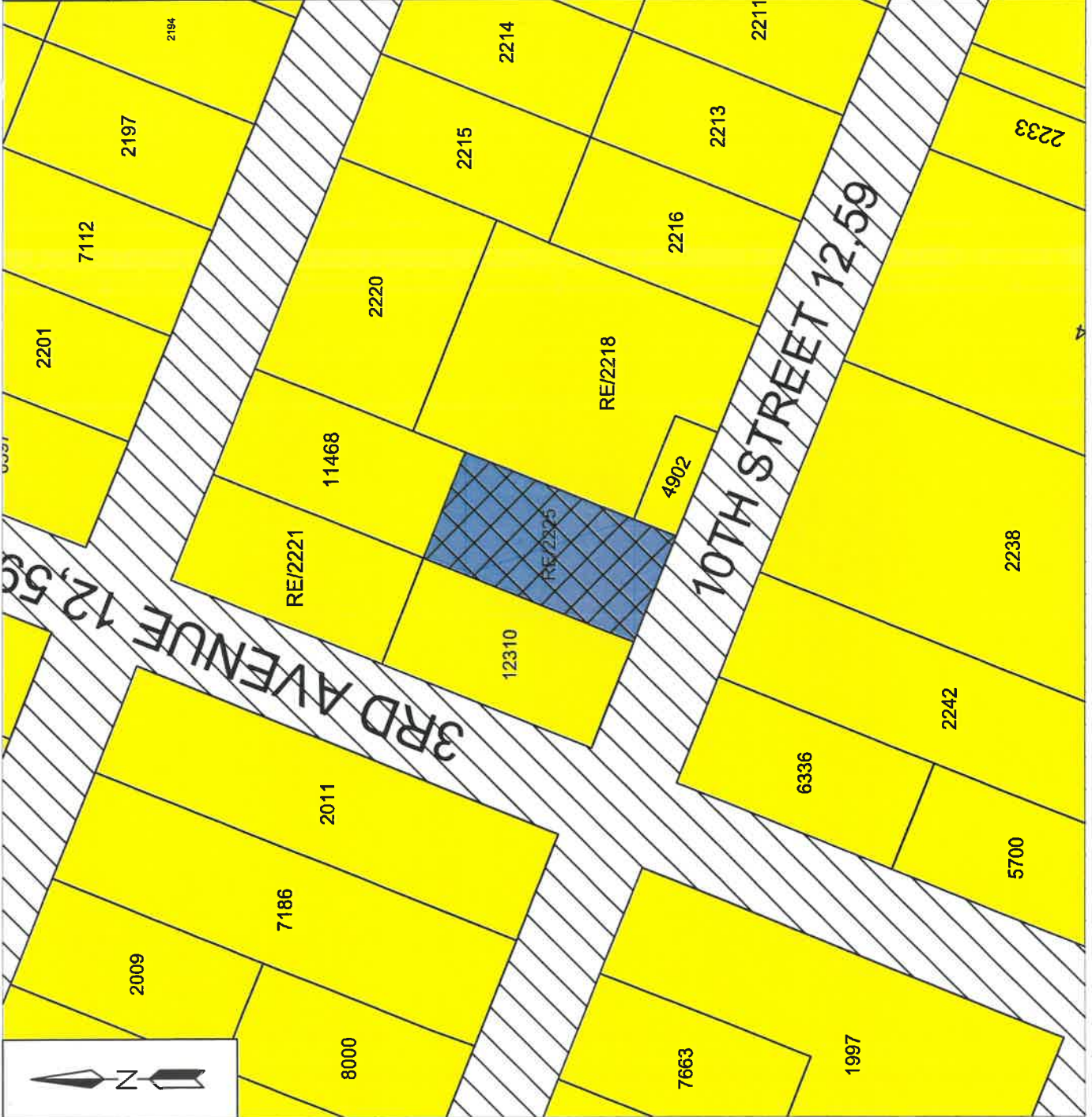
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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

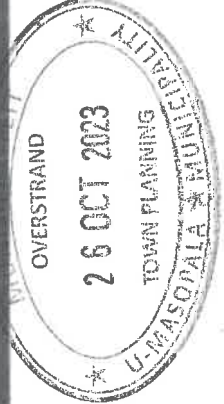


Project Office
Town Planning & Project Management

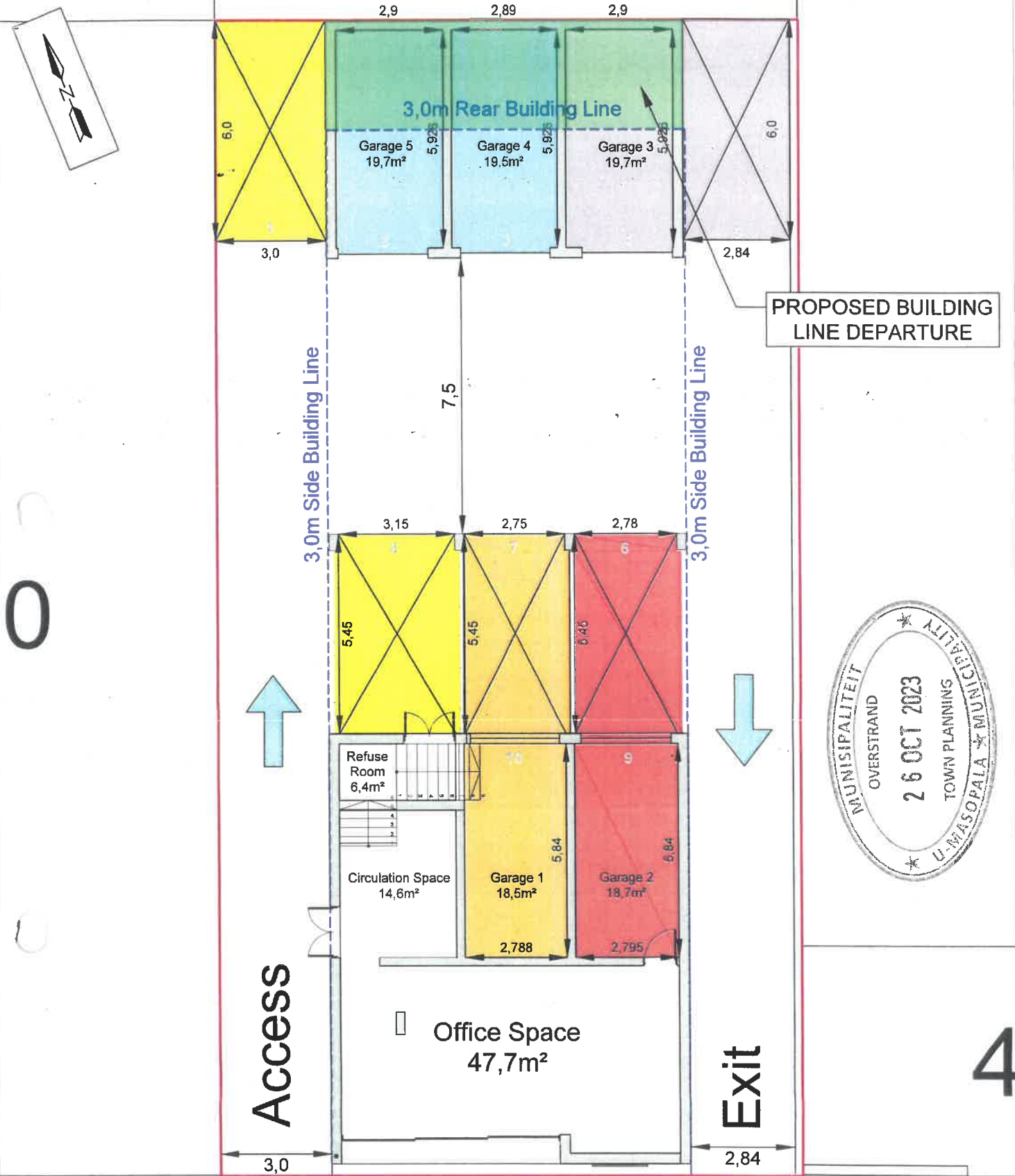




ON LONGBAAI PERSPECTIVE
 Scale 1:1,67 @ A31
 *Hemel en Aarde Village, Unit 5G Wire Village Hermanus Western Cape 7200 South Africa



FINLAYSON
 VAN DER MERWE



PROPOSED BUILDING LINE DEPARTURE



Ground Floor

Scale 1 : 100

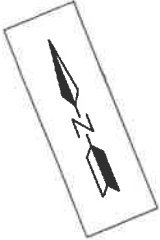
TENTH STREET

4.1 Ground Floor Layout Plan Erf 2225 - Hermanus

PARKING ALLOCATIONS	
Commercial Space	Unit 201
Unit 101	Unit 202
Unit 102	

Plan prepared by: Thian Jansen
Based on plans from Finlayson Van Der Merwe Architects
All distances are approximate and subject to a survey
Tel: 028 313 1411
Email: admin@wrapgroup.co.za
Unit B, Standard House, Corner of Royal and Dirkie Uys Street Hermanus, 7200





HGL 17 390

TOP OF GARAGE IS NON-TRAFFICABLE

3,0m Rear Building Line

3,0m Side Building Line

3,0m Side Building Line



First Floor

Scale 1 : 100



4.2 First Floor Layout Plan Erf 2225 - Hermanus

Plan prepared by: Thian Jansen - 24/10/2023 (23.52V2)
Based on plans from Finlayson Van Der Merwe Architects

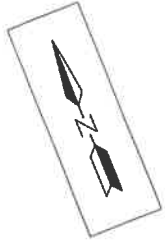
All distances are approximate
and subject to a survey

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

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



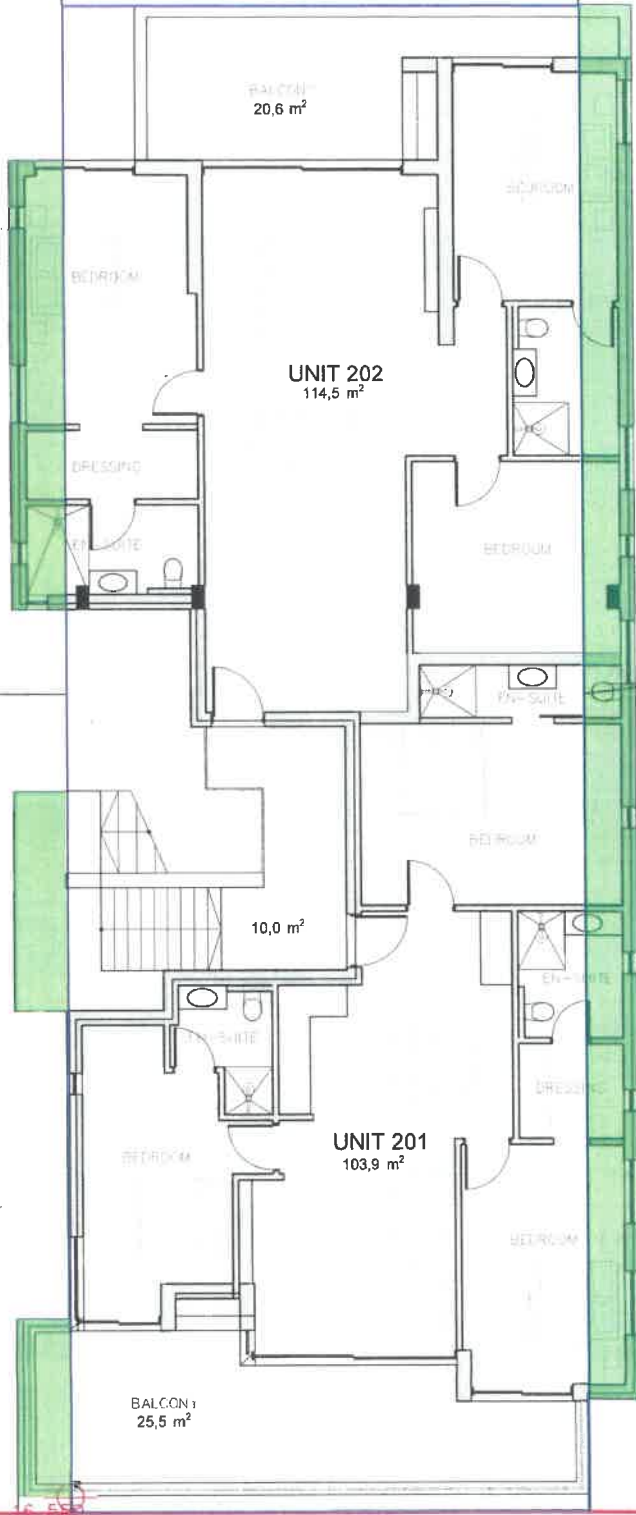


HGL 17 390

3,0m Rear Building Line

3,0m Side Building Line

3,0m Side Building Line



UNIT 202
114,5 m²

UNIT 201
103,9 m²

Second Floor

Scale 1 : 100

4.3 Second Floor Layout Plan Erf 2225 - Hermanus

Plan prepared by: Thion Jansen - 24/10/2023 (23.52V2)
Based on plans from Finlayson Van Der Merwe Architects

All distances are approximate
and subject to a survey

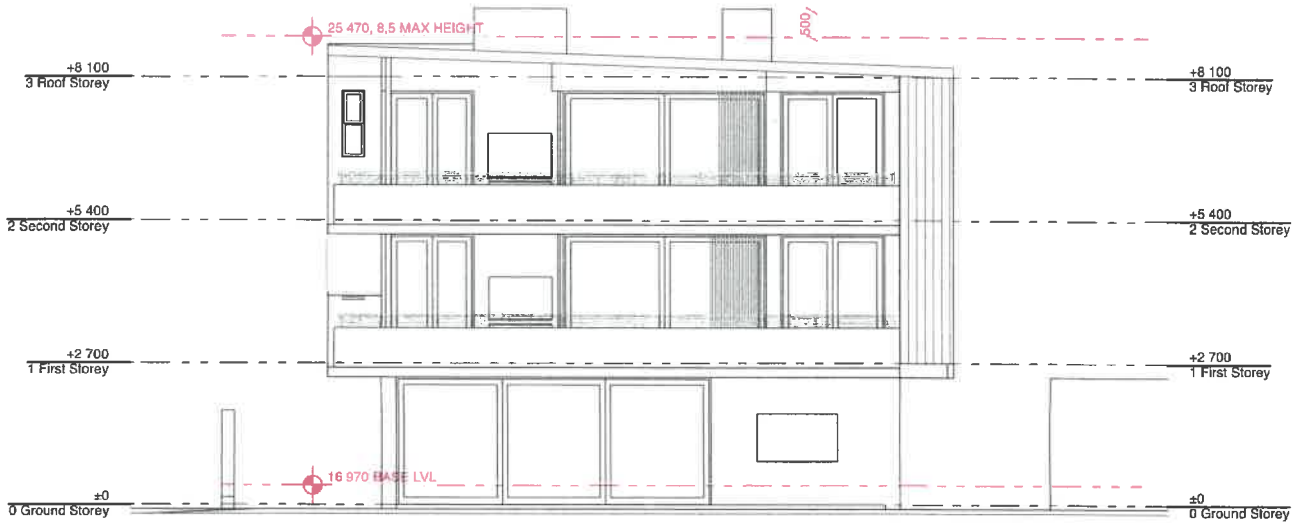
Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit 8, Standard House, Corner of Royal and Dirkie Uys
Street Hermanus, 7200

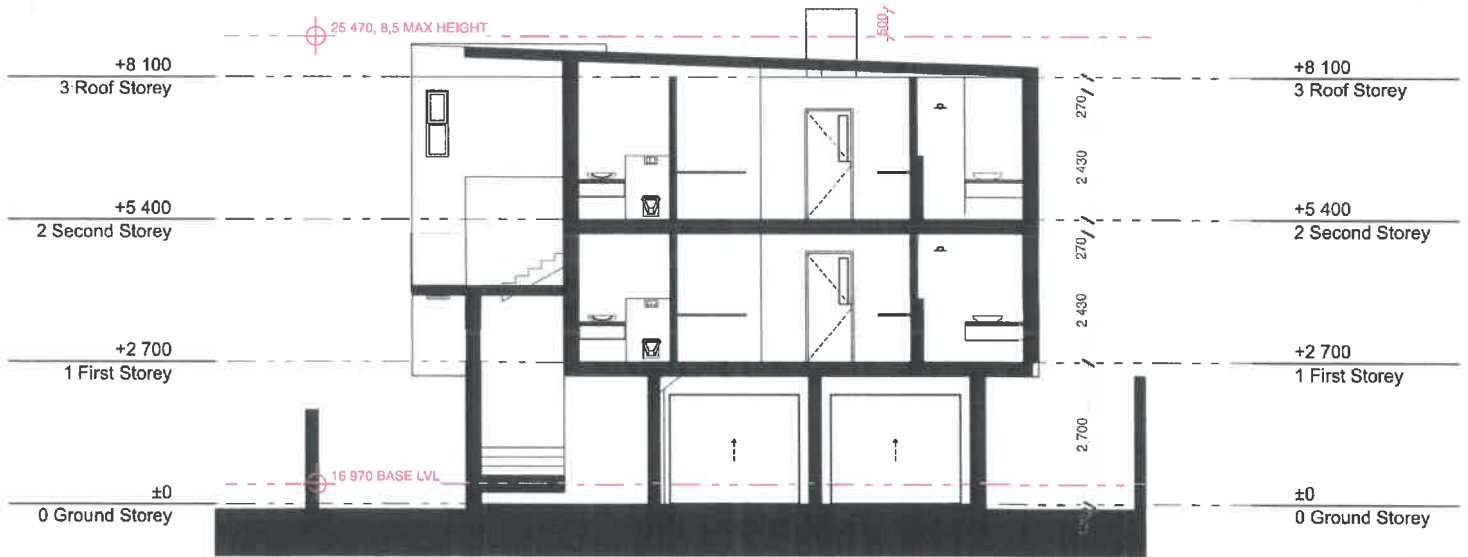


Project Office
Town Planning & Project Management



South Elevations

Scale 1:100

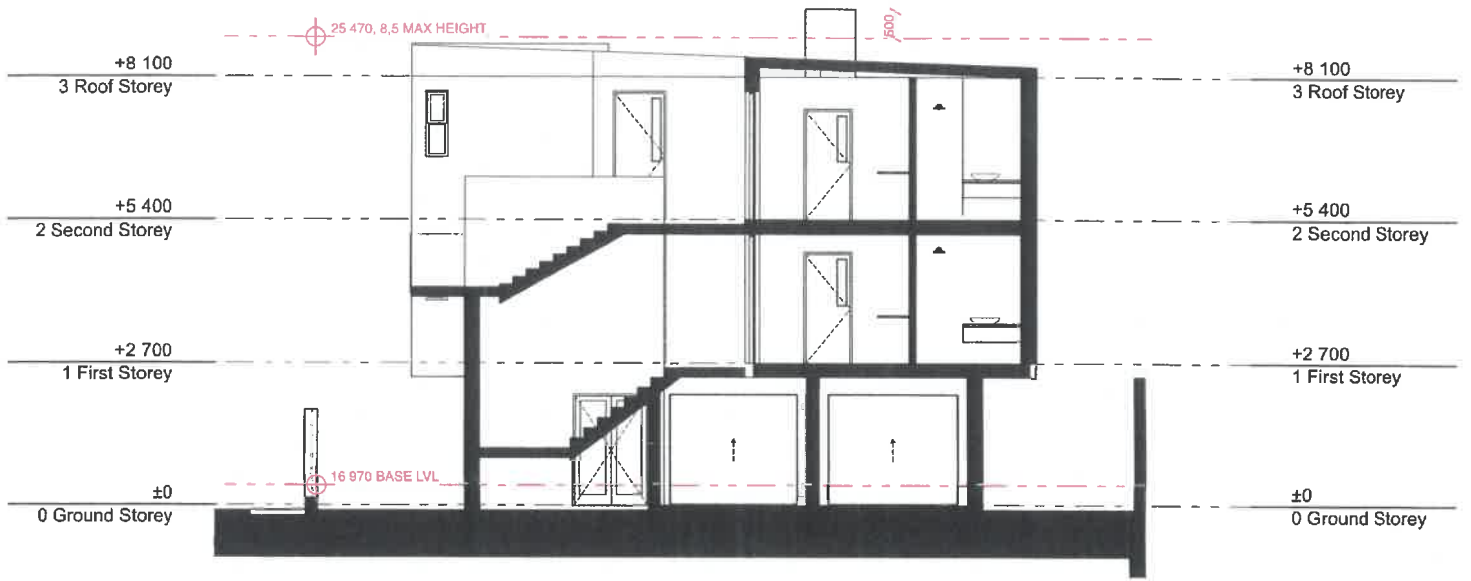


Section 2 | 2

Scale 1:100

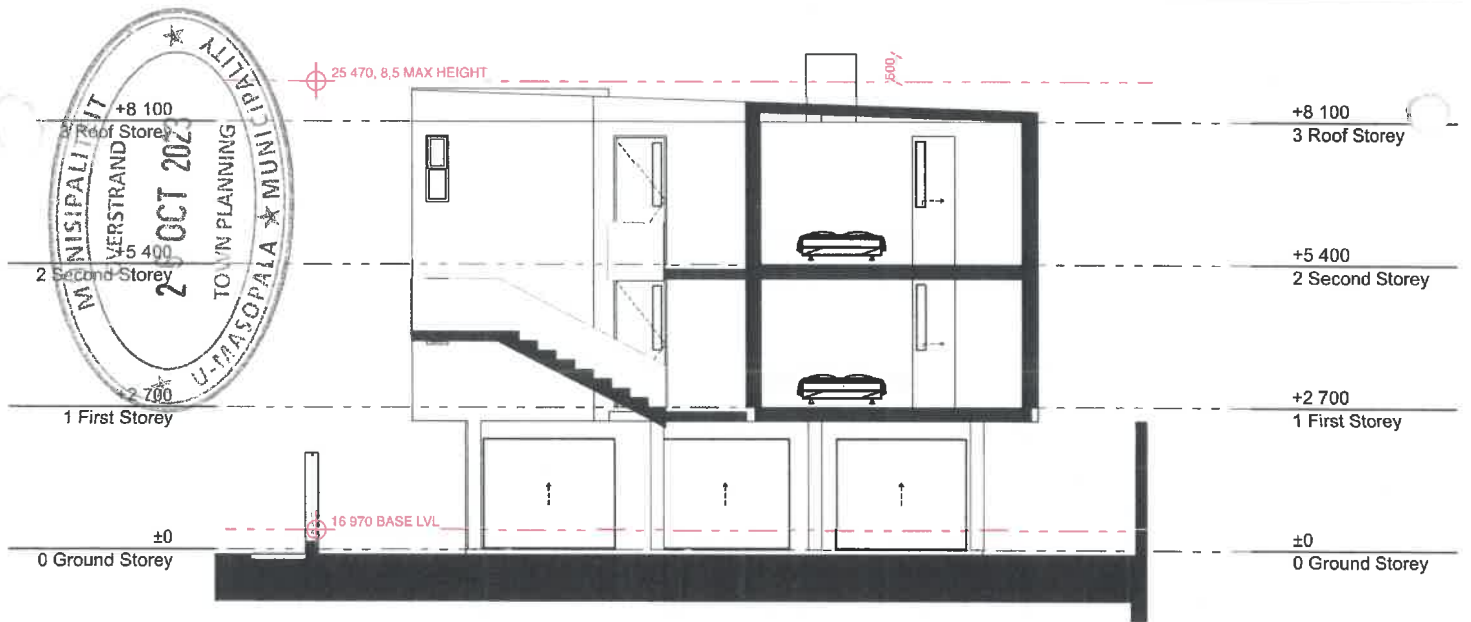
PROJECT SUMMARY		
ZONE NAME	ZONE DESCRIPTION	AREA
CIRCULATION SPACE		
GARAGE		80,95 m ²
OFFICE SPACE		98,28 m ²
REFUSE ROOM		47,74 m ²
UNIT 101		6,37 m ²
UNIT 102		128,41 m ²
UNIT 201		135,07 m ²
UNIT 202		128,41 m ²
		135,07 m ²
		728,38 m ²





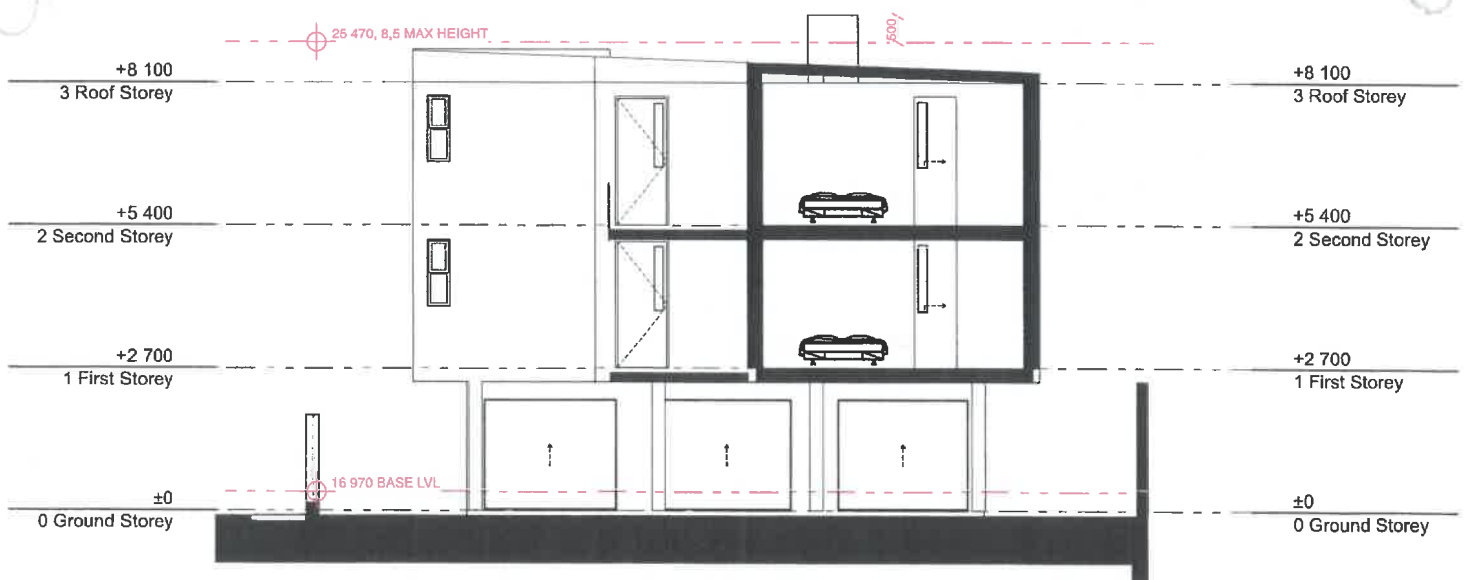
Section 3 | 3

Scale 1:100



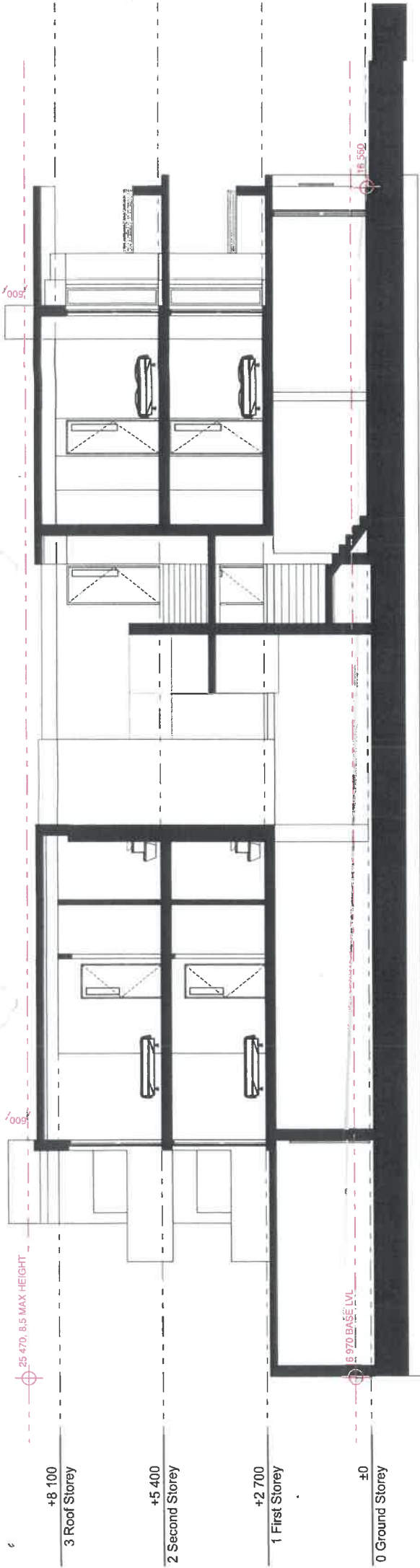
Section 4 | 4

Scale 1:100



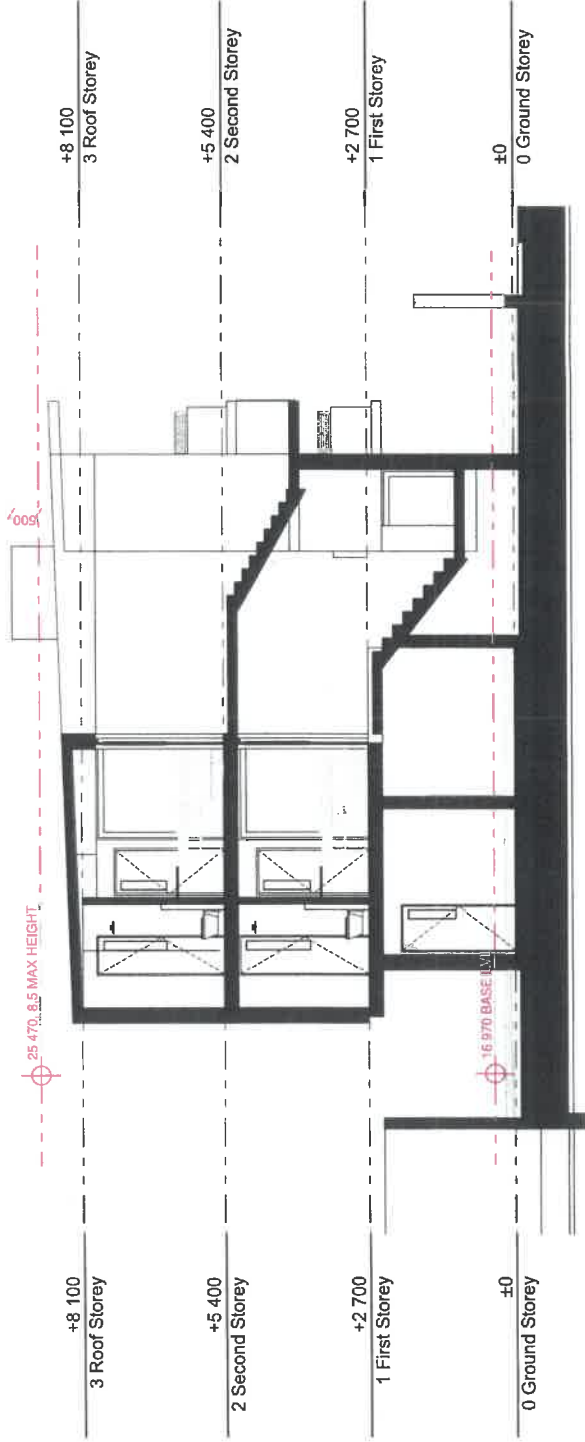
Section 5 | 5

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Scale 1:100

Section X | X



Scale 1:100

Section Y | Y



ON LONGBAAI BUILDING SECTION

Scale 1:100 @ A31

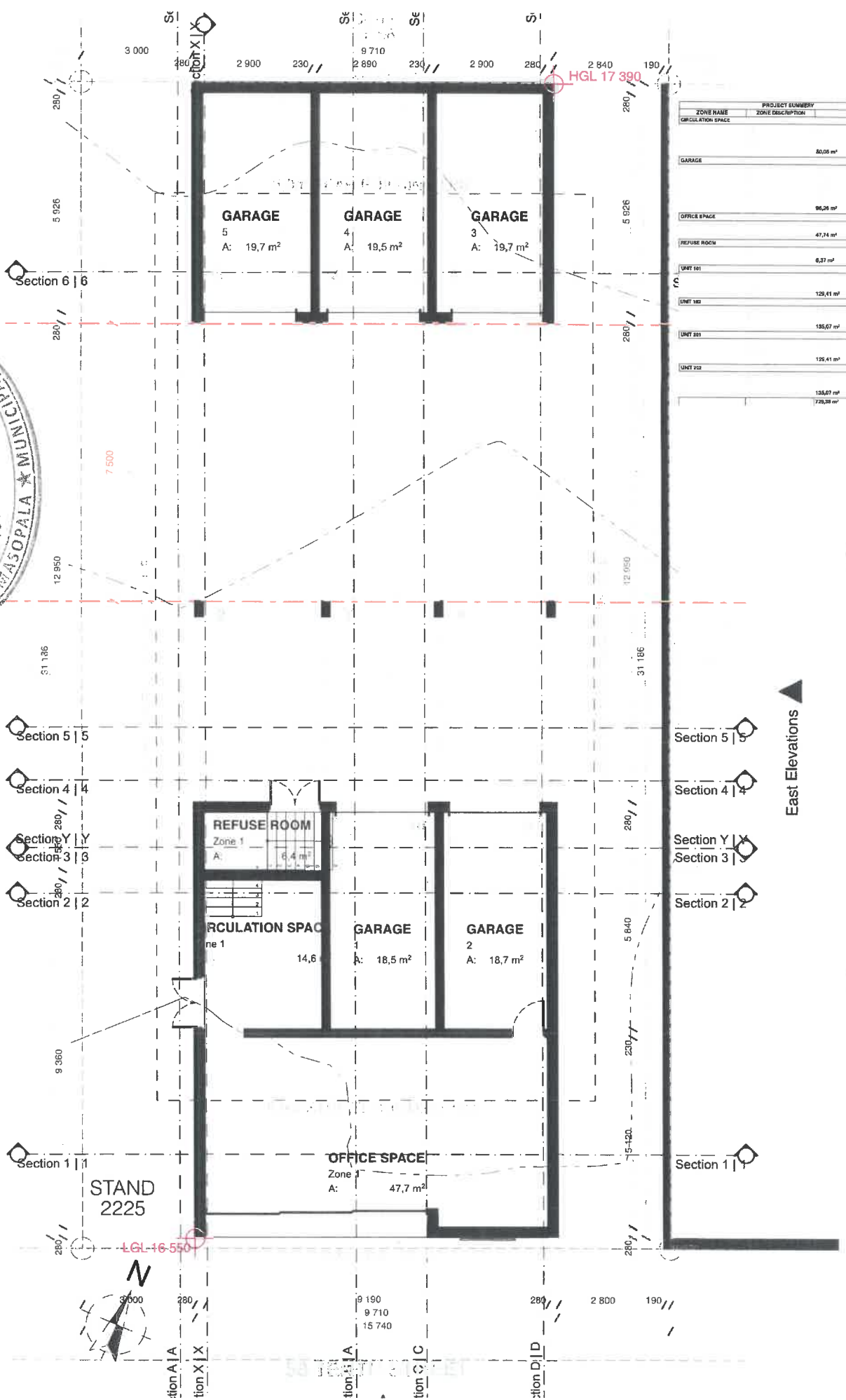
fHemel en Aarde Village, Unit 5G Wine Village Hermanus Western Cape 7200 South Africa



PROJECT SUMMARY		
ZONE NAME	ZONE DESCRIPTION	AREA
CIRCULATION SPACE		
GARAGE		80,08 m ²
OFFICE SPACE		95,26 m ²
REFUSE ROOM		47,74 m ²
UNIT 101		6,37 m ²
UNIT 102		129,41 m ²
UNIT 201		135,67 m ²
UNIT 202		129,41 m ²
		135,67 m ²
		178,38 m ²

West Elevations

East Elevations



STAND 2225

Ground Storey

Scale 1:100

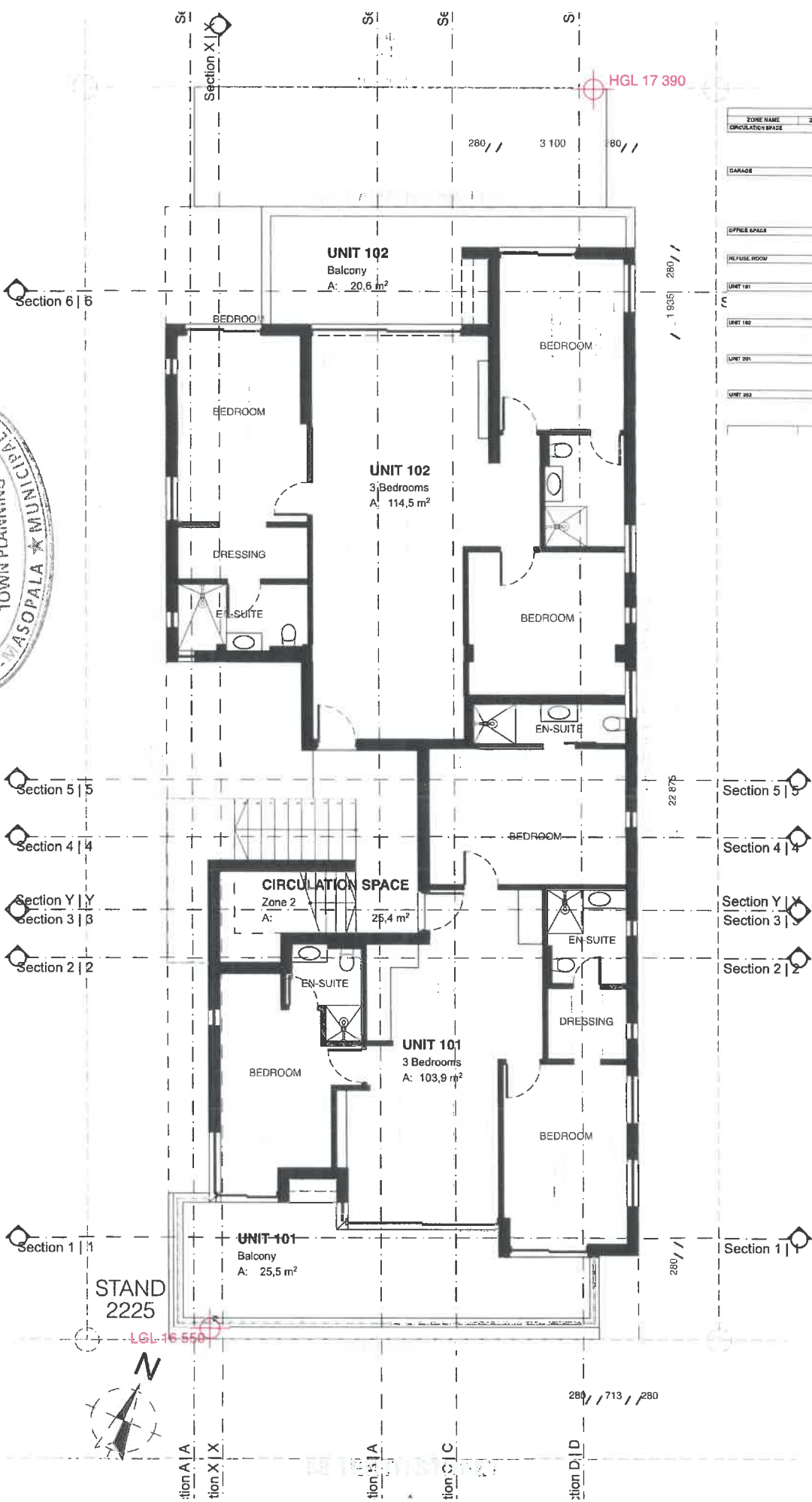
ON LONGBAAI GROUND STOREY
 Scale 1:100, 1:2 @ A31 Monday, 09 October 2023



Hemel en Aarde Village, Unit 5G Wine Village Hermanus Western Cape 7200 South Africa

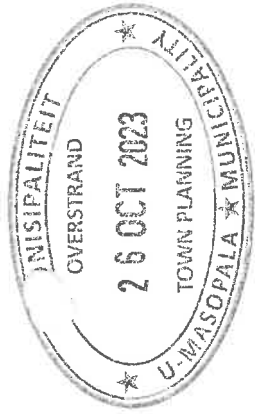


PROJECT SUMMARY		
ZONE NAME	ZONE DESCRIPTION	AREA
CIRCULATION SPACE		
GARAGE		66,05 m ²
OFFICE SPACE		96,26 m ²
REFUSE ROOM		47,74 m ²
UNIT 101		6,37 m ²
UNIT 102		129,41 m ²
UNIT 201		135,07 m ²
UNIT 202		129,41 m ²
		129,67 m ²
		729,38 m ²

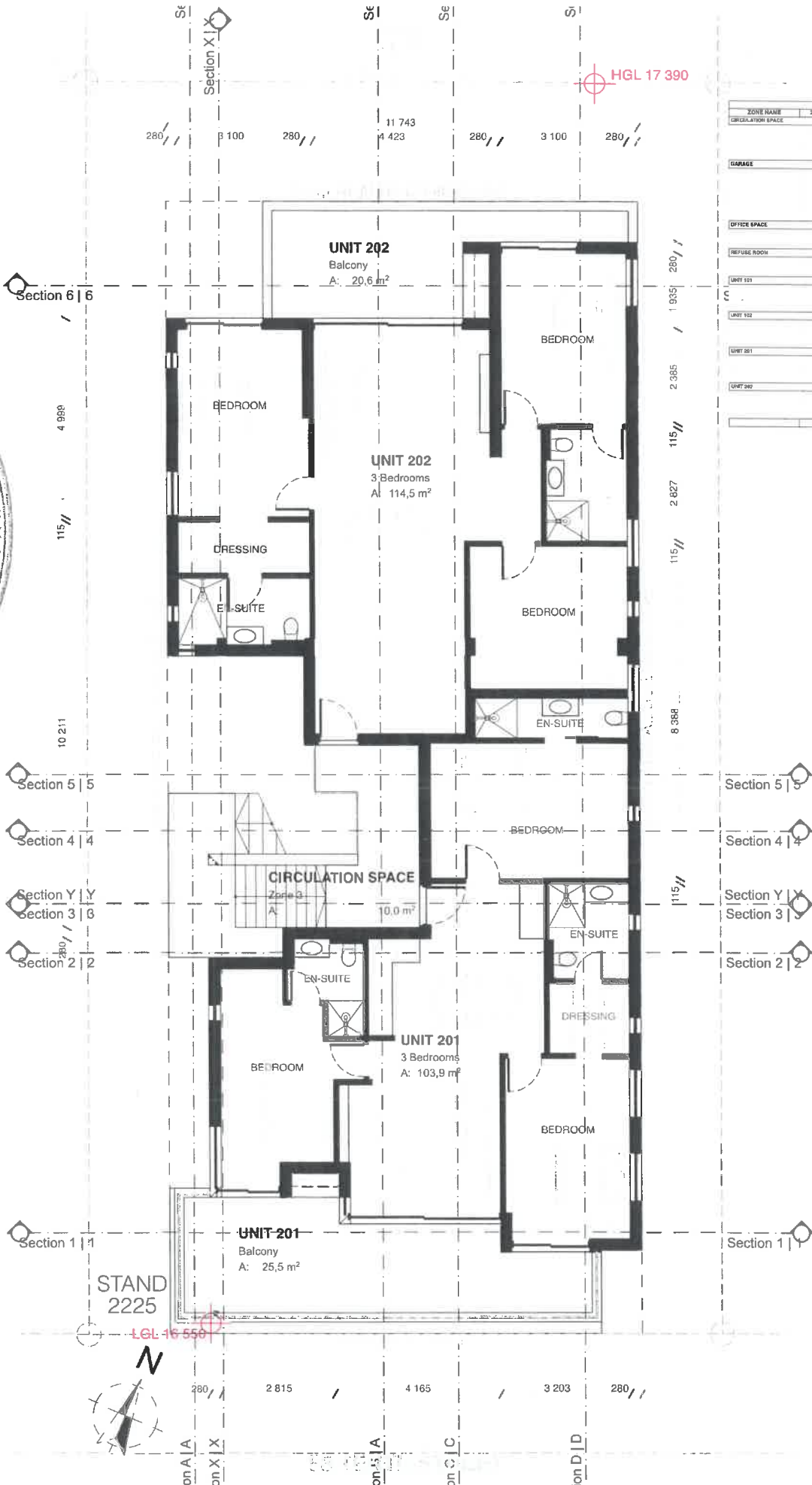


First Storey

Scale 1:100



PROJECT SUMMARY		
ZONE NAME	ZONE DESCRIPTION	AREA
CIRCULATION SPACE		10,0 m ²
GARAGE		50,26 m ²
OFFICE SPACE		66,28 m ²
REFUSE ROOM		47,74 m ²
UNIT 101		6,37 m ²
UNIT 102		129,41 m ²
UNIT 201		135,07 m ²
UNIT 202		129,41 m ²
		155,07 m ²
		726,81 m ²



West Elevations

East Elevations

STAND 2225



Second Storey

Scale 1:100