

ERF 3583, 5 HILLSIDE CRESCENT, ONRUS RIVER: APPLICATION FOR DEPARTURE: PLAN ACTIVE TOWN & REGIONAL PLANNERS ON BEHALF OF THE BETHULIE PROPERTY TRUST

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 street building line from 4m to 2,650m to accommodate a lean-to roof for solar panels to be affix to.

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) on or before **8 February 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 3583, HILLSIDESINGEL 5, ONRUSRIVIER: AANSOEK OM AFWYKING: PLAN ACTIVE STADS- EN STREEKBEPLANNERS NAMENS THE BETHULIE PROPERTY TRUST

Kennis word hiermee gegee ingevolge Artikel 48 van die Overstrand Munisipaliteit Wysigingsverordening vir Munisipale Grondgebruikbeplanning, 2020 dat 'n aansoek ontvang is vir 'n afwyking ingevolge Artikel 16(2)(b) om die straatboulyn vanaf 4m tot 2,650m te verslap om 'n leundak te akkommodeer om sonpanele aan te heg.

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) voor of op **8 Februarie 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.

ISIZA ESINGU-ERF 3583, 5 HILLSIDE CRESCENT, ONRUS RIVER: ISICELO SOKWAHLULA: PLAN ACTIVE TOWN & REGIONAL PLANNERS EGAMENI LE-BETHULIE PROPERTY TRUST

Kukhutshwe isaziso ngemiba yeSoloty lama48 nguMasipala waseOverstrand esingoMthethwana OngeZicwangciso ZokuSetyenziswa koMhlaba ku2020 isicelo sifunyenweyo singemiba yeSoloty le16(2)(b) ukunyenya imigca yesakhiwo ukusuka kwimitha ezi-4m ukuya kwimitha ezi-2,650m ukulungiselela iphahla- lokuxhasa nokwayamisa ukubethelela isola phaneli.

linkcukacha ezipheleleyo mayela nesi siphakamiso ziyafumaneka ukuze zihlolwe kwiintsuku zaphakathi ukusuka kwintsimbi ye-08:00 neye-16:30 kwiSebe: Lezicwangciso zeDolophu kwa16 Paterson Street, Hermanus. Naziphi na izimvo ezibhaliweyo mazingeniswe ngokwezibonelelelo zeSoloty lama-51 nelama-52 loMthethwana kaMasipala obhalwe ngentla (16 Paterson Street, Hermanus / (f) 0283132093 / (e) loretta@overstrand.gov.za) ngomhla okanye ngaphambi komhla wama-**8 uFebhuwari 2024**, uchaze igama lakho, idilesi neenkukacha ofumaneka kuzo, umdla wakho kwesi sicelo nezizathu zakho zokuhlomla. Imibuzo ngefowuni ingathunyelwa ku**Mnu. H Olivier** kwa-028-313 8900. UMasipala angala ukwamkela izimvo ezifike emva komhla wokuvala. Nabani na ongakwazi ukufunda nokubhala angahambela iSebe LeziCwangciso zeDolophu apho igosa likamasipala liza kumnceda ukuhlomla nokufaka izimvo zakhe ngokusemthethweni.

FARM 5B1



All distances approximate
and subject to survey.
COPY RIGHT RESERVED

Property Description:
**ERF 3583
ONRUSTRIVIER**

Plan Description:
LOCALITY MAP

Scale: **NTS**
Drawing Nr: **onr3583L.dwg**
Date: **11/2023**



PROPOSED DEPARTURE
ERF 3583 ONRUSTRIVIER
DIVISION: CALEDON
OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

Plan Active Town & Regional Planners has been appointed by The Bethulie Property Trust, the owner of erf 3583 Onrustrivier, to apply for a street building line encroachment in order to construct a lean-to roof structure that will accommodate solar panels.

Erf 3583 Onrustrivier is 478m² in extent and is held by Title Deed No. T30697/2015.

There is an existing double storey dwelling, garages and swimming pool established on the subject property.

2. APPLICATION DETAILS

1. Application is made in terms of:

- Chapter 4, Section 16(2)(b) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, for a departure from the street building line applicable to Erf 3583 Onrustrivier.

3. NEED AND DESIRABILITY

3.1 PROPERTY DESCRIPTION

Erf 3583 Onrustrivier is situated on the corner of Hillside Crescent and Hester De Wet Road, Onrus. Please refer to the attached locality plan and the map abstract below:



Erf 3583 Onrustrivier is 478m² in extent and is held by Title Deed No. T30697/2015.

The subject property slopes downwards from north to east and is characterized by residential structures consisting of a double storey dwelling, garages and a swimming pool. The coverage of the site is approximately 228.7m² being 48%.

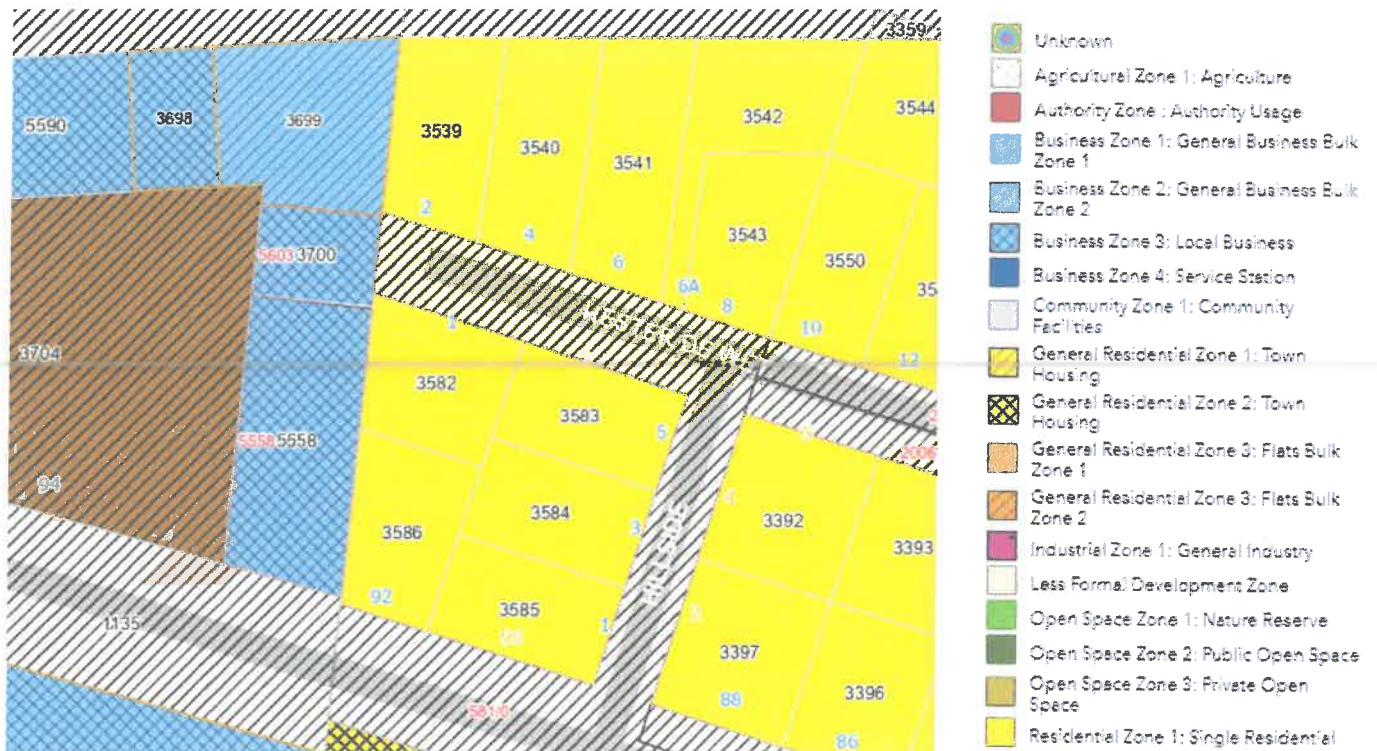
3.2 ZONING

Erf 3583 Onrustrivier has the following land use rights:

ERF NUMBER	ZONING
Erf 3583 Onrustrivier	Residential Zone 1

Surrounding properties to the east are also zoned Residential Zone 1, single residential. The Trading Post is located west of Erf 3583 Onrustrivier that consist of

properties that have Business Zone 2 & 3 Zonings. Please refer to the zoning map abstract below:



3.3 LAND USE

There is an existing double storey dwelling, 2 garages and a swimming pool established on the subject property.

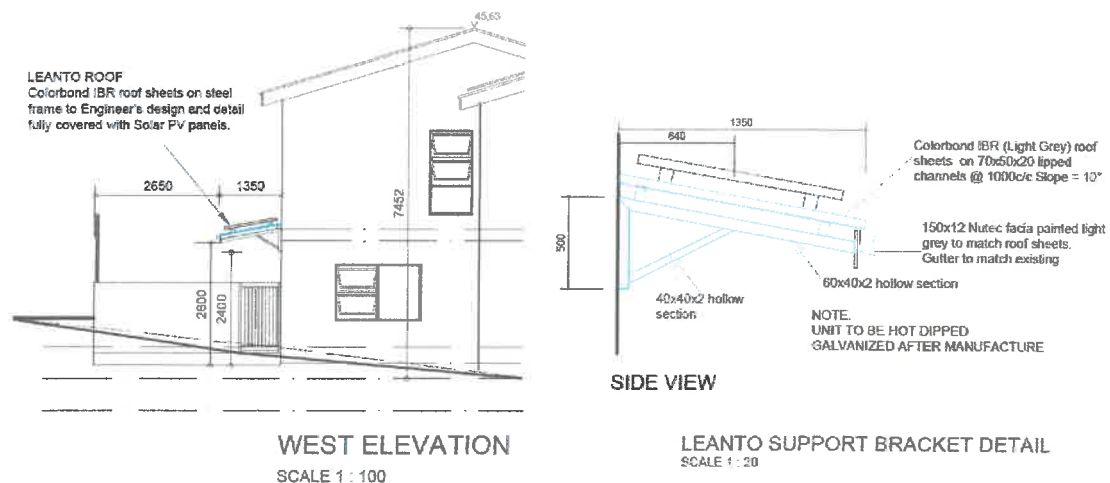
The land use of the subject property and the surrounding land uses are predominantly single residential dwellings and public roads with the exception of the Trading Post located west of the subject property and the Onrus Close Townhouse Development located south of the Trading Post.

3.4 PROPOSAL

The following is proposed:

- A departure from the street building line in terms of Chapter 4, Section 16(2)(b) of the Overstrand Municipality's Amendment By-law on Municipal Land Use Planning, 2020, applicable to Erf 3583 Onrustrivier.

Due to Eskom electricity load shedding that we are experiencing the owner of Erf 3583 Onrustrivier intends to construct additional solar panels as an additional source of electricity. The intention is to construct a lean-to roof attached to the north facing wall of the dwelling on which the solar panels will be affixed to. The lean-to roof will be 2.6m from ground level, located above the ground floor windows and door. The distance of the lean-to roof from the north facing wall of the dwelling to the edge of the lean-to roof will be 1.350m. please refer to the building plan abstracts below:



There are solar panels already affixed to a portion of the roof above the western side of the dwelling. The additional solar panels are required to fulfill the electricity load of the dwelling and will be easier accessible for maintenance and cleaning purposes. In terms of the General Encroachments, Section 16.1.1(a)(v) of the Overstrand Municipality Land Use Scheme Regulations, 2020, eaves, awning and canopies are allowed to encroach a building line by 1m measured from the wall. In order to make provision to affix the solar panels to the lean-to roof, the lean-to roof measures 1.350m from the wall exceeding the allowable 1m building line encroachment by 0.35m.

Subsequently it is required that we apply for a street building line relaxation on Hester de Wet Road from 4m to 2.650m. Please refer to the attached set of building plans for the detail of the proposed lean-to roof.

3.5 GENERAL

The proposed street building line encroachment application does not have a negative impact on the character or property values of the surrounding properties.

The lean-to roof building line encroachment is actually only 0.35m more than what is allowed in terms of Section 16.1 of the Overstrand Municipality Land Use Scheme Regulations, 2020. The lean-to roof will be affixed to the north facing dwelling wall above the ground floor windows and door, thus having no impact on views of erven located north of the subject erf. The impact on the adjacent property owners and the passers-by will be unnoticeable. Consequently also, the proposed departure will not have a greater visual impact on the surrounding properties than what the current dwelling already has.

The zoning of erf 3583 Onrustvriër will remain unchanged as well as the primary land use.

The total coverage of the erf including the 20.5m² lean-to roof will be 48%, 228.7m², and does not exceed the maximum permissible coverage of 50%.

It is submitted that the proposed additional structure is compatible with the character of the area, does not impact negatively on the rights of anyone else and that no good reason exists for not supporting this application.

The proposed departure of erf 3583 Onrustvriër is not in contrast to the existing land use tendencies in the surrounding environment and we therefore do not foresee any complications with the proposed application.

3.6 THE POTENTIAL OF THE PROPERTY

The zoning and primary land use of the subject property will remain unchanged.

The scale of the surrounding built environment, the low impact on the streetscape of the existing dwelling are also factors that have to be considered when contemplating the potential of the property to accommodate the proposed lean-to roof that will encroach the street building line. The following factors confirm the potential of the property to accommodate the proposed street building line deviation:

- good quality materials will be used, and the quality of the existing dwelling and surrounding dwellings will not be compromised with the proposed addition to the dwelling;
- the architectural style of the addition matches the architectural style of the existing dwelling.
- The addition will add value to the subject property.

3.7 ECONOMIC IMPACT

The Land Use Scheme Regulations govern structures and uses thereof on properties. The proposed departure will allow the owner to construct a lean-to roof that will accommodate proposed solar panels. The additional solar panels will generate additional electricity for the existing dwelling that will be advantageous during load shedding. Subsequently the departure will also favour the resale of the property in the future and have a positive impact on the adjacent properties.

The addition will add value to the subject property as well as the area. The proposed street building line departure will have a positive impact on the local economy.

3.8 SOCIAL IMPACT

The proposed departure will have no impact on the social status quo of the area. No negative impact on the social wellbeing of the surrounding community is anticipated.

It is submitted that the proposed addition to the dwelling is compatible with the character of the area and does not impact negatively on the rights of anyone else.

3.9 COMPATIBILITY WITH SURROUNDING LAND USES

The subject property is situated in an existing low-density residential area. The application does not propose to change the zoning or land use of the subject property and therefore the land use is compatible with the surrounding land uses.

The surrounding properties are developed with single and double storey dwellings and the use of the surrounding properties is for permanent residences and holiday houses. The scale of the dwelling on Erf 3583 Onrustrivier (and the respective uses thereof) merges well with the scale of the surrounding dwellings in the immediate area.

In addition, to accommodate the proposed lean-to roof and solar panels that will encroach the northern street building line will contribute towards the value of the subject property and consequently have a positive impact on the area. The use of the subject property will remain for residential purposes.

There is no impact on the streetscape as discussed in detail in Sections 3.4 and 3.5 of this report.

3.10 IMPACT ON EXTERNAL ENGINEERING SERVICES

All services on the subject property already exist. The proposed lean-to roof and solar panels will not have a negative impact on the usage of the existing available services since no additional loading of the existing civil infrastructure is anticipated. There will in effect be less load especially from an electricity point of view. No additional services will be required.

3.11 IMPACT ON SAFETY, HEALTH AND WELLBEING OF SURROUNDING COMMUNITY

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

3.12 IMPACT ON HERITAGE

The application does not involve changing the character of a site larger than 5 000m². Consequently, the proposed application for the departure does not trigger Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).

Erf 3583 Onrustrivier is not situated within the Heritage Overlay Zone as determined by the Overstrand Municipality's Zoning Scheme Heritage Overlay Zone (2020). The subject property is also not earmarked for heritage conservation purposes with reference to the Overstrand Municipal Growth Management Strategy (2010).

The subject property is not associated with any important persons or groups or important events and activities. The subject property has no association with the history of slavery and is not used for living heritage.

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

3.13 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed building line departure does not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

The subject property is not situated within the Overstrand Municipality's Zoning Scheme Environmental Overlay Zone (2020).

3.14 TRAFFIC IMPACT, PARKING AND ACCESS

Access to the existing garages established on Erf 3583 Onrustrivier will remain unchanged and will be from Hillside Crescent and Hester De Wet Road.

The land use of the property will remain the same and therefore the impact on the traffic flow in the area will remain unchanged.

3.15 TITLE DEED

Title Deed No. T30697/2015 has no restrictions that need to be removed for this application for the building line departure of the prescribed street building line to be approved.

There is no registered bond against Erf 3583 Onrustrivier.

3.16 FORWARD PLANNING AND LAND USE DOCUMENTS

The ***Overstrand Spatial Development Framework (2020)*** earmarks the area where erf 3583 Onrustrivier is situated, for urban development purposes. The zoning and use of the subject property will remain unchanged. As a result, the impact of the proposed departure on the spatial integrity of the area will be minimal and is therefore consistent with the Overstrand SDF (2020).

The ***Overstrand Municipal Growth Management Strategy (OMGMS, 2010)*** does not apply to this application for a building line.

The proposal will promote use of the land in a location that is sustainable. The proposed departure is to improve the erf within an established residential area and will not impact on the environment.

The impact on the overall density of this part of Onrus will therefore remain the same.

From the above it is evident that the proposed building line departure can be supported with reference to the relevant municipal spatial planning policies.

3.17 PLANNING PRINCIPLES

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

Spatial justice: The proposed land departure application ties in with the existing character of the area and will not have a negative impact on the surrounding neighbours. The impact on the biophysical environment will be insignificant as the subject property is already developed. The proposed building line departure is in character with the existing area.

Spatial sustainability: The proposed departure will have no significant impact on the visual elements of the subject property. The proposed street building line departure to accommodate a Lean-to roof and solar panels is compatible with the character of the area as motivated in previous sections of this report. The building line encroachment of the northern street boundary has no impact on the massing of the buildings and the impact on the streetscape or passers-by. The existing dwelling merges well with the area.

Factors such as the good quality materials to be used, the overall layout of the structures on the subject property, the scale of the surrounding built environment, the low proposed impact on the streetscape (Hester de Wet Street) allow for the consideration and approval of the proposed departure without having an adverse impact on the spatial sustainability of the area. The proposed addition is to improve the erf and to be more sustainable from an electricity point of view within an established residential area and therefore will not impact upon a sensitive environment.

The application is considered spatially sustainable as the existing property will be more optimally utilised without affecting the environment, it is compatible with the character of the area and does not impact negatively on the rights of any adjacent property owner.

Efficiency: The subject property is easily accessible and conveniently located close to all major routes. It proves to be resourceful to approve the proposed addition to the dwelling since it is compatible with the existing built environment and the way the addition will be done will be aesthetically pleasing. The proposed lean-to roof to accommodate the solar panels will also increase the electricity efficiency of the dwelling, putting less strain on the current supply.

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

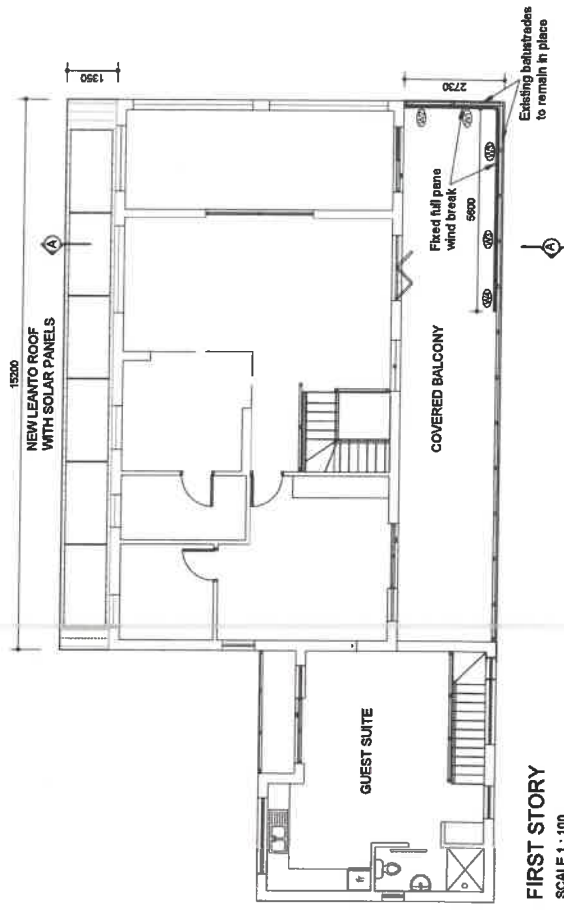
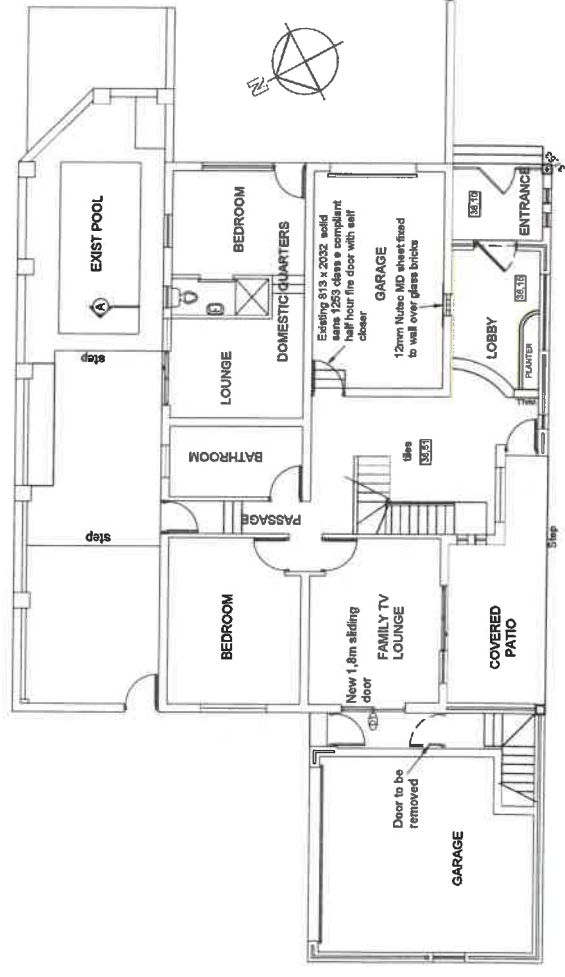
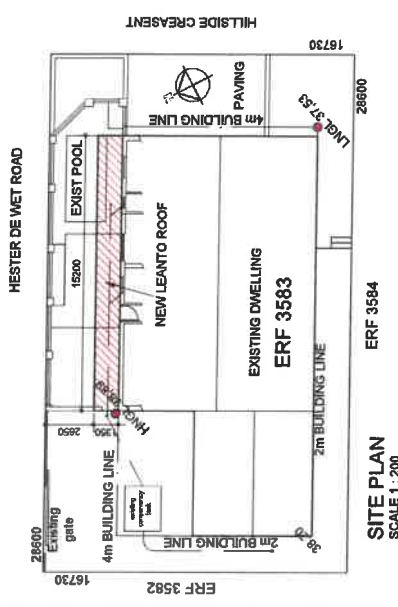
4. RECOMMENDATION

When this application is evaluated it is important to take note of the following:

- All services on the subject property already exist and there will be no additional load on the existing infrastructure, in fact the load on electricity will be less;
- The zoning and primary land use of the subject property will remain unchanged;
- The proposal is compatible with the existing built character of the area;
- There are no environmental aspects that will negatively impact the application and the application will not have a negative impact on any environmental factors;
- Existing views of surrounding erven will not be impacted on.
- The application is fully compliant with the applicable planning principles described in the LUPA (2014) and SPLUMA (2013).

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

AREA SCHEDULE	
PLOT AREA	= 476,48sqm
EXISTING GROUND STORY FLOOR AREA	= 187,5sqm
COVERED PATIO AREA	= 20,7sqm
EXISTING FIRST STORY FLOOR AREA	= 164,2sqm
COVERED BALCONIES	= 44sqm
NEW WORK GROUND FLOOR NEW LEANTO	= 20,5sqm
TOTAL NEW BUILDING AREA	= 20,5sqm
COVERAGE	= 228,7sqm = 48%



Revisions	Revno.	Date	Description

ALTERATIONS
ERF 3583 - ONRUS

The drawing is the property of LA DESIGN STUDIO. Copyright is reserved by them and is issued on the condition that it is not copied, reproduced, retained or disseminated to any unauthorized person other than the client or in part, without the written consent of LA DESIGN STUDIO.

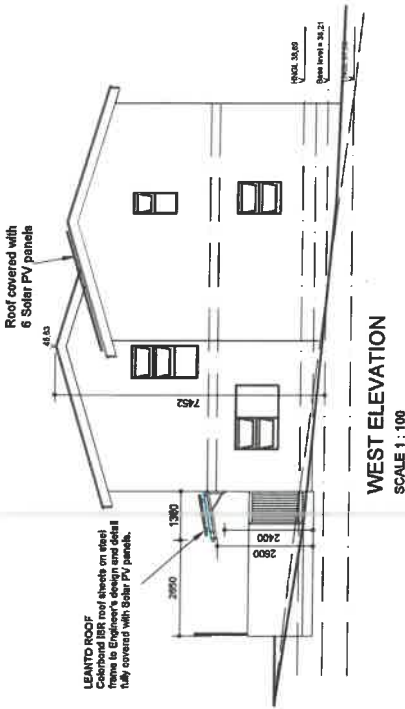
La. Abbott, Ex. Arch.

Client **HOUSE SCHOEMAN**
5 Hillside Crescent
ONRUS

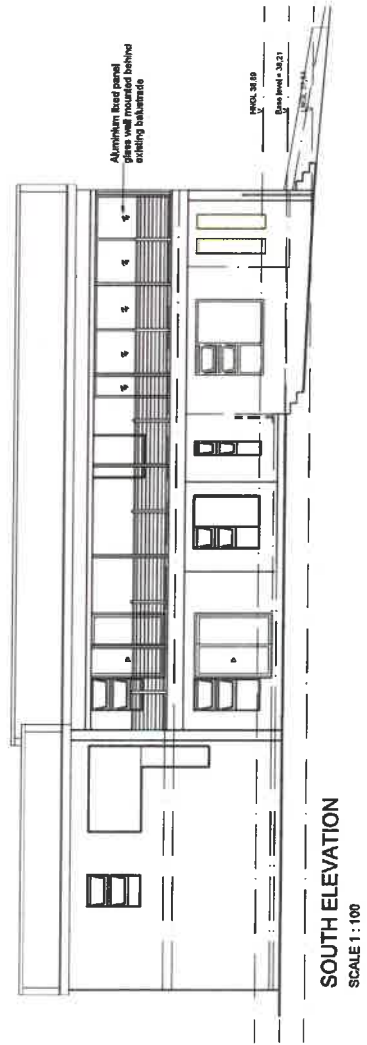
Project

L A Design Studio
ARCHITECTURAL PRACTICE
La. Abbott
SACAP REGISTRATION P. Arch. 7133
74 Broadway, Fishermans
Call: 083 232 5130 Fax: 086 540 6584
info@ladesignstudio.co.za www.ladesignstudio.co.za

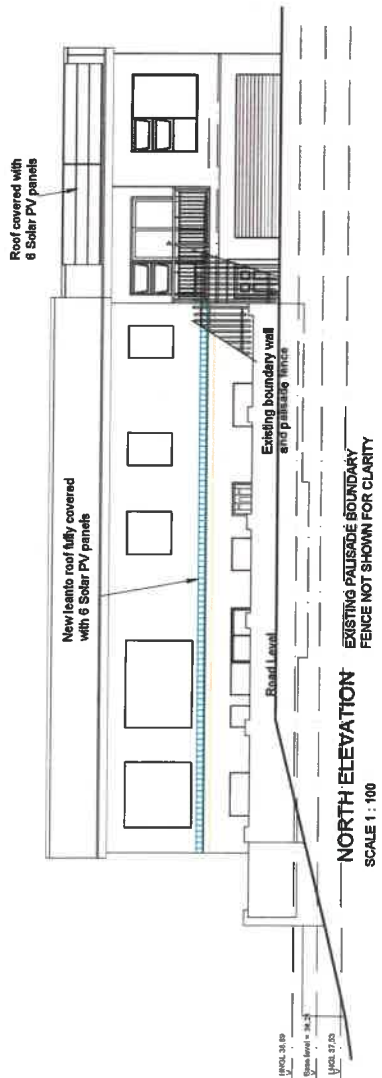
Drawing No.	15100923
Scale	1:-
Project No.	661-23
Drawing No.	C01
Revision	
Designed	L. Abbott
Drawn	
Plotted	



WEST ELEVATION
SCALE 1 : 100



SOUTH ELEVATION
SCALE 1 : 100



EAST ELEVATION
SCALE 1 : 100

Drawing title ELEVATIONS	Date	15/09/23
	Scale	1:-
Project No. 661-23	Drawing No. C02	Revision
Designed L. Abbott	Drawn	Plotted

L A Design Studio
ARCHITECTURAL PRACTICE
Lisa Abbott
S.A.I.P. REGISTRATION Pr. Arch. 7733
74 Brookway, Fishermans
Call: 083 232 8139 Fax: 083 540 4594
info@ladesignstudio.co.za www.ladesignstudio.co.za

Client **HOUSE SCHOEMAN**
5 Hillside Crescent
ONRUS
Signed

Project **ALTERATIONS**
ERF 3583 - ONRUS

Revisions	Rev. No.	Date	Description

NO RESPONSIBILITY FOR THE DESIGN WILL BE TAKEN UNLESS THIS DRAWING IS SIGNED BY A REPRESENTATIVE OF LA DESIGN STUDIO

SIGNATURE: _____
Lisa Abbott, Architect

This drawing is the property of LA DESIGN STUDIO
Copyright is reserved by them and is issued on the condition that it
is not copied, reproduced, retained or disseminated to any unauthorized
person other than the body of it in part, without the written consent of LA DESIGN STUDIO