



MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD IN THE BANQUETING HALL, MALMESBURY ON WEDNESDAY, 11 MAY 2022 AT 14:00

PRESENT

Internal members:

Municipal Manager, Mr J J Scholtz (chairperson)
Director: Corporate Services, Ms M S Terblanche
Director: Protection Services, Mr P A C Humphreys

External members:

Ms C Havenga
Mr C Rabie

Other officials:

Manager: Secretariat and Records, Ms N Brand (secretariat)
Director: Development Services, Ms J S Krieger
Town and Regional Planner, Ms A de Jager
Snr Town and Regional Planner, Mr A J Burger
Town and Regional Planner and GIS, Mr H Olivier

1. OPENING

The chairperson opened the meeting and welcomed members.

2. APOLOGY

RESOLVED that the apology received from the Senior Manager: Built Environment, mr A M Zaayman be noted.

3. DECLARATION OF INTEREST

RESOLVED that cognisance be taken that no declarations of interest were received.

4. MINUTES

4.1 MINUTES OF A MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON 13 APRIL 2022

RESOLVED

(proposed by Ms C Havenga, seconded by Ms M S Terblanche)

That the minutes of a Municipal Planning Tribunal Meeting held on 13 April 2022 are approved and signed by the chairperson.

5. MATTERS ARISING FROM MINUTES

5.1 MINUTES OF MUNICIPAL PLANNING TRIBUNAL HELD ON 13 APRIL 2022

None.

6. MATTERS FOR CONSIDERATION

6.1 PROPOSED CONSENT USE ON ERF 1858, YZERFONTEIN (15/3/10-14) (WARD 5)

Mr H Olivier, the author, explained that an application is made for a consent use on Erf 1858, Yzerfontein to use the existing dwelling as a guesthouse.

Mr Olivier confirmed that during an investigation it was found that a total of five bedrooms, accommodating 10 guests, are advertised on well-known websites, including the facility's own website. This is in contradiction with the application that is for four bedrooms for the occupation of eight guests.

The Municipal Planning Tribunal confirmed that, although the impact of an additional one bedroom, indicated as a study on the site plan, will not be significant, the application cannot be altered in accordance with the Swartland Municipality: By-law relating to Municipal Land Use Planning (PG 8226 of 25 March 2020).

RESOLUTION

- A. The application for consent use on Erf 1858, Yzerfontein, be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), subject to the conditions that:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) The consent use be restricted to enable the existing dwelling to be used as a guesthouse, including;
 - (i) 4 x guest bedrooms with en-suite bathrooms, to be occupied by a maximum of 8 paying guests at any time;
 - (ii) 1 x open plan kitchen, dining room and lounge;
 - (iii) 1 x study;
 - (iv) 1 x double garage;
- (b) A minimum of three (3) on-site parking bays be provided and the parking bays be finished in a permanent dust free surface whether it be tar, concrete, paving or any other material, as approved by the Municipality beforehand, and the parking bays be clearly demarcated;
- (c) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;
- (d) A site development plan, including parking layout and proposed landscaping which complements the residential character of the dwelling, be submitted to the Senior Manager: Built Environment at building plan stage for consideration and approval;
- (e) A contact number of the owner/manager of the facility be displayed conspicuously on the premises at all times for emergency and/or complaint purposes;
- (f) All amenities and provision of meals be for the sole benefit of bona fide lodgers;
- (g) A register of guests and lodgers be kept and completed when rooms are let, and the register be produced for inspection on request by a municipal official;
- (h) Guest rooms not be converted to, or used as separate dwelling units;
- (i) Application be made to the Senior Manager: Built Environment for the right to construct or affix and display any signage;
- (j) Any signage be limited to 1 m² in area and may not project over a public street;
- (k) A Certificate of Compliance be obtained from the West Coast District Municipality for the operation of the guesthouse;
- (l) A trade licence be obtained from Swartland Municipality for the operation of the guesthouse;
- (m) The Western Cape Noise Control Regulations (PG 7141 dated 20 June 2013) be adhered to, to the satisfaction of the relevant authority;
- (n) No guests be allowed to park within the road reserve;

A2 WATER

- (a) The existing connection be used and no additional connections be provided;

A3 SEWERAGE

- (a) The property be provided with a conservancy tank of sufficient capacity to the satisfaction of the Director: Civil Engineering Services and that the tank be accessible to the municipal service truck via the street;

A4 DEVELOPMENT CHARGES

- (a) The development charge towards the supply of regional bulk water amounts to R1 815,08 and is for the account of the owner/developer at building plan stage.

6.1/A4(a)...

- The amount is due to the Swartland Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA: 9/249-176-9210);
- (b) The development charge towards bulk water reticulation amounts to R1 500,75 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/249-174-9210);
 - (c) The development charge towards waste water treatment amounts to R2 760,00, and is for the account of the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/240-183-9210);
 - (d) The development charge towards sewerage amounts to R1 870,67 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/240-184-9210);
 - (e) The development charge towards streets amounts to R3 833,33 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/249-188-9210);
 - (f) The development charge towards storm water amounts to R1 064,13 and is payable by the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/248-144-9210);
 - (g) The development charge towards electricity amounts to R3 473,00 and is payable by the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/253-164-9210);
 - (h) The Council resolution of May 2021 makes provision for a 40% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2021/2022 and may be revised thereafter. The discount is not applicable to A4(a);

B. GENERAL

- (a) The approval is, in terms of section 76(2)(w) of the By-Law, valid for 5 years. All conditions of approval be met before the guesthouse comes into operation and the occupancy certificate is issued, after which the 5 year period will no longer be applicable;
- (b) The approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority;
- (c) The applicant/objectors be notified of this outcome and their right to appeal in terms of Chapter VII, Section 89 of the By-law.

C. The application be supported for the following reasons:

- (a) The proposed guesthouse is a residential use and is consistent with the proposals of the MSDF;
- (b) A guesthouse is accommodated as a consent use under Residential Zone 1 of the By-Law;
- (c) The development proposal supports the optimal utilisation of the property;
- (d) The guesthouse will support the tourism industry in Yzerfontein, as well as the local economy;
- (e) The development proposal will not negatively impacts on the character of the surrounding neighbourhood or the larger Yzerfontein;
- (f) The concerns of the neighbouring and affected property owners are sufficiently addressed in the conditions of approval.

6.2 PROPOSED CONSENT USE ON ERF 7278, MALMESBURY (15/3/10-8) (WARD 10)

Ms A de Jager tabled the item for the proposed consent use on Erf 7278, Malmesbury in order to accommodate a day care centre for six children between 3 months to 24 months of age.

Resolution/...

RESOLUTION

- A. The application for consent use on Erf 7278, Malmesbury be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2020), subject to the conditions that:

A1 TOWN PLANNING AND BUILDING CONTROL

- (a) The consent use authorises a Day Care Centre, as presented in the application;
- (b) The Day Care Centre be restricted to 30 m², as presented in the application;
- (c) A maximum of six (6) children be enrolled at the Day Care Centre at any time, as presented in the application;
- (d) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;
- (e) The operation of the Day Care Centre be restricted between 06h00 and 18h00 from Mondays to Fridays;
- (f) The Day Care Centre complies with the requirements of Department Social Services and be registered at the Department of Education;
- (g) Application be made to the West Coast District Municipality for a compliance certificate for an early childhood development facility as well as a second compliance certificate for the preparation of food;
- (h) Application for the display of advertising signs be submitted to the Senior Manager: Built Environment for consideration for approval;
- (i) At least three (3) on-site parking bays be provided with a permanent dust free surface being tar, concrete or paving or a material pre-approved by Swartland Municipality to the satisfaction of the Director: Civil Engineering Services. The parking bays be clearly marked;
- (j) The drop-off and pick-up of children be restricted to the parking area of Erf 7278;
- (k) The drop-off and pick-up of children off the property be prohibited;

A2 WATER

- (a) The existing single water connection be used and that no additional connections be provided;

A3 SEWERAGE

- (a) The existing sewerage connection be used and that no additional connections be provided;

A4 WEST COAST DISTRICT MUNICIPALITY

- (a) The provisions of the Norms and Standards of 24 December 2015 be complied with;
- (b) Application for a acceptability certificate for a childcare facility be submitted to the Environmental Health Division of the West Coast District Municipality;
- (c) If food is to be prepared on the premises, a compliance certificate for food preparation be submitted to the West Coast District Municipality's Environmental Health Division;
- (d) Other health requirements may be set from time to time;

B. GENERAL

- (a) The approval is, in terms of section 76(2)(w) of the By-Law, valid for 5 years. All conditions of approval be complied with before the Day Care Centre comes into operation and the occupancy certificate is issued, after which the 5 year period will no longer be applicable;
- (b) The preparation of meals for the children be permitted on the property;
- (c) The approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority;
- (d) The applicant/objectors be notified of this outcome and their right to appeal in terms of Chapter VII, Section 89 of the By-Law;

- C. The application be supported for the following reasons:

- (a) The application complies with the planning principles of LUPA and SPLUMA;

6.2/C...

- (b) The application is compliant with the spatial planning of Malmesbury, as directed by the SDF;
- (c) The proposed day care centre will complement and not have a negative impact on the residential character of the surrounding area;
- (d) The development proposal supports the optimal utilisation of the property;
- (e) A day care centre is an acceptable use in a residential area which implies that the possible impacts on affected parties, are similarly acceptable;
- (f) Sufficient services capacity exists to accommodate the place of education;
- (g) Sufficient on-site parking bays are provided for safe drop-off and pick-up of children;
- (h) Health and safety concerns are addressed through the conditions of approval;
- (i) The noise impact of the facility on the tranquillity of the neighbourhood is deemed to be negligible.

**(SIGNED) J J SCHOLTZ
CHAIRPERSON**

ITEM 6.1 OF THE AGENDA FOR THE MUNICIPAL PLANNING TRIBUNAL THAT WILL TAKE PLACE ON WEDNESDAY, 8 JUNE 2022

LAND USE PLANNING REPORT PROPOSED CONSENT USE ON ERF 1714, YZERFONTEIN					
Reference number	15/3/10-14/Erf 1714	Submission date	9 April 2022	Date finalised	27 May 2022

PART A: APPLICATION DESCRIPTION						
Application for a consent use on Erf 1714, Yzerfontein, is made in terms of Section 25(2)(o) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020), in order to establish a double dwelling on the property.						
The applicant is C.K. Rumboll and Partners and the property owner is MDMMC Enterprises (Pty) Ltd.						
PART B: PROPERTY DETAILS						
Property description (in accordance with Title Deed)	ERF 1714 YZERFONTEIN, IN THE SWARTLAND MUNICIPALITY, DIVISION MALMESBURY, PROVINCE OF THE WESTERN CAPE					
Physical address	141 Atlantic Drive (locality plan attached as Annexure A).		Town	Yzerfontein		
Current zoning	Residential Zone 1	Extent (m ² /ha)	700m ²	Are there existing buildings on the property?	Y	N
Applicable zoning scheme	Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020)					
Current land use	Vacant property		Title Deed number & date	T65557/2001		
Any restrictive title conditions applicable	Y	N	If Yes, list condition number(s)			
Any third party conditions applicable?	Y	N	If Yes, specify			
Any unauthorised land use/building work	Y	N	If Yes, explain			
PART C: LIST OF APPLICATIONS (TICK APPLICABLE)						
Rezoning		Permanent departure		Temporary departure		Subdivision
Extension of the validity period of an approval		Approval of an overlay zone		Consolidation		Removal, suspension or amendment of restrictive conditions
Permissions in terms of the zoning scheme		Amendment, deletion or imposition of conditions in respect of existing approval		Amendment or cancellation of an approved subdivision plan		Permission in terms of a condition of approval
Determination of zoning		Closure of public place		Consent use	✓	Occasional use
Disestablish a home owner's association		Rectify failure by home owner's association to meet its obligations		Permission for the reconstruction of an existing building that constitutes a non-conforming use		

PART D: BACKGROUND

Erf 1714 is located in Atlantic Drive, in the southern portion of Yzerfontein. The area is characterised by residential properties and protected open spaces. The application property and a number of the surrounding properties are vacant, but development of the area continues steadily. The Swartland Municipal Spatial Development Framework (SDF, 2020) identifies the area as area B, with residential and ancillary uses.

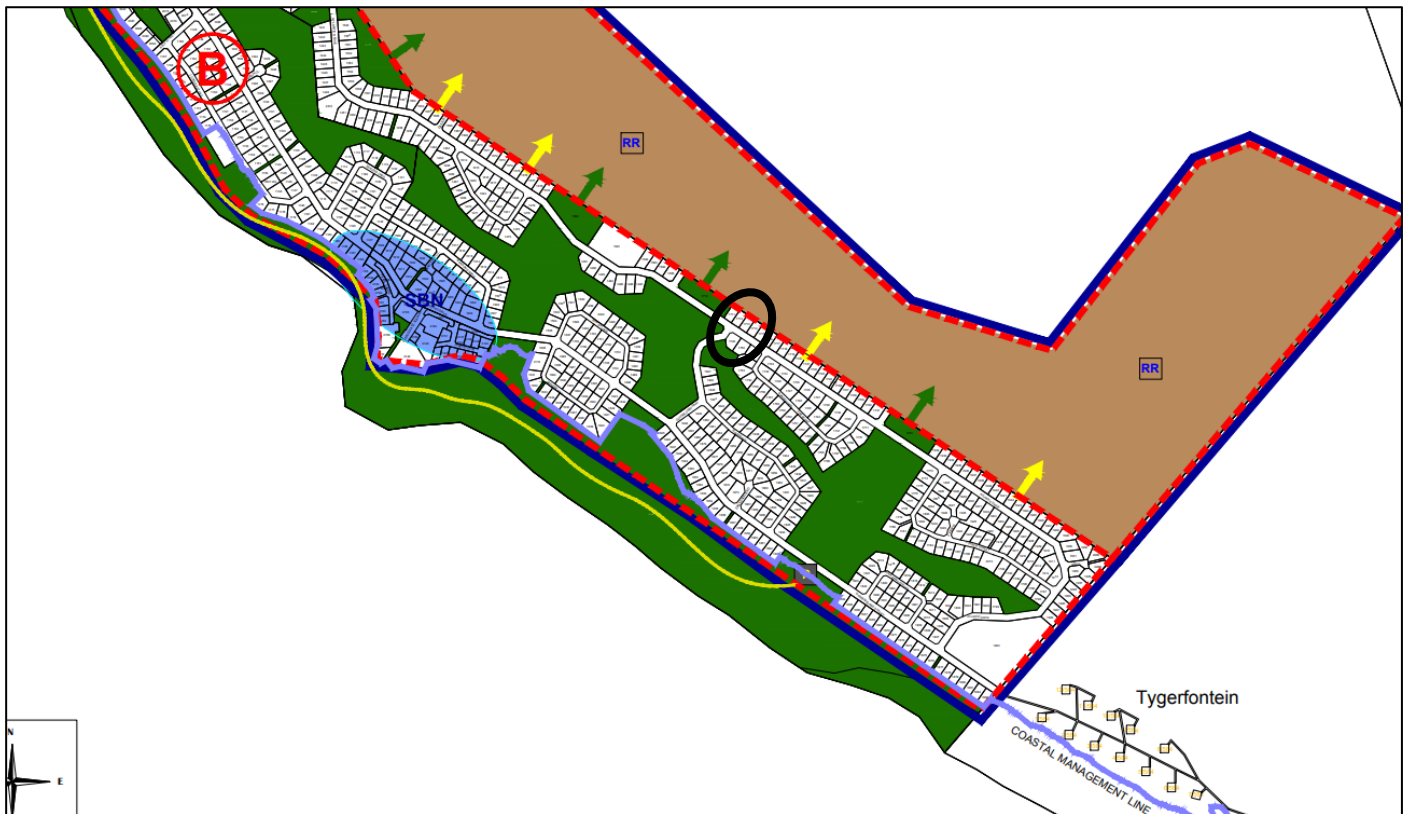


Figure 1: Locality Plan

Erf 1714 is zoned Residential Zone 1 and is currently vacant. The property slopes downward, away from Atlantic Drive, in a western direction, at a ratio of roughly 1:10.

The owners intend to develop the property with a two storey double dwelling, the building plans of which have not been approved yet, but which are proposed to resemble the plans illustrated in Figure 2.

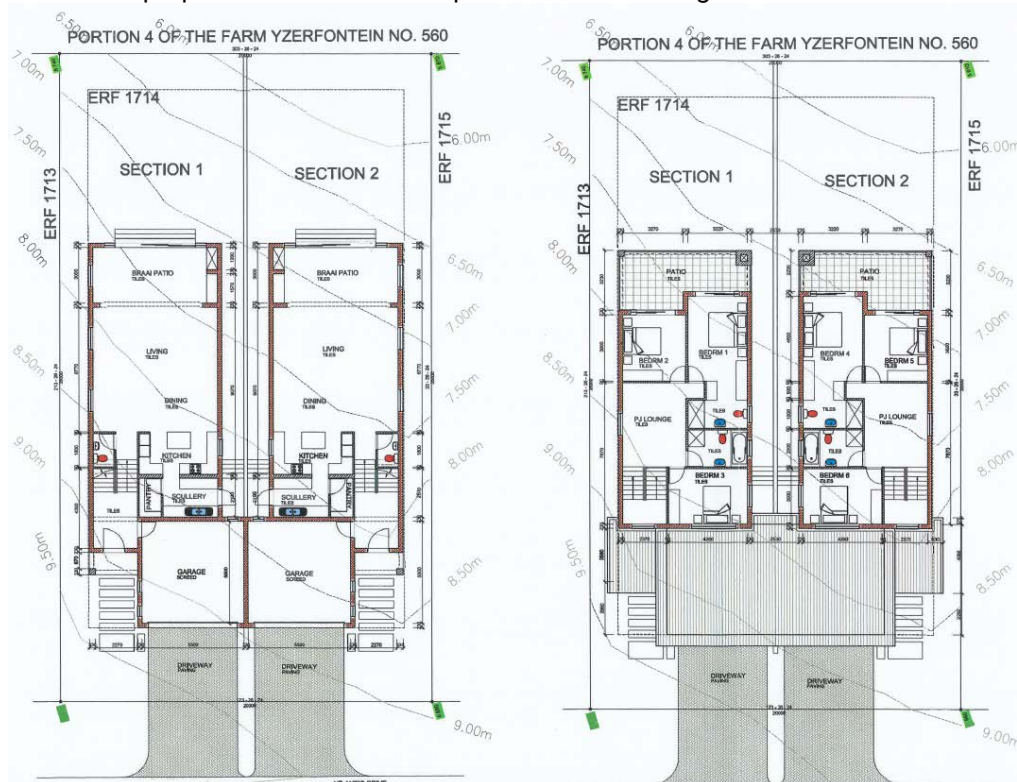


Figure 2: Proposed house plans

PART E: PRE-APPLICATION CONSULTATION (ATTACH MINUTES)			
Has pre-application consultation been undertaken?	Y	N	If yes, provide a brief summary of the outcomes below.
PART F: SUMMARY OF APPLICANT'S MOTIVATION			
The applicant states the following as motivation for the development proposal:			
<ol style="list-style-type: none"> Through the provision of a double dwelling house on Erf 1714, the owners will be granted an additional income opportunity. The proposed development will contribute positively to the value and functionality of Erf 1714, Yzerfontein; The proposal is deemed suitable due to its locality, with regards to the surrounding residential properties; The property's location within a residential area of Yzerfontein is ideal for the creation of residential development; The density will still be considered as low density; The proposed residential development will not have any negative impact on the surrounding environment or potential high conservation areas or agricultural land; The proposed residential development is supported by the SDF and Scheme Regulations; From the Title Deed of Erf 1714, Yzerfontein, it is evident that there are no conditions that will prohibit the proposed consent use. 			
1. <u>Legislation and policy frameworks</u>			
2.1 <u>Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA</u>			
<p>a) <u>Spatial Justice</u>: The proposed development complies with spatial development proposal and guidelines, justifying the right of the owner to develop the land for the proposed residential use. The property concerned will be used to its full potential and will make a positive contribution to housing provision in Yzerfontein.</p> <p>b) <u>Spatial Sustainability</u>: The proposal promotes spatial compactness and resource frugal development, whilst protecting the environment. It proposes the sustainable use of resources and limits urban sprawl. The double dwelling will not affect any sensitive vegetation, conservation areas or heritage resources.</p> <p>c) <u>Efficiency</u>: The consent use will promote residential and economic opportunities. Creating additional dwelling units promotes a combination of residential densities within the existing area. It further supports the development of more compact towns.</p> <p>d) <u>Spatial Resilience</u>: The development will be resilient in terms of the multiple uses that may be allowed on the property with the relevant authorisation. The proposed development does not limit any future benefits of the properties or the surrounding area. the proposed development will have no negative impact on previously disadvantaged communities.</p> <p>e) <u>Good administration</u>: Swartland Municipality will manage the administrative process and public participation processes consistent with the requirements of the By-Law.</p>			
2.2 <u>Swartland Municipal Spatial Development Framework (SDF, 2019)</u>			
The application property is located in Area B of the SDF, that identifies the area for low, medium and high-density residential opportunities. The proposed land use is thus consistent with the proposals of the SDF.			
2.3 <u>Schedule 2 of the By-Law (Zoning Scheme Provisions)</u>			
A double dwelling is a consent use that may be considered under the zoning category of Residential Zone 1. The proposal is thus consistent with the development parameters of the By-Law.			
PART G: SUMMARY OF PUBLIC PARTICIPATION			
Was public participation undertaken in accordance with section 55- 59 of the Swartland Municipal: By-law on Municipal Land Use Planning?			Y N
A total of 9 registered notices were issued to affected parties and the same notices were also sent via e-mail, where possible. One posted notice was returned unread. Please refer to Annexure D for public participation map.			
Total valid comments	3		Total comments and petitions refused
			0
Valid petition(s)	Y	N	If yes, number of signatures

Community organisation(s) response	Y	N	Ward councillor response	Y	N	The application was forwarded to councillor Rangasamy, but no comments were forthcoming.
Total letters of support	0					

PART H: COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS					
Name	Date received	Summary of comments	Recommendation		
			Positive	Negative	
Department: Civil Engineering Services	18 April 2022	1. <u>Water</u>	✓		
		Die erf voorsien word van ‘n enkele wateraansluiting;			
		2. <u>Riolering</u>			
		Die erf voorsien word van ‘n rioolsuigtenk met ‘n minimum kapasiteit van 8 000 liter wat vir die diensvragmotor vanuit die straat toeganklik is.			
		3. <u>Ander kommentaar</u>			
		Dat ontwikkelingsbydraes as volg gemaak word:			

<p>AL. & L. E. Viljoen (Erf 1750)</p> <p>D. Wagener (Erf 1711)</p> <p>W. F., E. & T. Kleinhans (Erf 1713)</p>	<p>a rowdy change for a quiet neighbourhood.</p> <p>Potential for increased noise with more occupants on one erf will have an impact on adjacent neighbours.</p> <p>According to agents, the double dwellings do not sell easily. If it's sold, you'll have more people and cars accessing the property. The coming and going of people and cars poses a risk of disturbance to the neighbours.</p> <p>2. The intended building is huge and can accommodate up to 12 persons. The building further covers nearly the whole stand.</p> <p>3. The construction of a double dwelling (at cheaper prices) on a single erf has a negative effect on the surrounding houses which were built at great costs. It will have a definite impact on the property values.</p> <p>4. The erection of the dwelling units brings additional traffic with more people and vehicles on a single erf and Atlantic Drive is carrying more and more traffic.</p>	<p>2. Each property owner has the right to develop his/her property to its full potential in accordance with the development parameters as set out in the Swartland Municipal By-Law on Land Use Planning (PG 8226). The coverage on a Residential Zone 1 property shall be at most 66%. The total coverage of the proposed building on Erf 1714 is $\pm 42.6\%$. The proposed development on Erf 1714 does not depart from any development parameters (e.g. height restrictions, coverage, building lines or parking bay provision) of a Residential Zone 1 property. If future development is within the parameters set out in the mentioned By-law, it will not negatively affect the surrounding erven.</p> <p>3. The relevant authority may not restrict the application on grounds of the potential financial implications as specified under Section 59(1)(f) of Chapter VI of The Land Use Planning Act: "<i>a competent authority contemplated in this Act or other relevant authority considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property will be affected by the outcome of the application.</i>"</p> <p>4. The road reserve width of Atlantic Drive is 16m, which is substantially wider than the norm used nowadays in the design of towns. 12m reserves are used in residential areas to accommodate bus routes. The road width of Atlantic Drive has been designed to accommodate high volumes of traffic.</p>	<p>dwelling is a residential use expected to generate the same amount of noise as any other residential dwelling in the neighbourhood. Should legal nuisances arise, it will be dealt with in terms of the applicable legislation.</p> <p>The increase in traffic to and from the property is also considered consistent with that of a residential area and the objection is deemed invalid.</p> <p>2. The proposed coverage is 42,65% and the double dwelling adheres to the building line and all other development parameters. The building does not cover nearly the whole stand.</p> <p>3. The objection is conjecture.</p> <p>4. The application was evaluated by the relevant municipal engineering services divisions, including Roads and Traffic. The increase in traffic, caused by a double dwelling, was determined minor and acceptable by all Departments.</p>
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There is already an increase in traffic at the T-junction right in front of our property. Visitors to the proposed double dwelling can seriously impede traffic as they will have to park in the street and on sidewalks.

Comparing Atlantic Drive with streets in other cities where similar developments take place, traffic congestion fades in comparison as to what is the situation in all of our metropolitan areas. The establishment of a double dwelling will be the least intrusive from a traffic perspective of all allowable uses for this property.

According to the on-site parking requirements as set out in the By-Law, 2 parking bays are required for a dwelling unit and 1 parking is required for an additional dwelling unit. For the proposed double dwelling, at least 3 on-site parking bays need to be provided. As illustrated in the figures below, 8 parking bays are accommodated on-site. Therefore, more than a sufficient amount of parking bays will be accommodated on-site, leading to no need for any vehicles to park in the street or on sidewalks.

Each dwelling unit is designed with a double garage, as well as two parking spaces in front of each garage. More than the required number of parking bays are provided on-site, implying that parking for guests will most likely be on site as well and will not cause obstructions of public roads.

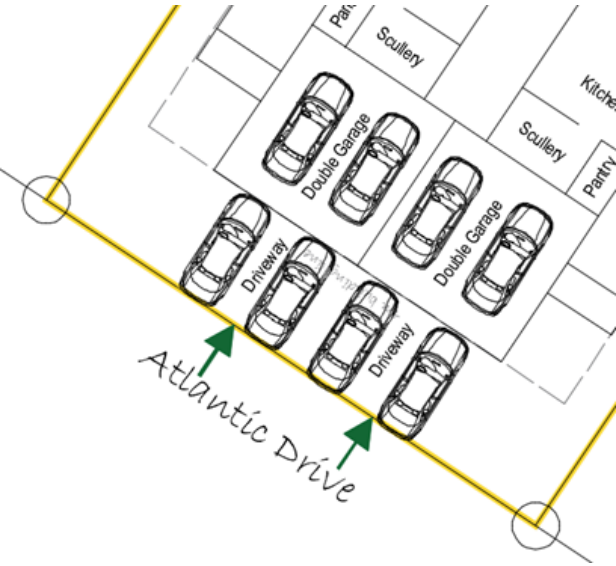


Figure 1: On-site parking

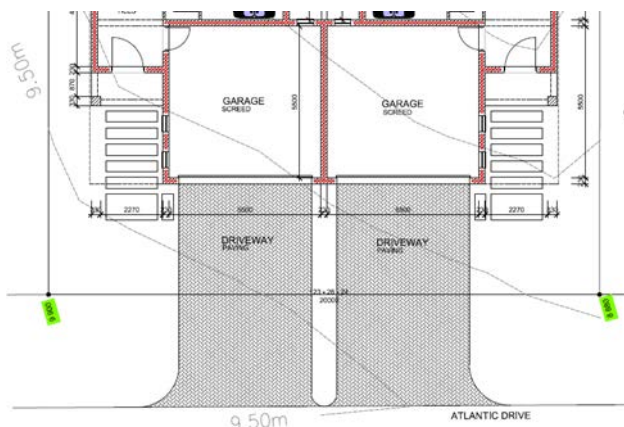


Figure 1: Extract from Building Plan

5. I am not opposed to the erection of a dwelling on the property, but against the erection of a double dwelling on the property.

6. The proposal to build double dwellings and a double storey on a 700m² erf is unacceptable and disturbing. It will appear very cramped against the existing housing style of the adjoining dwelling units in the area.

7. Pressure on the sewer system of two properties can be a burden for the surrounding neighbours as the system has to be pumped more times due to the double dwelling.

8. It is disturbing that a developer who may not be aware of the aesthetics of Yzerfontein that our residents are trying to preserve and wants to build the second dwellings on a relatively small plot of 700m², thus disregarding the

5. Noted.

6. Refer to point 2

7. The impact of a double dwelling on the sewer system will be minimal, as one could build a single dwelling, containing 6 bedrooms on the property as well, which is regarded as a primary right. There is no impact on neighbouring properties if the septic tanks need to be emptied more often. The septic tanks will also be sufficient to accommodate the said proposal. However, Swartland Municipality will consider the development's impact on services and will comment accordingly.

8. As mentioned in Point 2, each property owner has the right to develop his/her property to its full potential in accordance with the development parameters as set out in the Swartland Municipal By-Law on Land Use Planning (PG 8226).

5. Densification on residential properties is promoted and supported on national, provincial and local levels as the optimal use of available space within urban edges. The development of a double dwelling is wholly consistent with said policies.

6. The development will adhere to the same development parameters that would have been applicable if a developer proposed a large single dwelling.

7. The capacity of all engineering services was evaluated and found sufficient by the relevant engineering services divisions. Additionally, the sewerage system of the area comprises of septic tanks, located on each property. The septic tanks on the application property will have no bearing whatsoever on the sewerage management of any of the other properties in the area.

8. The applicant has the right to apply for any consent use under Residential Zone 1, as does any of the property owners in the area. The applicant adheres to all the development parameters of residential Zone 1 and the densification is consistent with spatial development policy on multiple levels.

	<p>privacy of the neighbours and other houses.</p> <p>9. As available plots become scarce in Yzerfontein, this type of development can create a precedent so that more such houses are built to the detriment of the uniqueness of a town.</p>	<p>The Swartland SDF (2019) determines the strategic policy guidelines for future development in the Swartland region and in this case, in Yzerfontein. The SDF identifies the area in which Erf 1714 is located as Zone B, which consists mainly of low density residential uses along the coastal stretch to the south, with a proposed node along the beach front as well as areas for medium and high density housing opportunities.</p> <p>This indicates that the application is fully supported by the SDF.</p> <p>9. The approval of this application will not create a precedent for future development, as each land use application submitted to Swartland Municipality is unique, and should be addressed accordingly.</p> <p>The Swartland SDF (2019) determines the strategic policy guidelines for future development in the Swartland region and in this case, in Yzerfontein. Each application will be subject to the land use proposals as set out in the Swartland SDF (2019).</p>	
			<p>9. Other land owners have the right to apply for double dwellings in future and every land use application is considered on its own merit, in accordance with LUPA and SPLUMA.</p>

PART J: MUNICIPAL PLANNING EVALUATION

1. Type of application and procedures followed in processing the application

Application for a consent use on Erf 1714, Yzerfontein, is made in terms of Section 25(2)(o) of the Swartland Municipality: Municipal Land Use Planning By-Law (PK 8226, dated 25 March 2020), in order to establish a double dwelling on the property.

A total of 9 registered notices were issued to affected parties on 22 March 2022 and the same notices were also sent via e-mail, where possible. The commenting period for the application concluded on 25 April 2022 and three objections were received. One posted notice was returned unclaimed, but the letter was also e-mailed to the property owner.

The objections received were referred to the applicant for comment on 3 May 2022 and the response to objections were provided to the Municipality on 11 May 2022.

The applicant is C.K. Rumboll and Partners and the property owner is MDMMC Enterprises (Pty) Ltd.

2. Legislation and policy frameworks

2.1 Matters referred to in Section 42 of SPLUMA and Principles referred to in Chapter VI of LUPA

- a) Spatial Justice: The proposed double dwelling supports higher density and enhances the availability of alternative residential opportunities, making the area more accessible to a wider range of society;
- b) Spatial Sustainability: The proposed development will promote the intensive utilisation of engineering services, without additional impact on the natural environment. Urban sprawl is contained through densification;
- c) Efficiency: The development proposal will promote the optimal utilisation of services on the property and enhance the tax base of the Municipality;
- d) Good Administration: The application and public participation were administrated by Swartland Municipality and public and departmental comments were obtained and processed in a timeous fashion;
- e) Spatial Resilience: The proposed double dwelling can revert back to the use of a dwelling house for a single family, should it become necessary in future. The dwelling may also be used as a bed and breakfast, guesthouse, or similar use that is consistent with residential properties, should application be made at a later stage.

It is subsequently clear that the development proposal adheres to the spatial planning principles and is thus consistent with the abovementioned legislative measures.

2.2. Provincial Spatial Development Framework (PSDF, 2014)

The PSDF describes tourism as one of the underpinning factors within the urban space economy. The development proposal can contribute to providing in the need for tourist accommodation in Yzerfontein, while minimally impacting on the character of its environment.

The development proposal may therefore be deemed consistent with the PSDF.

2.3 West Coast District SDF (WCDSDF, 2014)

Yzerfontein is one of the major tourist attractions throughout the West Coast District. One of the strategies contained in the WCDSDF is to promote and develop tourism infrastructure within the District. The development proposal can provide in the need for accommodation by various tourists who visit the district, and thus contribute to the income derived from tourism.

The WCDSDF also supports the principle of densification. A second dwelling/double dwelling promotes the principle, optimising the use of resources and limiting urban sprawl. The proposal is thus consistent with the PSDF.

2.4 Spatial Development Framework(SDF)

The application property is situated within a residential node, delineated as Area B, as per the spatial proposals for Yzerfontein contained in the SDF. The area is characterised as residential, with ancillary uses and a small business node further to the south. Double dwellings are specifically consistent with the character of the zone, as such a development will not alter the residential zoning of the property.

2.5 Schedule 2 of the By-Law: Zoning Scheme Provisions

The application property is zoned Residential Zone 1 and a double dwelling may be accommodated within the zoning category as a consent use. The proposal is consistent with the development parameters determined by the By-Law.

3. Desirability of the proposed utilisation

There are no physical restrictions on the property that will have a negative impact on the application. The property slopes downward towards the neighbouring farm, which enhances the view over the rural landscape. The overall height of the double dwelling is lower than the maximum allowable 8m wall plate height, which is considered to be sensitive towards the views from surrounding properties. The street façade of the double dwelling is considered to be compatible with that of a large, single dwelling unit, with similar impact on the views from neighbouring properties.

The proposed application is consistent and not in contradiction with the Spatial Development Frameworks adopted on Provincial, District and Municipal levels.

The proposal is spatially resilient, as the property can revert to a dwelling for a single family, or be converted into other uses compatible with Residential Zone 1, should the need arise in future.

The character of the surrounding area is that of a low density residential neighbourhood. The nature of a double dwelling is to provide additional residential opportunities. The proposed land use is thus considered as a desirable activity within a residential neighbourhood, as it will accommodate residential activities compatible with that of the existing area.

The proposed activity will have a positive economic impact as it will generate income for both the land owner, municipality (through rates and taxes) and tourism as a whole, through the spending of visitors to the area.

The proposed development is not perceived to have a detrimental impact on the health and safety of surrounding land owners, nor will it negatively impact on environmental assets.

Access to the property is obtained directly from Atlantic Drive and each dwelling unit is provided with a double garage. Traffic safety is promoted and the impact of additional vehicles, due to the development, is deemed negligible.

The development proposal may be considered desirable.

4. Impact on municipal engineering services

The proposed application is intended to optimise the use of existing infrastructure and municipal engineering services. Development charges will be levied in accordance with the Swartland Capital Contribution By-Law for Yzerfontein (2017).

PART K: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

The financial or other value of the rights

N/A.

The personal benefits which will accrue to the holder of rights and/or to the person seeking the removal

N/A

The social benefit of the restrictive condition remaining in place, and/or being removed/amended

N/A

Will the removal, suspension or amendment completely remove all rights enjoyed by the beneficiary or only some rights

N/A

PART L: RECOMMENDATION WITH CONDITIONS

The application for consent use on Erf 1714, Yzerfontein in order to establish a double dwelling, be approved in terms of Section 70 of the Swartland Municipality: Municipal Land Use Planning By-Law (PG 8226 of 25 March 2021), subject to the conditions that:

1. TOWN PLANNING AND BUILDING CONTROL

- a) The consent use authorises a double dwelling, as presented in the application;
- b) Building plans be submitted to the Senior Manager: Built Environment for consideration and approval;

2. WATER

- a) The property be provided with a single water connection and that no additional connections be provided;

3. SEWERAGE

- a) The double dwelling be provided with a conservancy tank with the minimum capacity of 8 000 litre, to be installed on the property at a point that is accessible to the municipal vacuum truck, to the satisfaction of the Director: Civil Engineering Services;

4. DEVELOPMENT CHARGES

- a) The development charge towards the supply of regional bulk water amounts to R6 543,30 and is for the account of the owner/developer at building plan stage. The amount is due to the Swartland Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA: 9/249-176-9210);
- b) The development charge towards bulk water reticulation amounts to R5 402,70 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/249-174-9210);
- c) The development charge towards waste water treatment amounts to R8 970,00, and is for the account of the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/240-183-9210);
- d) The development charge towards sewerage amounts to R6 080,05 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/240-184-9210);
- e) The development charge towards streets amounts to R11 500,00 and is payable by the owner/developer at building plan stage. The amount is due to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter. (mSCOA 9/249-188-9210);
- f) The development charge towards storm water amounts to R3 560,00 and is payable by the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/248-144-9210);
- g) The development charge towards electricity amounts to R10 419,00 and is payable by the owner/developer at building plan stage. The amount is payable to the Municipality, valid for the financial year of 2021/2022 and may be revised thereafter (mSCOA 9/253-164-9210);
- h) The Council resolution of May 2021 makes provision for a 40% discount on development charges to Swartland Municipality. The discount is valid for the financial year 2021/2022 and may be revised thereafter. The discount is not applicable to 4.a).

5. GENERAL



- a) The approval is, in terms of section 76(2)(w) of the By-Law valid for 5 years. All conditions of approval be met before the occupancy certificate be issued, after which the 5 year period will no longer be applicable;
- b) The approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority;
- c) The applicant/objectors be notified of this outcome and their right to appeal in terms of Chapter VII, Section 89 of the By-law.

PART M: REASONS FOR RECOMMENDATION

- 1) The proposed double dwelling is a residential use and is therefore consistent with the proposals of the SDF.
- 2) A double dwelling is accommodated as a consent use under Residential Zone 1 of the By-Law.
- 3) The development proposal supports the optimal utilisation of the property.
- 4) The double dwelling may support the tourism industry in Yzerfontein, as well as the local economy.
- 5) The double dwelling will provide in a need for a larger variety of housing opportunities to the wider population.
- 6) The development proposal will not negatively impact on the character of the surrounding neighbourhood or the larger Yzerfontein.
- 7) The concerns of the neighbouring and affected property owners are sufficiently addressed in the conditions of approval.

PART N: ANNEXURES

Annexure A	Locality Plan
Annexure B	Site Development Plan
Annexure C	House Plans
Annexure D	Public Participation Map
Annexure E	Objections from A.L. and L.E. Viljoen
Annexure F	Objections from Wagener
Annexure G	Objections from Kleinhans
Annexure H	Response to Comments

PART O: APPLICANT DETAILS				
First name(s)	C.K. Rumboll and Partners			
Registered owner(s)	MDMMC Enterprises (Pty) Ltd.	Is the applicant authorised to submit this application:	Y	N
PART P: SIGNATURES				
Author details: Annelie de Jager Town Planner SACPLAN: A/2203/2015				Date: 27 May 2022
Recommendation: Alwyn Zaayman Senior Manager: Built Environment SACPLAN: B/8001/2001		Recommended	<input checked="" type="checkbox"/>	Not recommended
				Date: 30 May 2022



Locality Map: Erf 1714, Yzerfontein

Legend



Map Center: Lon: 18°9'39"
Lat: 33°21'1"

Scale: 1:36 112

Date created: March 2, 2020



**Western Cape
Government**
FOR YOU

ANNEXURE A

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

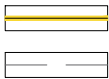
APPLICATION IS MADE FOR THE:

Consent Use for a double dwelling on
Erf 1714, Yzerfontein.



KEY:

Subject property
Building lines



NOTES:

Figure ABCD represents Erf 1714, Yzerfontein,
with an extent of 700m².


ZONING I.T.O. THE ZONING SCHEME:

Residential Zone 1

TITLE:
SITE DEVELOPMENT PLAN, GROUP 1
ERF 1714, YZERFONTEIN

PHYSICAL ADDRESS:
141 ATLANTIC DRIVE, YZERFONTEIN

NOTE:
ALL AREAS AND DISTANCES ARE SUBJECTED TO THE FINAL SURVEY

COMPILED BY:

C.K. RUMBOLL & PARTNERS
TOWN PLANNERS
PROFESSIONAL SOCIETY
16 RAINIER STREET
Tel: 022 - 4821845
Fax: 022 - 4871661
Email: planning1@rumboll.co.za

DATE:
MARCH 2022

AUTH:
SWARTLAND

REF:
YZE/12165/ZN/MV



Drawing done by Mandri Viljoen - Planner for CK

ANNEXURE B

[illegible]

GROUND STOREY & SITE PLAN







FIRST STOREY

SCHEDULE OF AREAS	
GROUND STOREY (section 1)	93 m
BRAAI PATIO (section 1)	23 m
FIRST STOREY (section 1)	89 m
GARAGE (section 1)	33 m
GROUND STOREY (section 2)	93 m
BRAAI PATIO (section 2)	23 m
FIRST STOREY (section 2)	89 m
GARAGE (section 2)	33 m
TOTAL BUILDING AREA	476 m
SITE AREA	698.7 m
COVERAGE	42.65 %
BULK	85 %

SCHEDULE OF AREAS		EXTERNAL FINISHES	
GROUND STORY (gross)	186 m ²	roof	concrete
BRAZIL FATIO	178 m ²	gutters	finished
GROUND STORY (gross)	178 m ²	basilias	smooth
GARAGE	66 m ²	walls	smooth
TOTAL BUILDING AREA	478 m ²	windows	spoon
SITE AREA	698.7 m ²	doors	spoon
COVERAGE	42.8%	boundary walls	smooth
BULK	1.681	paving	concrete
NO INHABITABLE CARPITS			
NO EXIST BUNGAL BARS IS NO EXIST TROLDERS/STAIRS			
NO EXIST LINES DRINKS AND NO EXIST TO BE FITTED BELOW AREAS			
ALL SERVICES ARE TO BE DUCTED			
ALL SERVICES MUST BE LOWEST THAN 100' AND NOT VISIBLE FROM THE STREET			
HOUSE NUMBER 1327			
HOUSE NAME SEEN NOT FORTHER THAN 80' ON TOP OF ROADS			
NO PLANT POWER			
LANDSCAPING MUST BE IN CONVENT WITH THE WEST COAST BEACH			

BUILDING LINES	
side building lines	150'
rear building lines	200'
front building lines	200'

		PROJECT	
Alex Ferreira: 082 628 0303		PROPOSED D	
		FO	
		ERF:	
		YZERF	
Tel: 082 628 0303 Fax: (021) 415 0038 e-mail: info@ama-architecture.co.za		Suite # 100 Private Bag 340 Longlands 7501	
DRAWING:		OVERSEAS SIGNATURE:	
Alex Ferreira Architect			
			
DESIGN: ALEJ		DATE: 2001	
UZMAYEV: 11 00		DATE: 2001	

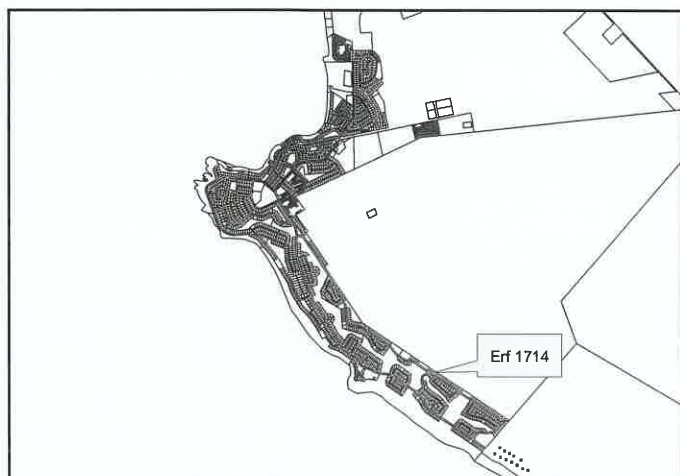


Voorgestelde vergunningsgebruik

Erf 1714, Yzerfontein

Publieke deelname

Skaal: NVT



ANNEXURE E

From: Tony Viljoen <tony.viljoen@gmail.com>

Sent: Monday, April 25, 2022 12:08 PM

To: Chanice Dyason <PlanIntern1@swartland.org.za>

Subject: Re: Voorgestelde vergunningsgebruik op Erf 1714, Yzerfontein

OBJECTION TO CONSENT USE OF ERF 1714 YZERFONTEIN

1. It is a quiet neighbourhood near intersection of Roosmaryn Str and Atlantic Drive with the accompanying greenbelt and wildlife.
2. There are no known spec houses nearby.
3. The residents are mainly retired people.
4. It appears the intended end use of proposed dwellings will be for sale or high-density rental. Persons and vehicles for up to 12 persons could be a rowdy change for a quiet neighbourhood.
5. The intended building is huge, nearly covers the whole stand, and for up to 12 persons.

A L and LE Viljoen (Erf 1750, 102 Atlantic Drive)

ANNEXURE F

From: Wagener, Deon D <Deon.Wagener@standardbank.co.za>

Sent: Friday, 22 April 2022 15:19

To: Chanice Dyason <PlanIntern1@swartland.org.za>; Registrasie Email <RegistrasieEmail@swartland.org.za>

Subject: RE: Voorgestelde vergunningsgebruik op Erf 1714, Yzerfontein

Goeie Middag

In antwoord op die vergunningsgebruik lig ek die volgende punte uit

- 1) Die oprigting van n dubbele woonhuis (teen goedkoper pryse) op n enkel erf doen afbreek aan die res van die aangrensende huise wat teen groot kostes gebou is en sal definitief n impak op eiendoms waarde te weeg bring
- 2) Die oprigting van die wooneenhede bring noodwendige addisionele verkeer te weeg met meer mense en voertuie op n enkel erf en Atlantic Drive is besig om al hoe meer verkeer te dra
- 3) Potensiaal vir verhoogde geraas met meer bewoonders op een erf en impak op aangrensende bure

Ek is die eienaar van n woonhuis te 135 Atlantic Drive en die genoemde boueenheid sal n direkte impak op my woonhuis te weeg bring . Ek is nie teen die bou van n wooneenheid op die erf nie maar staan die oprigting van n dubbele eenheid tee

Deon Wagener

Sel 083 307 0188

Kontak voorkeur per e-pos

Groete

Erf 1713

139 Atlantic drive

Yzerfontein

7351

18/4/2022

Aan die Munisipale Bestuurder
Swartland Munisipaliteit
Malmesbury

INSAKE: AANSOEK OM VERGUNNINGSGEBRUIK VIR 'N DUBBELWOONHUIS OP ERF 1714, YZERFONTEIN (VERWYSING: 15/3/10-14/Erf _1714)

Geagte Meneer/Mevrou

Ek maak ten strengste beswaar teen die voorgestelde vergunning om 'n dubbele woonhuis op erf 1714 op te rig.

Om die volgende redes:

1. Om dubbele huise en 'n dubbel verdieping op 'n 700 vk m erf te wil bou is onaanvaarbaar en ontstellend. Dit sal baie beknop voorkom teen die bestaande behuising styl van die aangrensende wooneenhede in die omgewing .
2. Dit gaan afsteek in die bestaande omgewing agv die clusters effek wat dit gaan skep en die waarde van die eiendomme in daardie omgewing benadeel. Hetsy reeds bestaande wonings of ander erwe.
3. Druk op die rioolstelsel van twee eiendomme kan 'n las wees vir die omliggende bure aangesien die stelsel meer kere gepomp moet word agv die 2 woon eenhede.
4. Volgens die agente verkoop die dubbel woonhuise nie maklik nie. Indien dit verkoop word, gaan jy meer mense en motors he wat moet in en uit op die erf. Die kom en gaan van mense en motors hou 'n risiko in van steurnis vir die bure.
5. Daar is reeds 'n toename in verkeer by die T-aansluiting reg voor ons eiendom. Besoekers aan die voorgestelde dubbele huis kan die verkeer ernstig belemmer aangesien hul in die straat en op sypaadjies sal moet parkeer.
6. Dit is onstellend dat 'n ontwikkelaar wat moontlik nie die estetika van Yzerfontein wat ons inwoners probeer behou van bewus is nie en die twee eenhede op 'n relatiewe klein erf van 700 vk meter wil bou en sodoende die privaatheid van die bure en ander huise verontagsaam. Aangesien beskikbare erwe skaars word in Yzerfontein kan hierdie tipe ontwikkeling 'n presedent skep sodat daar meer sulke huise gebou word tot nadeel van die uniekheid van 'n dorp soos Yzerfontein.

Hoop u vind die skrywe in orde en sal dringend aandag gee aan ons besware.

W F + E Kleinhans

ERF 1713

YZERFONTEIN

milady@polka.co.za

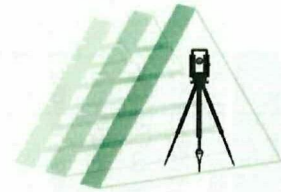
T Kleinhans

Erf 1715

Yzerfontein

tanja@rtkgroup.co.za

CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

DATE: 11 May 2022

OUR REF: YZE/12165/ZN/MV

YOUR REF: 15/3/10-14/Erf_1714

BY HAND**Attention: Mr A. Zaayman**

The Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7300

Mr,

MUNISIPALITEIT SWARTLAND				REG
LEER No: 15/3/10-14/Erf-1714				REG No:
Verwys Na	Inligting	Verslag	Afwandel	Kom/Taar
SSSB				
cc De				
Ander Opdrag:				
SPERDATUM:				(get)BK

Comments on objections

PROPOSED CONSENT USE ON ERF 1714, YZERFONTEIN**1. Introduction**

Your letter dated 3 May 2022 refers.

CK Rumboll and Partners have been appointed by Mark Carver, representative of MDMMC Enterprises (Pty) Ltd, owners of Erf 1714, Yzerfontein, to attend to all town planning actions regarding the proposed consent use on Erf 1714, to accommodate a double dwelling on Erf 1714, Yzerfontein.

During the public participation period, comments were received from the following surrounding neighbours:

- A. A L and L E Viljoen (Erf 1750, 102 Atlantic Drive, Yzerfontein)
- B. Deon Wagener (135 Atlantic Drive, Yzerfontein)
- C. W F + E + T Kleinhans (Erf 1713, 139 Atlantic Drive)

Please find our comments to objections as requested, below.

2. Comments on objections**VENNOTE / PARTNERS:**

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.
ADDRESS/ ADRES: planning1@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

Objectors	Objections	Comments from CK Rumboll & Partners
A, B, C	<p><u>Peace disturbance:</u></p> <ol style="list-style-type: none"> 1. It is a quiet neighbourhood near intersection of Roosmaryn Street and Atlantic Drive with the accompanying greenbelt and wildlife. There are no known spec houses nearby. The residents are mainly retired people. It appears that the intended end use of proposed dwellings will be for sale or high-density rental. Persons and vehicles for up to 12 persons could be a rowdy change for a quiet neighbourhood. <p>Potential for increased noise with more occupants on one erf will have an impact on adjacent neighbours.</p> <p>According to agents, the double dwellings do not sell easily. If it's sold, you'll have more people and cars accessing the property. The coming and going of people and cars poses a risk of disturbance to the neighbours.</p>	<ol style="list-style-type: none"> 1. The noise generation of a double dwelling will not be more than a large family vacation home. The owner of Erf 1714 will be subject to the regulations set out in the <i>Swartland By-law relating to Public Nuisances (12 April 2019)</i>. All residents of the dwelling units will need to adhere to these regulations as well. This will ensure low noise pollution.
A	<p><u>Building extent:</u></p> <ol style="list-style-type: none"> 2. The intended building is huge and can accommodate up to 12 persons. The building further covers nearly the whole stand. 	<ol style="list-style-type: none"> 2. Each property owner has the right to develop his/her property to its full potential in accordance with the development parameters as set out in the <i>Swartland Municipal By-Law on Land Use Planning (PG 8226)</i>. The coverage on a Residential Zone 1 property shall be at most 66%. The total coverage of the proposed building on Erf 1714 is $\pm 42.6\%$. The proposed development on Erf 1714 does not depart from any development parameters (e.g. height restrictions,

		coverage, building lines or parking bay provision) of a Residential Zone 1 property. If future development is within the parameters set out in the mentioned <i>By-law</i> , it will not negatively affect the surrounding erven.
B, C	<p><u>Property values:</u></p> <p>3. The construction of a double dwelling (at cheaper prices) on a single erf has a negative effect on the surrounding houses which were built at great costs. It will have a definite impact on the property values.</p>	<p>3. The relevant authority may not restrict the application on grounds of the potential financial implications as specified under <i>Section 59(1)(f) of Chapter VI of The Land Use Planning Act</i>:</p> <p><i>"a competent authority contemplated in this Act or other relevant authority considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property will be affected by the outcome of the application."</i></p>
B, C	<p><u>Traffic problems:</u></p> <p>4. The erection of the dwelling units brings additional traffic with more people and vehicles on a single erf and Atlantic Drive is carrying more and more traffic.</p> <p>There is already an increase in traffic at the T-junction right in front of our property. Visitors to the proposed double dwelling can seriously impede traffic as they will have to park in the street and on sidewalks.</p>	<p>4. The road reserve width of Atlantic Drive is 16m, which is substantially wider than the norm used nowadays in the design of towns. 12m reserves are used in residential areas to accommodate bus routes. The road width of Atlantic Drive has been designed to accommodate high volumes of traffic. Comparing Atlantic Drive with streets in other cities where similar developments take place, traffic congestion fades in comparison as to what is the situation in all of our metropolitan areas. The establishment of a double dwelling will be the least intrusive from a traffic perspective of all allowable uses for this property.</p> <p>According to the on-site parking requirements as set out in the <i>Swartland Municipal By-Law on Land Use Planning (PG 8226)</i>, 2 parking bays are required for a dwelling unit and 1 parking is required for an additional dwelling unit. For the proposed double dwelling, at least 3 on-site parking bays need to be provided. As</p>

illustrated in the figures below, 8 parking bays could be accommodated on-site. Therefore, more than a sufficient amount parking bays will be accommodated on-site, leading to no need for any vehicles to park in the street or on sidewalks.

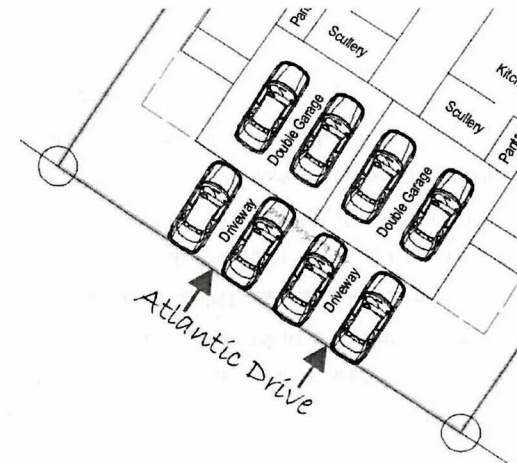


Figure 1: On-site parking

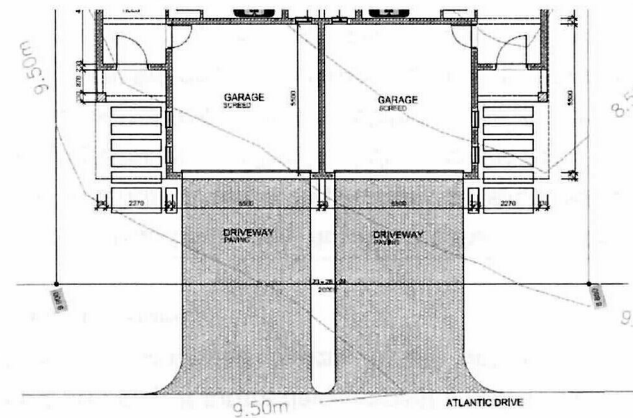


Figure 1: Extract from Building Plan

B	<p>5. I am not opposed to the erection of a dwelling on the property, but against the erection of a double dwelling on the property.</p>	<p>5. Noted.</p>
C	<p><u>Character of surrounding area:</u></p> <p>6. The proposal to build double dwellings and a double storey on a 700m² erf is unacceptable and disturbing. It will appear very cramped against the existing housing style of the adjoining dwelling units in the area.</p>	<p>6. Refer to Point 2.</p>
C	<p><u>Pressure on Services:</u></p> <p>7. Pressure on the sewer system of two properties can be a burden for the surrounding neighbours as the system has to be pumped more times due to the double dwelling.</p>	<p>7. It is foreseen that the impact a double dwelling will have on the sewer system, is minimal, as one could build a single dwelling, containing 6 bedrooms on the property as well, which is regarded as a primary right. There is no impact on neighbouring properties if the septic tanks need to be emptied more often. The septic tanks will also be sufficient to accommodate the said proposal. However, Swartland Municipality will consider the development's impact on services and will comment accordingly.</p>
C	<p><u>Privacy:</u></p> <p>8. It is disturbing that a developer who may not be aware of the aesthetics of Yzerfontein that our residents are trying to preserve and wants to build the second dwellings on a relatively small plot of 700m², thus disregarding the privacy of the neighbours and other houses.</p>	<p>8. As mentioned in Point 2, each property owner has the right to develop his/her property to its full potential in accordance with the development parameters as set out in the <i>Swartland Municipal By-Law on Land Use Planning (PG 8226)</i>.</p> <p>The <i>Swartland Spatial Development Framework (SDF) (2019)</i> determines the strategic policy guidelines for future development in the Swartland region and in this case, in Yzerfontein. The <i>SDF</i> identifies the area in which Erf 1714 is located as Zone B, which consists mainly of low density residential uses along the coastal</p>

		<p>stretch to the south, with a proposed node along the beach front as well as areas for medium and high density housing opportunities.</p> <p>The following extract illustrates all permissible land uses within this area of Yzerfontein.</p> <table><tr><th colspan="2">YZERFONTEIN LAND USE ZONES</th><th>Low Density Residential Uses</th><th>Medium Density Residential Uses</th><th>High Density Residential Uses</th><th>Secondary Educational Uses</th><th>Institutional Uses</th><th>Professional Services</th><th>Business Uses</th><th>Secondary Business Uses</th><th>Churches</th><th>Institution</th><th>Guest houses</th><th>Authority</th><th>Sport/Recreational Facilities</th><th>Industries & Service Trade</th></tr><tr><td>B</td><td>Zone B, Pearl Bay area, consists mainly of low density residential uses along the coastal stretch to the south, with a proposed node along the beach front as well as areas for medium and high density housing opportunities</td><td>X</td><td>X</td><td>X 4</td><td>X</td><td></td><td>X 2</td><td>X 2</td><td>X</td><td>X</td><td>X</td><td>X</td><td>X</td><td>X 6</td><td></td></tr></table> <p>Figure 3: Swartland SDF (2019 extract</p> <p>This indicates that this application is fully supported by the SDF.</p>	YZERFONTEIN LAND USE ZONES		Low Density Residential Uses	Medium Density Residential Uses	High Density Residential Uses	Secondary Educational Uses	Institutional Uses	Professional Services	Business Uses	Secondary Business Uses	Churches	Institution	Guest houses	Authority	Sport/Recreational Facilities	Industries & Service Trade	B	Zone B, Pearl Bay area, consists mainly of low density residential uses along the coastal stretch to the south, with a proposed node along the beach front as well as areas for medium and high density housing opportunities	X	X	X 4	X		X 2	X 2	X	X	X	X	X	X 6	
YZERFONTEIN LAND USE ZONES		Low Density Residential Uses	Medium Density Residential Uses	High Density Residential Uses	Secondary Educational Uses	Institutional Uses	Professional Services	Business Uses	Secondary Business Uses	Churches	Institution	Guest houses	Authority	Sport/Recreational Facilities	Industries & Service Trade																			
B	Zone B, Pearl Bay area, consists mainly of low density residential uses along the coastal stretch to the south, with a proposed node along the beach front as well as areas for medium and high density housing opportunities	X	X	X 4	X		X 2	X 2	X	X	X	X	X	X 6																				
C	<p>Percedent:</p> <p>9. As available plots become scarce in Yzerfontein, this type of development can create a precedent so that more such houses are built to the detriment of the uniqueness of a town.</p>	<p>9. The approval of this application will not create a precedent for future development, as each land use application submitted to Swartland Municipality is unique, and should be addressed accordingly.</p> <p>The <i>Swartland SDF (2019)</i> determines the strategic policy guidelines for future development in the Swartland region and in this case, in Yzerfontein. Each application will be subject to the land use proposals as set out in the <i>Swartland SDF (2019)</i>.</p>																																

In conclusion, the proposal is deemed suitable due to its locality, with regards to the surrounding residential properties. The property's location within a residential area of Yzerfontein is ideal for the creation of residential development. The density will still be considered as low. The proposed residential development is supported by the *SDF* and *Scheme Regulations* and will not have any negative impact on the surrounding environment or potential high conservation areas or agricultural land. The proposed development will contribute positively to the value and functionality of Erf 1714, Yzerfontein. The proposed change of the current land use rights will not have a negative effect on the surrounding properties or lead to land decay since the area is earmarked for residential uses within the *Swartland SDF*.

The *Swartland SDF* supports the *Western Cape Spatial Development Framework's* principle of densification within existing urban areas. Providing additional residential uses within an established low density residential area of Yzerfontein could be regarded as effective spatial planning. The area in which Erf 1714, Yzerfontein, is situated supports the provision of residential uses. Development on underutilised or vacant land throughout the built area of the town is one of the suggested ways in which densification in urban areas can occur.

Considering the above, it is evident that the proposed development will not have a significant impact on the surrounding properties or built environment seeing that the *Swartland Municipal Land Use Planning By-law (PG 8226)* makes provision for Residential Zone 1 properties, such as Erf 1714, Yzerfontein. This office is of opinion that the proposed consent use on Erf 1714, Yzerfontein, will maximise the development potential of the property. The proposed development will be in accordance with the *Swartland Municipal Land Use Planning By-law (PG 8226 of 25 March 2020)*.

We trust you will find the above in order when considering the application.

Kind regards



Zanelle Nortje / Mandri Viljoen
For CK RUMBOLL & PARTNERS