



ERF 438 STANFORD

APPLICATION FOR REZONING, SUBDIVISION, CONSENT USE,
PERMANENT DEPARTURE AND ALLOCATION OF STREET NAMES

Application prepared for:

SERISO 324 CC

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ERVEN



OVERSTRAND MUNICIPALITY APPLICATION FORM

		TOWN & SPATIAL PLANNING APPLICATION FORM (2024/2025) (APPLICABLE FROM 1 JULY 2024 – 30 JUNE 2025) 16 Paterson Street / PO Box 20 HERMANUS, 7200 Tel: 028 313 8900 Fax: 028 313 2093			
- TWO (2) HARD COPIES & AN ELECTRONIC COPY (PDF) OF THE COMPLETE APPLICATION MUST BE SUBMITTED. [SDP SEPARATE] - IT IS IMPORTANT TO NOTE THAT THE DATE ON WHICH THE APPLICATION IS REGARDED AS COMPLETE TO PROCEED WITH THE PROCESSING THEREOF, WILL BE REGARDED AS THE OFFICIAL SUBMISSION DATE. Please complete this form using BLOCK capitals and ticking the appropriate boxes					
SECTION A: APPLICANT DETAILS					
First name(s)	THIAN				
Surname	JANSEN				
Company name	WRAP PROJECT OFFICE				
Postal Address <u>ONLY</u>	POSTNET HERMANUS SUITE 170, PRIVATE BAG X16 HERMANUS				
Postal code	7200	E-mail	ADMIN@WRAPGROUP.CO.ZA		
Tel	+27 (28) 313 1411	Fax		Cell	072 122 7704
SECTION B: OWNER DETAILS (compulsory)					
Registered owner	SERISO 324 CC				
Postal Address	P O BOX 112 STANFORD				
Postal code	7200	E-mail	KEVIN@REX.CO.ZA		
Tel		Fax		Cell	083 656 0606
SECTION C: PROPERTY DETAILS					
Erf / Portion and Farm no.	438	Area	STANFORD		
Street Address	R43				
Current Zoning	RESIDENTIAL ZONE I: SINGLE RESIDENTIAL	Extent	5,2342 ha	Are there existing buildings?	Y ☐ N ☒
Title Deed number & date	T 106682/2000				
Any restrictive conditions?	Y ☐ N ☒	If yes, please specify			
Is property encumbered by a bond?	Y ☒ N ☐	If yes, Bondholder?	REFER TO BONDHOLDER'S CONSENT		
Any existing unauthorized building work / structures on the subject premises?	Y ☐ N ☒	If so, has owner been served with a notice?	Y ☐ N ☒		
PLEASE TAKE NOTE OF THE FOLLOWING: THE MUNICIPALITY IS LEGALLY IN A POSITION TO REFUSE THE APPLICATION IF THE PROPERTY/S FORM PART OF A HOMEOWNER'S ASSOCIATION, MANAGEMENT AGENCY, BODY CORPORATION, OR ALIKE OF WHICH YOU ARE A COMPULSORY MEMBER, WHETHER IN TERMS OF ITS CONSTITUTION OR OTHERWISE IF THE WRITTEN CONSENT OF SUCH BODY NOT ACCOMPANY THE APPLICATION.					
SECTION D: TYPE OF APPLICATION BEING SUBMITTED IN TERMS OF SECTION 16 OF THE OVERSTRAND MUNICIPALITY BY-LAW ON MUNICIPAL LAND USE PLANNING AND APPLICATION TARIFFS PAYABLE.					
Has there been any previous related application(s)?	Y ☐ N ☒	If yes, reference/application no.			FEES PAID
All tariffs (except the appeal deposit tariff) include VAT and are valid from 1 July 2024 to 30 June 2025					
X	Rezoning – Section 16(2)(a)	Erven 150m² and smaller	R826.00	R	
		Erven between 150m² and 400m²	R1350.00	R	
		Erven between 400m² and 5000m²	R9022.00	R	
		Erven larger than 5000m²	R10331.00	R10331.00	
X	Departure – Section 16(2)(b) – Permanent departure from the provisions of the Land Use Scheme	Erven 150m² and smaller	R311.00	R	
		Erven between 150m² and 400m²	R687.00	R	
		Erven larger than 400m²	R3922.00	R3922.00	
		Erven 150m² and smaller	R311.00	R	
	Departure – Section 16(2)(c) – Departure to use land on a temporary basis for which no provision is made in the Land Use Scheme	Erven between 150m² and 400m²	R687.00	R	
		Erven larger than 400m²	R3922.00	R	
		Up to 5 erven	R5300.00	R	
		6 – 10 erven	R9022.00	R	
X	Subdivision –Section 16(2)(d) a subdivision of land including the registration of a new servitude or lease agreement that is not exempted in terms of section 26	More than 10	R9022.00	R9022.00	
		Additional per erf after 10	R136.00	R2992.00	
		Erven 150m² and smaller	R341.00	R	
		Erven between 150m² and 400m²	R688.00	R	
	Consolidation of land–Section 16(2)(e) that is not exempted in terms of Section 26	Erven larger than 400m²	R3921.00	R	
		Erven 150m² and smaller	R352.00	R	
		Erven 400m² and smaller	R687.00	R	
		Erven larger than 400m²	R3905.00	R	
	Relaxation of Title Deed (when combined with departure application only the highest fee applies)	Erven 150m² and smaller	R365.00	R	
		Erven between 150m² and 400m²	R730.00	R	
		Erven larger than 400m²	R5554.00	R	
		Erven 150m² and smaller	R311.00	R	
	Permission required in terms of the Land Use Scheme – Section 16(2)(g)	Erven between 150m² and 400m²	R687.00	R	



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	Erven larger than 400m ²	R3922.00	R
	Amendment, deletion or additional conditions in respect of an existing approval – Section 16(2)(h)	R2962.00	R
	Extension of the period of validity of an approval –Section 16(2)(i)	R986.00	R
	Phasing, amendment or cancellation of a plan of subdivision or a part thereof, including a General Plan or diagram – Section 16(2)(k)	R2854.00	R
	A permission required in terms of the conditions of approval – Section 16(2)(l) (Amendment of Site Development Plan (SDP), Constitution / Architectural Guidelines)	R2854.00	R
	Zoning determination– Section 16(2)(m)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R826.00 R2596.00 R3922.00
	Closure of a public place or part thereof – Section 16(2)(n) [not applicable if combined with rezoning application]	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven between 400m ² and 5000m ² Erven larger than 5000m ²	R826.00 R1350.00 R9022.00 R10331.00
X	Consent use provided for in the zoning scheme – Section 16(2)(o)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R311.00 R826.00 R3922.00
	Permission in terms of Land Use Scheme including permission for the reconstruction of an existing building that constitutes a non-conforming use – Section 16(2)(p)	Erven 150m ² and smaller Erven between 150m ² and 400m ² Erven larger than 400m ²	R311.00 R687.00 R3922.00
	Permission required in terms of condition(s) of approval	R3152.00	R
	Determination of an administrative penalty – Section 90(5) [*Administrative Penalty Addendum to be completed together with application form.]	To be determined.	
	Deviation / amendment of SDF/Sectoral Plans – Municipal Systems Act, Act 32 of 2000	R3711.00	R
	Exemption of subdivision / consolidation - Section 26 of the By-Law	R156.00	R
	Search fee	R394.00	R

SUBTOTAL APPLICATION FEE: R30189.00

ADVERTISING FEES (All prices include VAT and are valid from 1 July 2024 to 30 June 2025)**NOTES:**

On the Town Planner's discretion placing of advertisements for any other application(s), except the ones listed below, can be required.
Site notice for ROR applications to be displayed on the erf/erven according to Section 50.(1)(a) & (2) of the Overstrand Municipality By-Law.

INTERESTED AND AFFECTED PARTIES	Registered Letters: >10: Applicant to pay according to SAPO rates	Applicant to be informed.	
ADVERTISEMENT IN NEWSPAPERS	Rezoning, Subdivision (≥2 erven), etc.	Local Newspaper	R5490.00
	Removal / Amendment of Title Deed Restrictions	Local Newspaper & Provincial Gazette	R10979.00
	Placing of Final Notice (Removal of Title Deed Restrictions)	Provincial Gazette	R1552.00

SUBTOTAL ADVERTISING FEE R5490.00

TOTAL APPLICATION FEE: R35679.00

Your attention is hereby drawn to Section 40.(1), (2) and (3) of the Overstrand Municipality Amendment By-law on Municipal Land Use Planning, 2020, which reads as follows:

- (1) "An applicant must pay the application fees determined by the Municipality prior to submitting an application in terms of this By-law;
(2) Application fees that are paid to the Municipality are **non-refundable** and proof of payment of the application fees must accompany the application.
(3) If an applicant wishes to retract the application and the said application has never been advertised, the advertising fees may be refunded to the applicant on request."

(b) If an applicant wishes to retract the application and the said application has never been advertised, the advertising fees may be refunded to the applicant on request.

BANKING DETAILS		METHOD OF PAYMENT	
NAME	Overstrand Municipality	(1) Electronic transfer (EFT)	☒
BANK	ABSA	(2) Payment at municipal office	☒
BRANCH CODE	632005	KINDLY INCLUDE THE REQUESTED REFERENCE NUMBER ON <u>ALL</u> INTERNET PAYMENTS, AND ATTACH PROOF OF PAYMENT TO THE APPLICATION.	
ACCOUNT NO.	322 00000 35		
PAYMENT REFERENCE	E.g., Erf123HermanusADVERT (Erf number, suburb and APPL or ADV) E.g., RCAL123/456DEPARTURE (Farm number, portion and APPL or ADV)		

SECTION E: DETAILS OF APPLICATION**DEPARTURE / CONSENT / AMENDMENT / REZONING REQUIRED:**

Y	N	Building line encroachment	STREET	From	4	m	To	2	m
			STREET	From		m	To		m
			SIDE / LATERAL	From	2	m	To	<2 - 0	m
			SIDE / LATERAL	From	3	m	To	2	m
			REAR	From		m	To		m
Y	N	Exceeding permissible site coverage		From		%	To		%
Y	N	Erection of special / accessory buildings (please specify)					Extent		m ²
Y	N	Other / temporary uses (please specify)					Extent		m ²
Y	N	Rezoning	From:	RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL			To:	SUBDIVISIONAL AREA ZONE (SA)	

BRIEF DESCRIPTION OF PROPOSED DEVELOPMENT / INTENT OF APPLICATION:



APPLICATION FORM

1. REZONING OF ERF 438 STANFORD FROM RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL TO SUBDIVISIONAL AREA ZONE (SA) IN TERMS OF SECTION 16(2)(A) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
2. SUBDIVISION OF ERF 438 STANFORD INTO TWENTY-SEVEN (27) RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL (SR1) ERVEN, ONE (1) BUSINESS ZONE 3: LOCAL BUSINESS (B3) ERF, TWO (2) OPEN SPACE ZONE 3: PRIVATE OPEN SPACE (OS3) ERVEN AND ONE (1) TRANSPORT ZONE 2: ROAD AND PARKING (TR2-A) ERF IN TERMS OF SECTION 16(2)(D) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
3. CONSENT USE FOR A HOTEL, CONFERENCE FACILITY OPEN TO THE PUBLIC ON PORTION 27 (BUSINESS ZONE 3: LOCAL BUSINESS (B3)) OF THE PROPOSED DEVELOPMENT IN TERMS OF SECTION 16(2)(O) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
4. CONSENT USE TO ALLOW A GUEST HOUSE ON PORTION 28 (RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL) OF THE PROPOSED DEVELOPMENT IN TERMS OF SECTION 16(2)(O) OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
5. PERMANENT DEPARTURE FROM THE STREET BUILDING LINE OF 4M TO 2M ON ALL PORTIONS IN TERMS OF SECTION 16(2)(B) OF THE OVERSTRAND AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
6. PERMANENT DEPARTURE FROM THE SIDE BUILDING LINE OF 2M TO 0M ON PORTIONS 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26 AND 28 IN TERMS OF SECTION 16(2)(B) OF THE OVERSTRAND AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
7. PERMANENT DEPARTURE FROM THE SIDE BUILDING LINE OF 3M TO 2M ON PORTION 27 IN TERMS OF SECTION 16(2)(B) OF THE OVERSTRAND AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
8. PERMANENT DEPARTURE FROM THE OVERSTRAND MUNICIPALITY ENVIRONMENTAL MANAGEMENT OVERLAY ZONE REGULATIONS IN TERMS OF SECTION 16(2)(B) OF THE OVERSTRAND AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
9. PERMANENT DEPARTURE FROM THE PROVISIONS OF SECTION 18.4 OF THE HPOZ REGARDING MAXIMUM HEIGHT IN TERMS OF SECTION 16(2)(B) OF THE OVERSTRAND AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
10. ALLOCATION OF STREET NAMES IN TERMS OF SECTION 96 OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.
11. APPROVAL OF THE ARCHITECTURAL DESIGN GUIDELINES; AND
12. ESTABLISHMENT OF AN OWNER'S ASSOCIATION IN TERMS OF SECTION 31 OF THE OVERSTRAND MUNICIPALITY AMENDMENT BY-LAW ON MUNICIPAL LAND USE PLANNING, 2020.

SECTION F: LIST OF ATTACHMENTS & SUPPORTING INFORMATION

Y	N	Power of Attorney / Owner's consent if applicant is not owner	✓	Y	N	Approved building plan(s) / Approval letter(s) of previous application(s)	✓
Y	N	Trust Resolution (if applicable)	✓	Y	N	Parking Layout	✓
Y	N	List of board of active directors/members/trustees' resolution (if applicable)	✓	Y	N	Homeowner's Association consent (if applicable)	✓
Y	N	Bondholder's consent (if applicable)	✓	Y	N	SG diagram	✓
Y	N	Copy of Title Deed	✓	Y	N	GLS report (if applicable)	✓
Y	N	Conveyance's certificate (if applicable) (Annexure A)	✓	Y	N	Heritage Western Cape approval (if applicable)	✓
Y	N	Motivation report / Letter (Annexure A & B)	✓	Y	N	1:50 / 1:100 Flood line certificate	✓
Y	N	Locality plan (Annexure A)	✓	Y	N	Land Use Plan / Zoning Map (if applicable)	✓
Y	N	Proposed Subdivision Plan / Consolidation Plan / Phasing Plan (Annexure A)	✓	Y	N	Copy of Environmental Impact Assessment / Heritage Impact Assessment / Traffic Impact Assessment / Traffic Impact Statement / Record of Decision	✓
Y	N	X2 sets of to-scale Site development/building plans indicating all structures, building lines & elevations indicating proposal (A4 or A3) (Annexure A)	✓	Y	N	List of Title deed conditions to be removed/amended	✓
Y	N	Other (Specify)					

**** (Please note that in terms of the National Environmental Management Act, 1998 any change in land use may be subject to an Environmental Assessment)**



APPLICATION FORM

SECTION G: DECLARATION

I / we hereby wish to confirm the following:

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. That I/we am/are properly authorized to make this application on behalf of the owner and (where applicable) that copies of such full relevant Powers of Attorney/Consent are attached hereto.
3. Where a consultant/agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the By-law will be sent to the consultant/agent and that the owner may be included in correspondence, as deemed necessary.
4. That, as owner/applicant/developer, I'm/we're aware of the state of existing bulk services provision and infrastructure availability in the subject area and that any development contributions might be payable in respect of the development herein proposed (if applicable).
5. I'm aware that it is an offense in terms of Section 84.(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct and in doing so can lead to criminal proceedings of a fine or imprisonment or both.
6. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
7. That the removal of a title deed restriction will be evaluated by the Municipality in relation to a proposed land use application or development as set out in a detailed and comprehensive motivation.
8. In terms of section 13, read with section 18 of the Protection of Personal Information Act and sections 46.(1)(b); 46.(3)(a) and (b); 46.(4); 47.; 48.; 49. and 50. of the Municipal Land Use Planning by-law, I accept and consent that my personal information disclosed in this application, may be collected and disclosed by the Overstrand Municipality for purposes of complying with the requirements of public participation.

Registered owner's signature

Date

Full name

Agent / Consultant's signature

Date

17 FEBRUARY 2025

Full name

THIAN JANSEN

Professional capacity

PROFESSIONAL TOWN PLANNER
(SACPLAN REG. – A/2858/2019)

- If application is made by a person/s other than registered owner (e.g., Consultant / Agent), full power of attorney and signatures of both parties above are required & also to be signed by two witnesses.
- If property is owned by more than one person, signature of each owner is required. Where the property is owned by a company / trust / other juristic person, a copy of the board of directors / members / trustees' resolution is required.
- The names of all signatories must also be indicated in printed letters.



1. ABBREVIATIONS

OM	Overstrand Municipality
OMLUS	Overstrand Municipality Land Use Scheme, 2020
OM BY-LAW	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
PSDF	Western Cape Provincial Spatial Development Framework, 2014
SHC	Stanford Heritage Committee
OMSDF	Overstrand Municipality Spatial Development Framework, 2020
SDP	Site Development Plan

2. PROPERTY DETAILS

Property Information	Erf 438, Stanford
Extents	5,2342 ha
Current zoning	Residential Zone 1: Single Residential

3. BACKGROUND

Stanford is a flourishing farming community with the Klein River meandering through lush fields and village homes built along its banks. The rural atmosphere of the old village with its many historical features has been retained and preserved.

Stanford has a peaceful and quiet charm that has drawn many people from the city in search of the quality of life a small village and the surrounding area offers. Many of the old homes have been renovated and restored and countless new homes have been built in Stanford in the past decade.

4. APPLICANT'S BRIEF

The owners of Erf 438 Stanford (the subject property) reached an agreement with potential developers to submit this application. The intention is to develop the property into a unique residential offering in the Stanford area and the proposed name for the development is Stanford Green Eco Lifestyle Estate.

The developer behind Stanford Green is Omni King Investments (Pty) Ltd, with extensive experience in residential, hospitality, and farming developments over four decades. The developer is well-positioned to deliver this project. The developers approached the proposed development with the intention to work with the natural environment present on the subject property and utilise its natural beauty to the advantage of the proposed development.



Figure 1: Stanford Green logo

The subject property, located along the R43, offers a unique opportunity to seamlessly act as the connection between the extension of the urban edge with the rich historical fabric of Stanford. The property is positioned between the roundabout on the R43 and Stanford's industrial area with a potential to extend beyond its physical boundaries, serving as a transition between past and future, tradition, and innovation.

Erf 438 Stanford is envisioned to be transformed into a vibrant residential development, carefully designed to harmonise with the surrounding landscape while offering residents unparalleled access to the serene beauty of the Millstream traversing the property. By preserving and enhancing the natural features of the land, the developers seek to create a sustainable community that respects and protects its ecological heritage.

Acquired by the current owners in 2000, the property has served various purposes over the years, including a grass (roll on lawn) farm. Its true potential however as a cornerstone of sustainable urban development is now being proposed. The existing dwelling on the property, is planned to be demolished to make way for thoughtfully planned residential units, ensuring that the proposed development seamlessly integrates with the landscape and contributes positively to the character of Stanford.

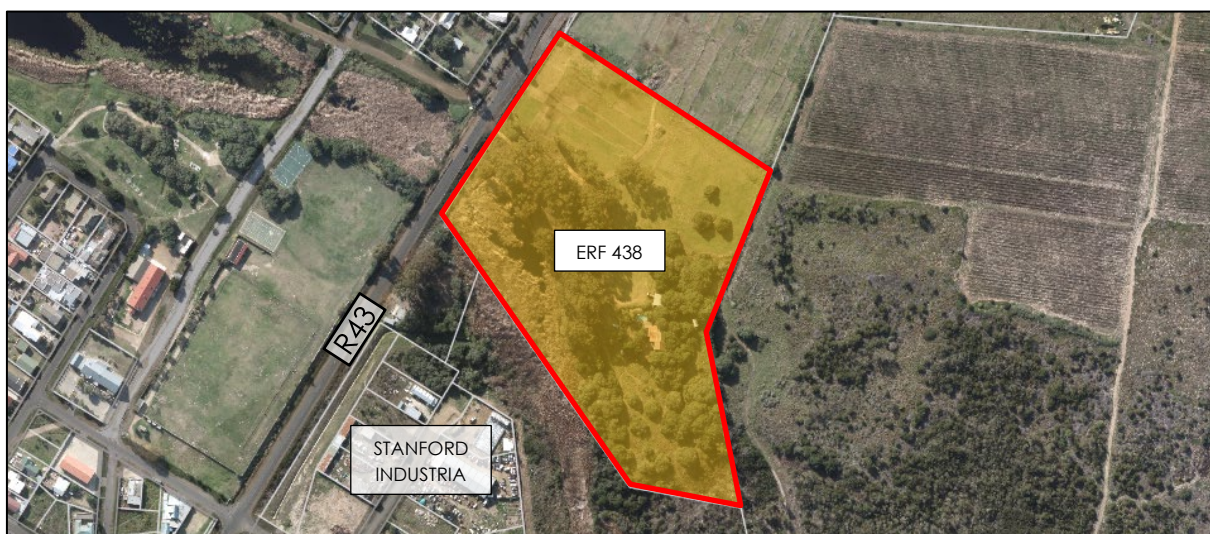


Figure 2: Locality of Erf 438, Stanford



The development represents more than just a real estate endeavour. It embodies a vision for a harmonious co-existence between human habitation and the natural world, creating a legacy of responsible stewardship for future generations to cherish and enjoy.

Given its extent, the proposed development can be developed to ensure a superior quality of living for its future residents. Notably, this project is expected not only to foster economic growth in the Stanford area but also to address the escalating demand for housing in the Overstrand region as the population continues to grow in the foreseeable future.

The developers' brief further included:

- The development must preserve the natural environment.
- The existing Milkwoods on the property need to be preserved and should be incorporated into the development to create an immediate perception of conservation and working with nature, not against it.
- Dependence on Eskom for power provision must be minimised, and solar power must be introduced wherever possible and supplemented by gas.
- Functional open spaces and recreational areas must be incorporated into the Millstream and serve a dual purpose as much as possible.
- Access control and high-quality security are essential.
- Only indigenous vegetation should be used in landscaping, and all efforts must be made to incorporate indigenous vegetation currently on site.
- The architectural style should be modern but still contain elements of the Overberg- and Stanford Style.

To assist the developer with the planning of the development, the following professional team was appointed:

- **WRAP Project Office:** Project Managers and Town Planners
- **CSA Architecture:** Architects
- **AVDM Consulting Engineers:** Civil Engineers
- **Driger Consulting:** Electrical Engineers
- **UDS Africa:** Transport Engineers
- **GLS Consulting:** Bulk Service Capacity Engineering
- **Lornay Environmental Consulting:** Environmental- and Heritage Consultants
- **BOLA:** Landscape Architects
- **CTS Heritage:** Visual and Heritage Practitioners
- **Ecotourism Afrika:** Die Oog and Millstream Riverine Nature Reserve EMP
- **Fourth Element Consulting:** Floodline Engineering Consultants
- **Pam Golding Properties:** Marketing Consultants
- **Geomatics Africa:** Land Surveyors

5. PROCESS AND PROCEDURE TO ACHIEVE THE DEVELOPER'S INTENT

5.1 Project summary

Erf 438, Stanford (hereafter referred to as the subject property) is 52 342m² (5,2342 ha) in extent (Refer **Plan 1 – Locality Plan**). The extent was recently reduced due the upgrades to the R43 where 0,0166ha was expropriated for road widening purposes.

Erf 438, Stanford is currently zoned as Residential Zone 1: Single Residential (Refer **Plan 2 – Status Quo Zoning Plan**) and has always been included in the Urban Edge.

This proposed development will consist of the following:

- **27 – Residential Properties;**
- **1 – Commercial Property;**
- **Private Open Spaces; and**
- **Private Roads.**

Access to the development will be taken from the R43 and the property will provide access not only to the proposed development, but also link into the surrounding area's development and should it be necessary, the precinct East from the R43 and on the southern side of the R326. The current access to Erf 438 Stanford is via a single-track access road. The proposal is to upgrade the access to effectively distribute the traffic to the proposed development.

Table 1: Percentage of each component (Refer Plan 5)			
Legend Colour	Zoning	Size (m ²)	Percentage
	Open Space Zone 3: Private Open Space	22887	44,2%
	Business Zone 3: Local Business	4902	9,36%
	Residential Zone 1: Single Residential	19423	37,11%
	Transport Zone 2: Road and Parking (A) (Private)	5130	9,80%
Total		52342	100,00%

The rezoning and subdivision of the subject property will introduce new waterfront residential opportunities into the housing market in Stanford. The proposed zoning and morphology, however, are aligned with development trends in other areas of the Overstrand Municipality.

This development proposal combines a modern feel with the historic charm of Stanford, aiming to attract and satisfy a market that has not been available in Stanford since the last development was approved along the Kleinrivier 15–20 years ago.

5.2 Land Development

5.2.1 Rezoning and subdivision

The following applications need to be considered for approval:

- **Rezoning** of Erf 438 Stanford from Residential Zone 1: Single Residential to Subdivisional Area Zone (SA) in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- **Subdivision** of Erf 438 Stanford into twenty-seven (27) Residential Zone 1: Single Residential (SR1) erven, one (1) Business Zone 3: Local Business (B3) erf, two (2) Open Space Zone 3: Private Open Space (OS3) erven and one (1) Transport Zone 2: Road and Parking (TR2-A) erf in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

(Refer **Plan 3: Proposed Zoning Plan & Plan 5 – Subdivision Plan**)

5.2.2 Density

The OMSDF contains calculations on the population growth for Stanford on various occasions in the past. The most recent calculation includes projections up until 2031. The methodology used to estimate population growth was based on data from the Statistics South Africa Census of 2011 and a community survey conducted in 2016, which served as the baseline population for that year.

The OMSDF's approach involved analysing historical population trends and applying these insights to forecast future growth. By incorporating data from the 2011 Census and the 2016 community survey, the projections account for demographic changes, migration patterns, and local socio-economic factors.

These projections are crucial for urban planning and development, ensuring that the infrastructure, housing, and services can accommodate the anticipated increase in population. The findings from these studies underscore the need for proactive planning and development initiatives, such as the proposed residential project on Erf 438 Stanford to address the future housing demands and support sustainable growth in the Stanford area. (**OMSDF, p28**).

Table 2: Housing Need and estimated percentage annual growth		
Year	Stanford	
	Total dwelling units (du) required	% growth
2011	330	6,4
2016	454	5,7
2021	604	4,9
2026	772	4,2
2031	953	

Based on information obtained within the OMSDF (OMSDF, p28)

The OMSDF determined that the housing demand for Stanford would increase by an additional 953 dwellings by 2031. The proposal to develop Erf 438 Stanford with 27 dwelling units, will contribute to meeting the housing provision requirement of the Stanford area. The development proposal for Erf 438 Stanford includes 27 dwelling units on 5.2342 hectares of land, which equates to the following:

27 dwelling units / 5.2342 hectares = 5.16 dwelling units per hectare (du/ha).

The proposed density is lower than desired, but due to existing constraints on the erf in terms of the stream, flood line, wetlands, and indigenous flora, the development extent is limited.

5.2.3 Layout

The layout of the development (Refer **Plan 6 for the SDP**) follows the most optimal route to ensure that there is as little disturbance as possible in terms of impacting on the wetland and the indigenous flora. The layout proposes to optimise the access to the stream while also optimising the northern aspect, providing erven with views of the majestic Klein River mountains.

The layout was designed to ensure that the Millstream is accentuated and incorporated into the development as a functional green open space, and that each property can house a free-standing dwelling unit, with a front and back garden.

The layout has been evaluated by a landscape architect to ensure that the development harmonises with the environmental aspects of the site. This evaluation assisted to incorporate various ecological features into the design, ensuring minimal disruption to the natural landscape. The inclusion of green spaces, water management systems, and conservation areas underscores the development's commitment to environmental preservation and aesthetic enhancement. (Refer **Annexure C – Environmental Site Analysis and Planning Indicators**)

5.2.4 Green, well-being focussed development

The proposed residential development embodies the principles of sustainability, environmental stewardship, and community well-being. The project was meticulously designed to enhance the quality of life for its residents while preserving and enhancing the natural environment. The key reasons why this development is a green and well-being-focused initiative are:

Environmental Preservation and Enhancement: The project includes a fully mapped and integrated wetland, preserving this vital ecological feature. The wetland will not only enhance the natural beauty of the area but also support biodiversity by providing a habitat for various species such as the endangered leopard toad.

Furthermore, the development prioritises the preservation of Milkwood trees, a protected species with significant ecological and heritage value. By incorporating these trees into the design, the project ensures their protection and celebrates their natural beauty. Sustainable landscaping using only indigenous vegetation helps preserve the local flora



and reduces water consumption. The development will incorporate existing indigenous plants on-site, minimizing environmental disruption.

Sustainable Energy and Resource Use: The development aims to minimise dependence on Eskom for power provision by introducing solar power and supplementing it with gas, reducing carbon emissions and promoting the use of renewable energy sources. Water conservation measures such as rainwater harvesting, greywater reuse, and water-efficient fixtures ensure sustainable water use, which is particularly important in a region where water is a precious resource. Additionally, the use of locally sourced, sustainable, and recycled materials in construction reduces the environmental footprint and supports the local economy.

Community and Well-Being Focus: Functional open spaces and recreational areas will be incorporated into the Millstream area, providing residents with access to nature and promoting outdoor activities. These spaces will serve dual purposes, enhancing both ecological function and community well-being. The development will feature high-quality security, access control, and modern amenities, ensuring a safe and comfortable living environment. The design encourages indoor-outdoor living, fostering a connection with nature and promoting a healthy lifestyle.

5.2.4.1 Environmental Management Plan (EMP) for Regulated Areas on Private Erven

Erven 1 to 8, Erf 10, and Erf 28 all contain areas that fall within the 32m wetland buffer area and need to be managed as a "Regulated Area". These areas within the buffer area will be regulated by the provisions of the Environmental Management Plan (EMP) compiled by the developer's environmental consultant, refer **Annexure M**. During the construction phase of the estate, including civil infrastructure installations and the development of individual residential dwellings, the 32m buffer area, as delineated by the Freshwater Specialist and indicated above, is considered a strict "No-Go" area and is defined as such.

During the operational phase of the estate, when all dwellings are occupied, the 32m buffer zone, as delineated by the Freshwater Specialist, the "Regulated Area", only limited activities will be allowed. For more information, refer to Section 5 of **Annexure M: Environmental Management Plan for Regulated Areas on Private Erven** to review the permissible activities allowed in these areas. This plan will be incorporated into the Architectural Guidelines of the development.

The table below shows the breakdown of the erven on the development and identifies the erven which contain the Regulated Area:

Portion No	Extent	Developable area (m ²)	Undevelopable Area (m ²) (No development zone)	Zoning Residential Zone 1: Single Residential (SR1)
1	1005	792	213	SR1
2	1051	482	569	SR1
3	916	573	343	SR1



MOTIVATION

4	817	420	397	SR1
5	758	411	347	SR1
6	820	413	407	SR1
7	893	515	378	SR1
8	875	610	265	SR1
10	671	485	186	SR1
28	1383	792	474	SR1

5.2.5 Millstream Integration

The Stanford Millstream, a key ecological feature, will be sensitively integrated into the development. An environmental management and hydrological study conducted in 2016, followed by water quality and biodiversity monitoring in 2017, highlighted the need for significant ecological improvements, such as:

- **Water Quality:** Addressing high pollution levels and eutrophication, particularly in the Willem Appel Dam, to ensure free flow and improved water quality.
- **Biodiversity Restoration:** Enhancing the fauna and flora diversity through the planting of indigenous wetland plants, particularly in the lower stream areas.
- **Habitat Preservation:** Maintaining habitats for local wildlife, including the endangered Western Leopard Toad, and fostering environments for waterfowl and insects.
- **Community Engagement:** Incorporating community needs and input into the stream improvement actions to ensure sustainability and local support.

Stanford Green is positioning itself as a significant participant in the forthcoming preservation and conservation initiative for the Millstream. With a commitment to environmental stewardship and sustainability, Stanford Green seeks to play a pivotal role in ensuring the protection and restoration of the Millstream ecosystem.

Through collaborative efforts and strategic partnerships, Stanford Green endeavours to contribute expertise, resources, and advocacy towards the long-term health and vitality of the Millstream, thereby fostering a harmonious balance between human activity and natural conservation. Refer to the **Annexure D – Millstream Master Plan** for an understanding on its importance and the reason Stanford Green is being developed alongside the preservation thereof.

5.2.6 Milkwood Tourist Accommodation:

- **Primary use for a restaurant open to the public** on Portion 27 (Business Zone 3: Local Business (B3)) of the proposed development;
- **Consent Use for a hotel conference facility open to the public** on Portion 27 (Business Zone 3: Local Business (B3)) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020;

- **Consent Use for a guest house** on Portion 28 (Residential Zone 1: Single Residential) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

In addition to the residential development, the application includes a proposal to incorporate unique tourist attractions within the development, which will allow the public to visit the unique Milkwood Forest on the property by providing them with accommodation options within the development.

The developer identified Portion 27 as a suitable site for the proposed hotel as it is otherwise undevelopable in terms of normal building techniques- and forms and incapable of being subdivided and developed with standard dwelling units. The initial intention was to develop Portion 27 as four single residential properties, but after surveying the area and attempting to provide a standard dwelling thereon, it became clear this was not a viable option. As mentioned earlier, the developer has extensive knowledge of and experience in the hospitality industry and the four sites were combined to accommodate the proposed Milkwood tourist accommodation.

The proposal is to establish a hotel on the property. The Overstrand Municipality Land Use Scheme (OMLUS) defines a "hotel" as the following:

"hotel" means a property used for transient guests, where lodging and meals are provided, and may include:

(i) a restaurant or restaurants;
(ii) associated conference and entertainment facilities that are subservient and ancillary to the dominant use of the property as a hotel; and

(iii) premises which are licensed to sell alcoholic beverages for consumption on the property but does not include an off-sales facility; "

Additionally, Portion 28 of the development is proposed to be used as a guest house with 5 lettable bedrooms, functioning as a complementary "villa" to the hotel. This strategic integration will enhance the overall appeal and functionality of the development, offering a cohesive and luxurious experience for visitors. By managing Portion 28 in conjunction with the hotel, the proposal ensures a unified standard of service, quality, and guest experience, creating a seamless hospitality environment.

The presence of numerous Milkwoods on Portion 28 necessitates their protection, aligning with the development's commitment to environmental sustainability and conservation. By incorporating these Milkwoods into the design of the guest house and its surroundings, the project not only preserves these protected trees but also leverages their natural beauty to enhance the guest experience. This approach creates a unique and immersive environment where guests can appreciate the ecological and heritage value of the Milkwoods, fostering a deeper connection with nature.



Furthermore, the integration of the guest house with the hotel allows for shared resources and amenities, optimising operational efficiency and reducing redundancy. This collaboration supports sustainable tourism practices, promoting the conservation of natural resources while providing high-quality accommodation options. Overall, the addition of the guest house on Portion 28 significantly enriches the development, offering diverse lodging options that cater to different visitor preferences while steadfastly protecting the vital milkwood trees. Portion 28 will be improved with a 5-bedroom guest house that will be interleading with the rest of the dwelling to ensure compliance with the OM's regulations and allow the guests to be catered to by providing them access to high quality catering facilities such as a dining area, lounge, etc.

The hotel will include:

16 Rooms, that will be developed as single pods scattered across the identified property. The proposal further includes the development of this portion in two phases with 8 rooms per phase. These rooms will not have any cooking facilities making them incapable of being operated as self-catering units. These pods will be supported by areas such as reception, indoor/outdoor restaurant, bar/lounge, flora and fauna information library, multipurpose area, small spa, outdoor fitness gym and a natural pool. The operation of the hotel will have a 'back of house' that will be fitted with a kitchen, stores, utilities, staff facilities, guest parking, vegetable and herb gardens, fruit trees, and nursery for endangered flora. Public access areas are proposed to be approximately 125m² which will include the restaurant, conference room and bar.

All the accommodation units will be owned by a single entity that will also be a member of the homeowner's association. The operation of the hotel will need to comply with the provisions of the homeowner's association constitution to ensure that the total incorporation of the accommodation complies with the daily operations of the entire development. Refer to **Annexure E – Concept Milkwood tourist accommodation (hotel)**.

Design Features

- Room Design: Stargazing beds, hot tubs, hammocks, sky bridges, relaxation decks, en-suite bathrooms, outdoor showers, wood-burning fireplaces, and floor-to-ceiling windows.
- Shared Spaces: Retreat lounge area in the treetops, utilising wood from harvested invasive vegetation like Port Jackson in the design and furniture.

Architectural Style

The hotel will emphasise a close connection to nature with sustainable luxury, blending modern design with natural elements. The architecture will incorporate unique shapes, sizes, and materials to create a breathtaking setting. Each pod will be built off-site by a company specialising in these types of structures and will be meticulously placed in its identified location to ensure no disturbance to the environment and more specific the Milkwood trees. Refer to the figure 3 for a proposed design of the pods:



Figure 3: Proposed hotel pods

Environmental Harmony and Conservation:

The proposed hotel will be located on Portion 27, as shown on the SDP. The site designated for the hotel is proposed to be zoned as Business Zone 3: Local Business (B3) with a consent use for a hotel and conference facility. The property that will accommodate the hotel within the Stanford Green Residential Development is a prime example of eco-tourism that harmonises with the natural environment.

The accommodation is designed to be nestled within an ancient Milkwood Forest, a protected and ecologically significant area. By building the tourist units in and around the Milkwoods and their canopies, the development will preserve these trees, ensuring their protection and showcasing their natural beauty to visitors. This innovative approach allows for minimal disruption and disturbance to the environment while creating an immersive experience for guests, highlighting the importance of conservation and sustainable tourism.

Economic Benefits and Job Creation:

The hotel will be a significant economic driver for the Stanford area. It will create numerous job opportunities, both during the construction phase and once operational. Positions will range from construction workers, architects, and engineers during the building phase, to hospitality staff, maintenance personnel, tour guides, and administrative staff during operation. This additional employment opportunities will have a positive ripple effect on the local economy, supporting local businesses and encouraging further investment in the area. Refer to Section 13.4 for more information.

Promotion of Eco-Tourism:

The hotel will attract eco-tourists, honeymooners, and nature seekers from both domestic and international markets. This influx of tourists will not only boost the local economy but also position Stanford as a premier eco-tourism destination. The accommodation will offer unique experiences that emphasise the natural beauty and biodiversity of the area, such as guided nature walks, bird watching, and educational tours focused on local flora and fauna. By promoting eco-tourism, the hotel will foster greater appreciation and respect for the natural environment among visitors.

Educational and Community Engagement:

The hotel will serve as an educational hub, providing information about the local ecosystem, conservation efforts, and the importance of sustainable living. It will feature an information centre and facilities for outdoor learning, which can be utilised by community groups and tourists. This focus on education will enhance community engagement and foster a sense of stewardship among residents and visitors alike.

The property will be open to the public, allowing for greater access to learning opportunities and encouraging broader participation in conservation initiatives. By welcoming the public, the development aims to create a space where locals and visitors can connect with nature, deepen their understanding of environmental issues, and be inspired to adopt more sustainable practices. This inclusivity strengthens ties between the community and the natural environment, making the site a valuable resource for both education and recreation. Additionally, opening the property to the public will generate economic benefits, as increased visitor traffic will support local businesses and promote eco-tourism, further enhancing the region's reputation as a destination committed to sustainability.

It should be noted that access will be controlled by reception, ensuring that safety and security remain top priorities for the development.

Sustainable Design and Operations:

The hotel will adhere to stringent sustainable design guidelines, ensuring that it operates with minimal environmental impact. These guidelines include optimising building orientation for natural light and ventilation, using locally sourced and sustainable materials, incorporating renewable energy sources like solar power, and implementing water conservation measures such as rainwater harvesting and greywater reuse. Waste management practices will emphasise recycling at source and minimising waste generation, and landscaping will exclusively use local indigenous plants to preserve natural habitats.

Preservation of Cultural and Natural Heritage:

The Milkwood trees, a central feature of the hotel, hold substantial ecological and heritage value. By integrating the units within this forest, the development will highlight the importance of these trees and ensure their preservation for future generations. The tourist accommodation will also respect and incorporate the cultural heritage of the area, blending traditional architectural elements with modern design to create a unique and meaningful experience for guests.



Allowing both the hotel as well as the guest house within the Stanford Green Residential Development is a strategic step that balances economic growth with environmental preservation. It will create jobs, boost the local economy, and will contribute to position Stanford as a leading eco-tourism destination, while preserving and highlighting the natural and cultural heritage of the area. This project exemplifies sustainable development and responsible tourism, creating a legacy that will benefit the community and the environment for years to come.

As a result, the parking has been designed and allocated to minimise the impact on the natural environment, with the Milkwoods being the top priority. The layout seeks to avoid large, centralised parking areas due to their visual impact, instead positioning parked cars unobtrusively in the shade of existing and newly planted Milkwoods, thereby avoiding large-scale vegetation clearing.

In summary the following uses are proposed to be available on Portion 27 - Reception, indoor/outdoor restaurant, bar/lounge, flora and fauna information library, multipurpose area (yoga, meetings, conference etc), small spa, outdoor fitness gym, heated natural pool, and guest tours

5.2.7 Street names

- **Allocation of street names** in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Application is also made in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020, for the approval of the naming of streets and numbering of erven within the development.

The proposed street names and numbers are indicated on the Street Name and Numbering Plan (refer **Plan 7**). The plan has already been circulated to the Overstrand Municipality GIS Department and their preliminary comments were incorporated into **Plan 7**.

The proposed street names are in keeping with the theme of the surrounding area, containing various environmental elements in terms of the fauna and flora in the area. The proposed names are:

- Leopard Toad Close - Minimum 8m
- Cape Olive Grove - Minimum 8m

To ensure compliance with the OMLUS the names have no reference to any person or historical figure and forms part of the theme of the development.

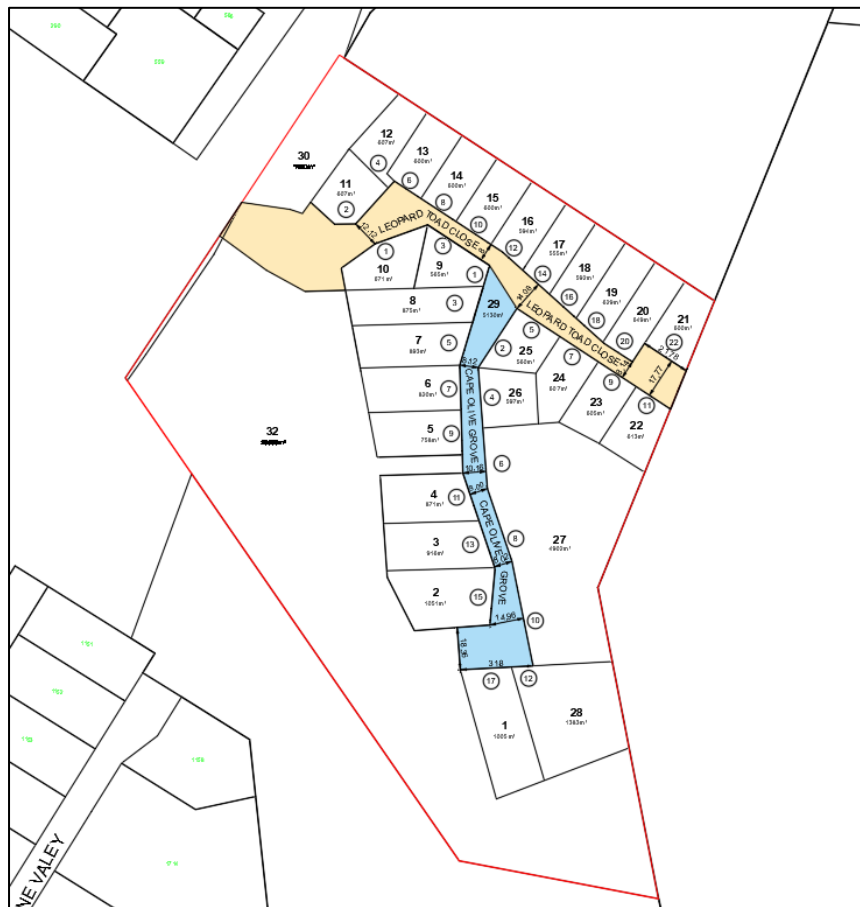


Figure 4: Proposed street name plan

The minimum road reserve width is proposed to be 8.0 m, which complies with the parameters of the OM. Several sections of the road reserve are wider than required, allowing the physical road surface to be adjusted to create a unique shape and feel within the development. Refer to **Plan 7**, which indicates all the road widths.

5.2.8 Architectural Design Guidelines

- **Approval of the Architectural Design Guidelines.**

The development features various erven having access to the Millstream while others will have views of the mountains. To ensure a cohesive design that is adhered to throughout the development Architectural Design Guidelines will control all building work within the development (refer **Annexure F & G**).

The following is an extract from the proposed guidelines in which the sense of place for Stanford Green is of utmost importance, identifying with its location and reflection of the history of the area:

The typical Stanford styles include the simple cottage, the Victorian barn, and the eclectic gabled house (Victorian or Cape Dutch Revival).

Stanford Green Eco Lifestyle Estate aims to encapsulate the rural Cape farmyard architectural style in creating a contemporary habitation among the age-old Milkwood trees and wetland. Whilst attempting not to slavishly imitate any particular style type. Borrowed elements used in varied forms and integrated into a simple architectural shape to create individual and unique designs.

- Unbroken expanses of white plaster
- Verticality of windows
- Celebrated entrances
- Contrasting textures and materials
- Interplay of light and shade
- Proportions of rooms

Stanford Green to that purpose, forms part of the greater Stanford eco and lifestyle development.



Figure 5: 3D Render of the proposed development

5.2.9 Stanford Streetscape

- **Permanent Departure** from the street building line of 4m to 2m on all portions in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.

Once subdivided, the proposal is to allow the developer to construct the dwellings up to 2m from the street boundary, replicating some of the streetscapes of Stanford. The figure 6 illustrates the proposal:



Figure 6: Stanford Streetscape

The development is proposed to have the same look and feel as was indicated above, with low street boundary walls and reduced street building lines will achieve this. It is important to note that although the dwelling units will be allowed up to 2m from the street boundary, the garages will be setback to 5m which will ensure there is sufficient space for a vehicle to park in front of the garage. Refer to the figure 7 for a visual illustration:

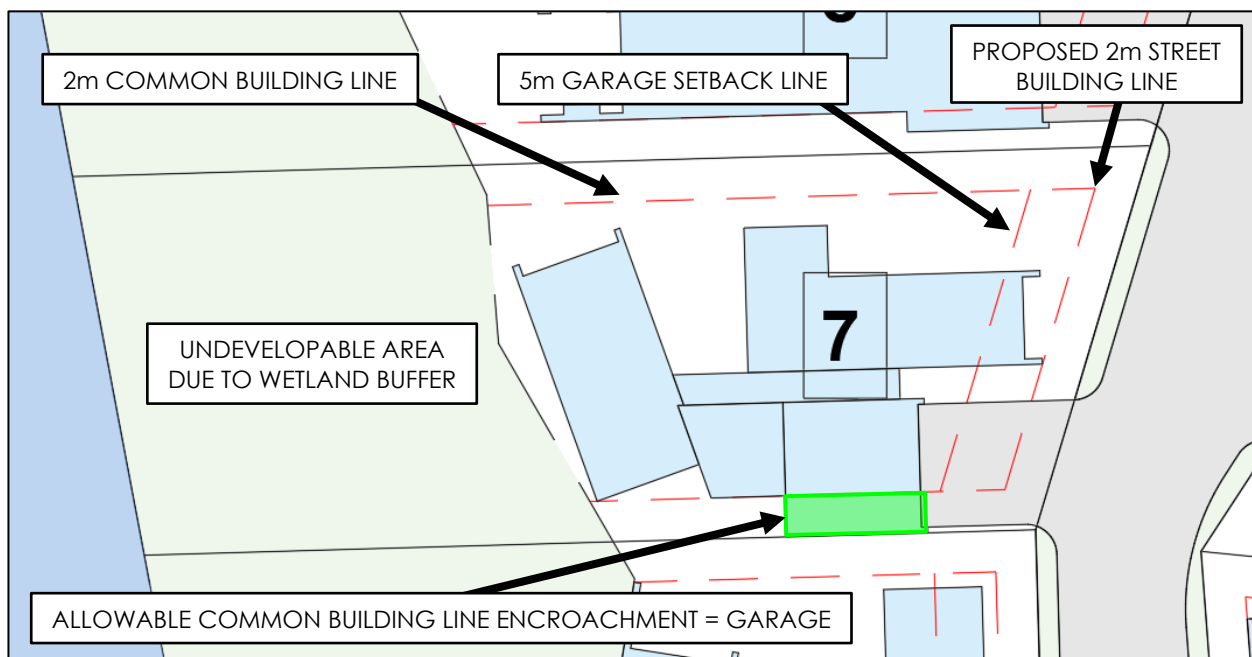


Figure 7: Typical residential property within Stanford Green

This proposed departure is justified by the fact that the development was designed as an extension of the Stanford town and the look and feel is proposed to be replicated within the development. As there is more than sufficient space for parking it is not



expected that the proposed departure will have a negative impact on the surrounding area.

A building line is defined as *"an imaginary line on a land unit which defines a distance from a specified cadastral line within which the erection of buildings and structures are prohibited, except with Municipal approval"*.

The motivation for the departure is the following:

- **Efficient Land Use:** Allowing a departure from the building line would enable the future property owners of the subdivided portions to make more efficient use of the available land. By reducing the required building line, it would provide additional space for development within the property boundaries. This is especially valuable in areas where land is limited, and maximising land use is essential.
- **Enhanced Design Possibilities:** The departure from the building line would provide greater design flexibility for the proposed development. It would allow for more creative and functional architectural designs, enabling the incorporation of features that enhance the overall aesthetics and functionality of the buildings. This can lead to improved liveability and attractiveness of the development.
- **Increased Housing Options:** By allowing a departure from the building line, the development could potentially accommodate more sensible and well-designed dwellings on the erven. This is especially important in areas where there is a need for increased housing options to meet the growing demand. By maximising the available space, it could contribute to addressing the housing shortage and provide more opportunities for residents in the area.
- **Minimal Impact on Surrounding Properties:** The proposed relaxation of the building line from 4m to 2m is relatively minor and is not expected to have a negative effect on the surrounding properties.
- **Permanent Departure** from the side building line of 2m to 0m on certain portions in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.

Twenty-three portions are proposed to have their garages located on the side boundary line, encroaching on the side building line. These portions are:

Portions 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26 and 28

As a garage is allowed to encroach on the side building line, it is not expected that the proposal will have a negative impact on the development. The proposal to encroach on the side building line allows the developer to maximise space and create privacy between the portions. Refer to figure 7 and **Annexure L: Proposed Departures – Residential Units**.

- **Permanent Departure** from the side building line of 3m to 2m on portion 27 in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.

As mentioned, the proposal is to rezone Portion 27 to Business Zone 3: Local Business to allow the hotel, where there is a building line of 3m. The proposal seeks to align the building line with the development by proposing a 2m building line along the boundary of Portion 27.

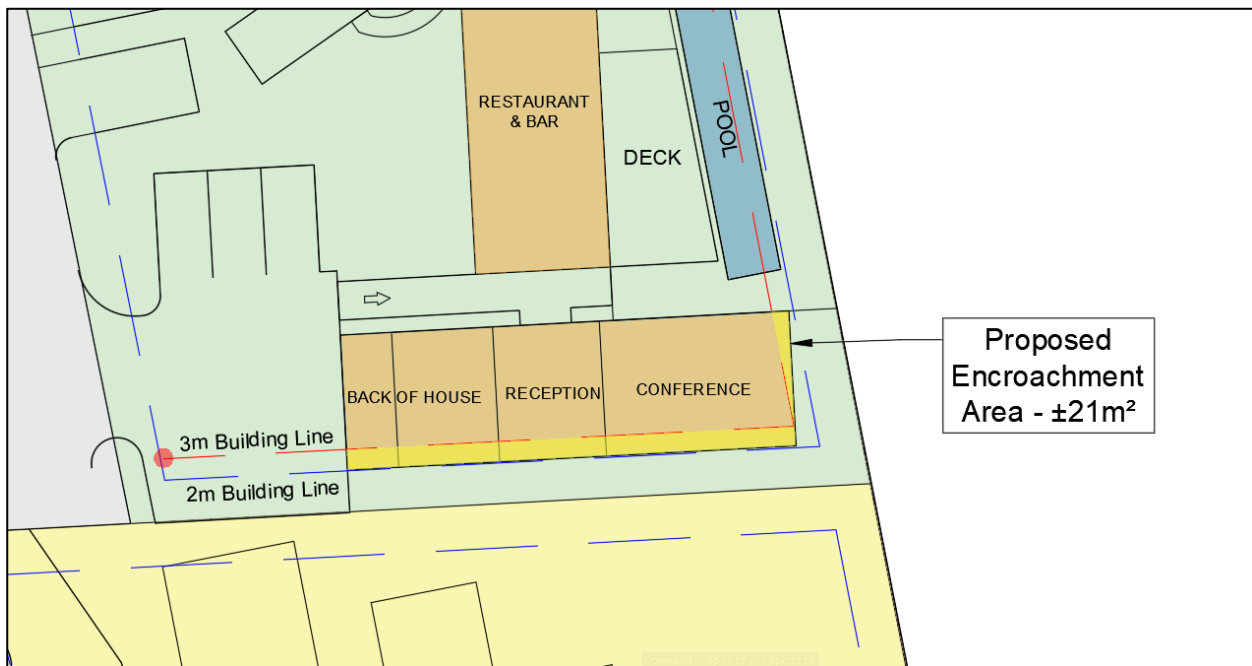


Figure 8: Proposed departure on Portion 27 – Reception Area



Figure 9: Proposed departure on Portion 27 – Pods



- **Permanent Departure** from the Overstrand Municipality Environmental Management Overlay Zone Regulations in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.

The owners intend to establish a residential development on the property, which will include accommodation for overnight guests. As a result, a departure from the Overstrand Municipality Environmental Management Overlay Zone Regulations is required.

In terms of Schedule A of the Overstrand Municipality Environmental Management Overlay Zone Regulations, overnight accommodation is prohibited on the property. The proposal is however not expected to have a negative environmental impact and is intended to form part of the broader development.

5.2.10 Height restriction

- **Permanent Departure** from the provisions of Section 18.4 of the HPOZ regarding maximum height in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.

The proposed zoning of the erven within the development is Single Residential and Group Housing respectively with a maximum allowable height of 8,0m in terms of the OMLUS.

The HPOZ however contains the following provisions regarding height:

<i>"Height, massing and orientation</i> 18.4.1 No new building in the Stanford HPOZ should exceed 6,8 m in height, except on erven zoned for commercial use in the commercial core in Queen Victoria Street between Daneel Street and Church Street where a maximum height of 8,0 m is permitted above the base level.	<u>Proposed departure from 6,8m to 7,15m</u> Proposal is to allow envelopes on the dwelling units to be higher than 6,8m. Refer to motivation
18.4.2 No portion of any building shall exceed the prescribed maximum height from base level, save for the general encroachments as prescribed in the applicable land use scheme.	<u>Proposed departure from 6,8m to 7,15m</u> Proposal is to allow envelopes on the dwelling units to be higher than 6,8m. Refer to motivation
18.4.3 The maximum height in the SR zone shall be as follows: 18.4.3.1 From the finished floor level to the top of the wall plate: 4,5m.	• Proposed wall plate height of 5,44m; • Proposed height from base level of 7,15m;

18.4.3.2 From base level to the top of the structure: 6,8m.	
18.4.4 Dormer windows visible from the street must be carefully scaled and must not exceed one-third of the roof space. Skylight type windows flush with the roof surface are permitted.	N/A
18.4.5 Building forms must be orthogonal in nature and must be positioned parallel to the street."	Noted and complied with.

Motivation for departure from HPOZ height restriction

There are two other developments along the R326 that have been developed over the past 20 years. These developments are both not located in the Stanford Heritage core, both are however aligned with the Stanford Style which is also the intention of the proposed development.

- **Stanhaven Estate**



Figure 10: Locality of Stanhaven Estate in correlation with the subject property

Extract from the Stanhaven Estate Design Guideline (Amended 2023)

"Height restrictions

The maximum height for all dwellings is **7.5 meters** above the finished floor level to the top of the roof or as defined in the zoning scheme a maximum of 8.0m from the mean height /base level (average ground level of the building)

whichever is lowest and the distance from the top of the finished floor level to the natural ground level cannot be more than 1.2 meters at any point.

When a **second storey** is included in the design of the house, the maximum height from the finished floor level of the first storey to the underside of the rafters cannot be more than 1.7 meters."

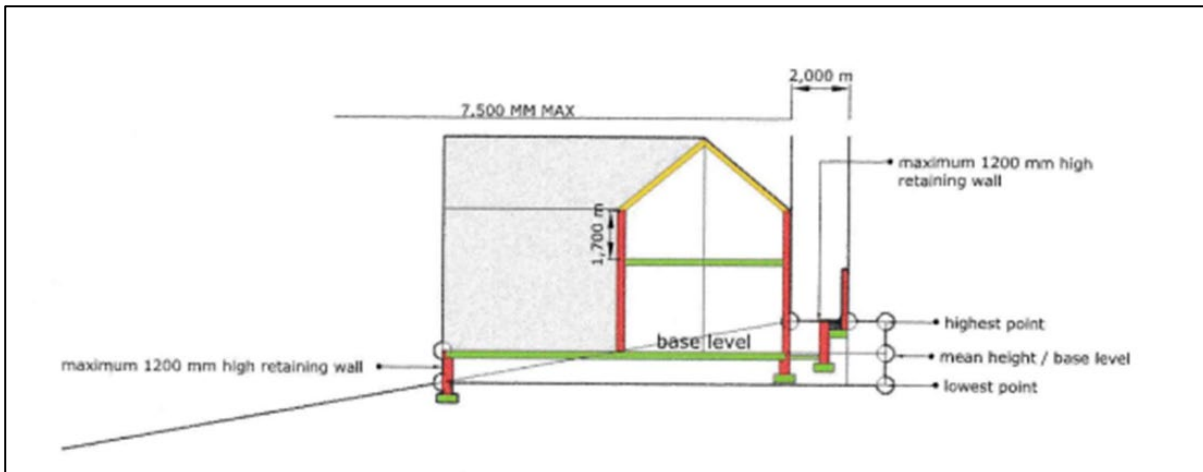


Figure 11: Extract from the Stanhaven Estate Design Guideline

- **Klein Rivier Estate**



Figure 12: Locality of Klein Rivier Estate in correlation with the subject property

Extract from the Klein Rivier Estate Design Guideline

"Height restrictions

3.2 Building Height

3.2.1 Height of single storey building elements is 4,3m measured from natural ground level to wall plate level.

3.2.2 Height of a **double storey primary building element is 7,5m** measured from mean natural ground level to top double pitched roof ridge.

3.2.3 Height of secondary building elements is related to the building height of primary building elements as illustrated of built elements as illustrated in the various plan types.

3.2.4 The building height is measured from the mean natural ground level measured contiguously to the elevation, i.e. from the lowest to the highest points along natural ground level or prior to any disturbance of the site."

The proposed development is to allow the future owners to build double storey houses on the proposed erven. The double storey houses are proposed to have a maximum height of **7,15m**. See illustration Figure 13:

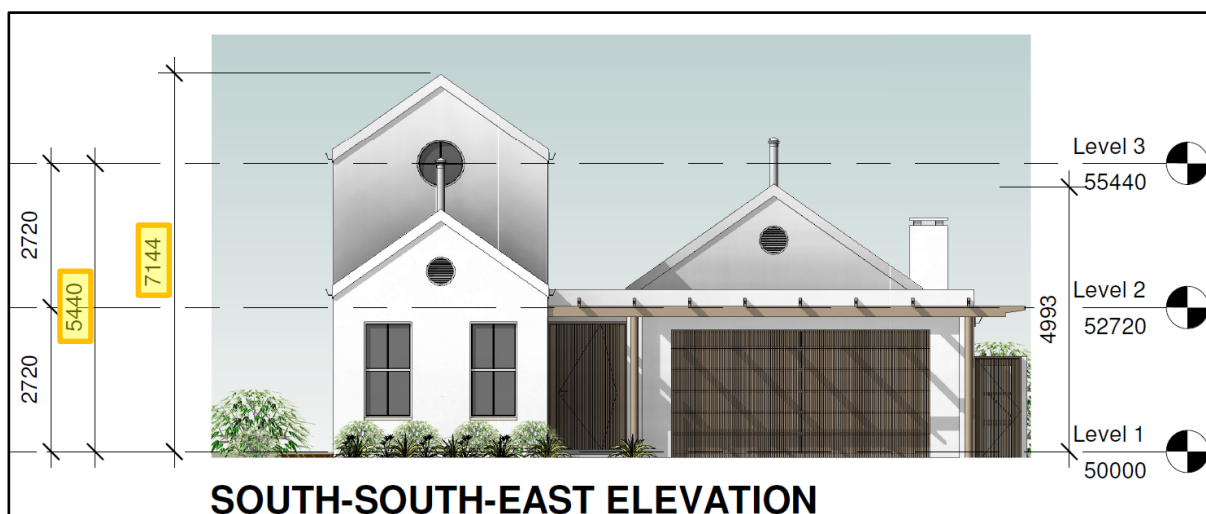


Figure 13: Typical elevation of a proposed dwelling unit

As illustrated above, the proposed dwelling includes only a section that is double storey with a maximum height of 7,15m. This is below the maximum height of 7,5m of other developments already established along the R326, which is also located in the same area as the proposed development and well below the maximum height of 8,0m in terms of OMLUS.

It is important to note that as per the landscape plan prepared for the proposed development (refer to **Annexure C**), a berm will be developed along the R43, to ensure the development is skilfully screened as it will be raised and planted to ensure effective screening. This comprehensive approach demonstrates the developer's commitment to preserving the heritage and visual integrity of the Stanford area while meeting modern development needs.

• Stanford style

The original layout of Stanford dates back to 1857 when a portion of De Kleine Rivier Valley Farm was subdivided into a typical rural village layout: a simple orthogonal (right-angled) grid with large erven and a central public square. This simple layout of the core of the village remains today, although a number of the original erven have been subdivided.

The typical Stanford architectural styles, from the late 1700s to the early 1900s, include the simple cottage, the Victorian barn (simple or adapted and thatched), and the eclectic villa or gabled house (either Victorian or Cape Dutch Revival).



Figure 14: Conservation/Heritage Area (1995)

The guidelines aim to:

- Enhance awareness of the architecture and streetscape of Stanford;
- Provide a reference to the legislation that protects these; and
- Encourage owners, buyers, and developers to maintain the style, sense of place, and character of the village.

The purpose of the Stanford Style

To preserve and maintain its historical features and architectural heritage, the original village of Stanford was proclaimed a conservation area in 1995 under the then National Monuments Act. This legislation was replaced by the National Heritage Resources Act, Act No. 25 of 1999 (NHRA), and the conservation area was subsequently designated a Heritage Area under section 28 of the Act, as illustrated on figure 14.

As indicated above, the Stanford style within the 1995-proclaimed conservation area allows for a roof apex of 6,8m, which is **only 0,35m below** the proposed roof apex of the proposed development. This small difference highlights the compatibility of the proposed development with the existing architectural standards and guidelines of the Stanford conservation area.

The proposed roof apex of 7,15m for the new development on Erf 438 Stanford demonstrates a thoughtful consideration of the area's historical and architectural context. By keeping the height difference to a minimum, the developers have shown their commitment to preserving the visual harmony and integrity of Stanford's unique village character.

Moreover, this slight increase in height is designed to accommodate modern living requirements while respecting the traditional aesthetics of the village. The proposed development aims to blend seamlessly with the existing structures, ensuring that the new buildings do not overshadow the historical charm of the area.

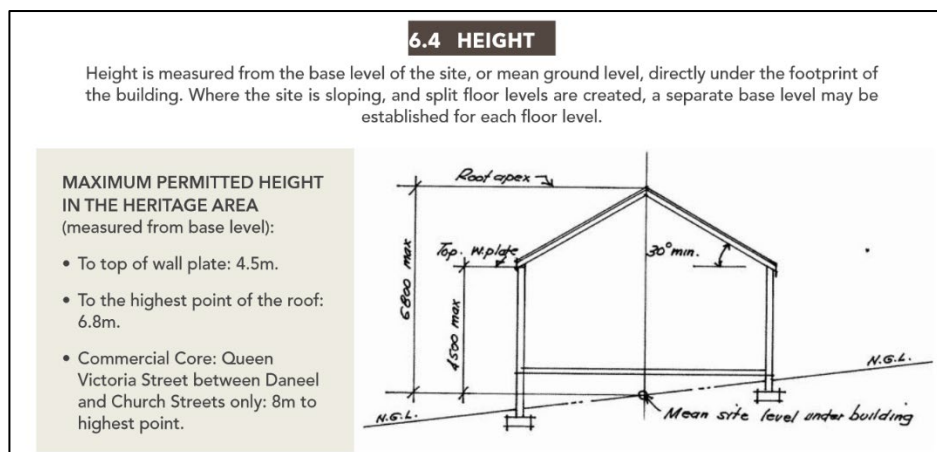


Figure 15: Extract of the Stanford Heritage Style Guideline

THE "DO'S" WHEN BUILDING OR RENOVATING (STANFORD STYLE)	
REQUIRED	PROPOSED DEVELOPMENT OF ERF 438 STANFORD COMPLIANCE
Ensure that the building is not out of scale with its surroundings.	COMPLY
Incorporate elements of Stanford's Street architecture in the design.	COMPLY
Keep within the wall plate and roof height restrictions.	DEVIATE BY 0,35m – AS MOTIVATED THROUGHTOUT THIS DOCUMENT
Use vertically proportioned windows and ensure that new or replacement windows are stylistically	COMPLY
Relate your building to the street in a way similar to the surrounding buildings.	COMPLY
Retain the look and shape of the original building, where practical.	N/A



MOTIVATION

Place the garage as a separate entity, set back from the main building.	COMPLY
Maintain low boundary walls on the street frontage (max 1.2m in height).	COMPLY
Use sympathetic colours	COMPLY

- **National Building Regulations**

Room heights generally range between 2,1m and 2,4m, accommodating the average person's height, with provisions for higher ceilings.

In terms of the National Building Regulations, the minimal room height is measured from the finished floor to the underside of the ceiling, roof covering, or any structural element larger than 30% of the room's area. If there's a structural element projecting below the ceiling level, the height must not fall below 2,1m.

If the maximum height of the proposed dwellings is lower than 7,15m it will be close to impossible to comply with this regulation when a double storey dwelling is constructed.

In summary:

- a) The slight increase in height is necessary to accommodate modern living requirements, ensuring the functionality and practicality of the proposed buildings. This adjustment is made with a clear understanding of the traditional architectural styles and the need to maintain the village's historic character.
- b) The comprehensive landscape plan was designed to skilfully screen the new development which include raised and planted berms along the R43 which will provide effective screening, blending the new structures seamlessly into the existing environment. These measures will help to minimise any visual impact, ensuring that the new buildings do not overshadow the historical charm of Stanford.

The careful consideration given to these factors highlights the developers' efforts to balance progress with preservation. By maintaining a close alignment with the established guidelines and implementing effective mitigation measures, the proposed development aims to respect and enhance the unique heritage of the Stanford village.

In conclusion, the proposed development, with its slightly increased height, is thoughtfully designed to meet modern needs while preserving the historical and architectural integrity of Stanford. The detailed mitigation measures and adherence to conservation guidelines ensure that the new buildings will not detract from the village's unique character. This balance between contemporary requirements and heritage preservation reinforces the goals of the Stanford Heritage Committee and the National Heritage Resources Act, ensuring that Stanford's distinctive charm and historical significance are upheld for future generations.



5.2.11 Establishment of a Homeowner's association

To ensure the development and residential estate is properly managed, a homeowner's association is required to be established.

- **Establishment** of an owner's association in terms of Section 31 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

6. CHARACTER OF THE ENVIRONMENT

The proposed residential development will be situated on the eastern edge of the Stanford settlement, adjacent to the R43. It is bordered by an open municipal erf zoned for industrial/business use, and to the east and south, there are vacant properties.

A review of the locality and zoning plan (see **Plan 1 – Locality Plan & Plan 2 – Status Quo Zoning Plan**) shows that the subject property is in proximity of properties zoned differently within the Stanford settlement. With the recent expansion of the urban edge, the subject property is ideally located for the proposed development, providing a link between the newly extended urban area and Stanford.

The site is adjacent to industrially zoned land, agricultural areas, and protected open spaces. Several undeveloped properties to the east of the site have also been included in the expanded urban edge, suggesting that future development in these areas is likely.

The development is approximately 500 meters from the center of Stanford, ensuring easy access to all the amenities available within the town, including community facilities such as schools and local businesses.

The character of the area is highly valued by the Stanford community, and the planning of the proposed development has taken this into consideration. Key attributes to be preserved in the development include the environment, the area's character, visual impact, and the tranquility of Stanford. These aspects will be addressed in greater detail later in the report.

7. TITLE DEED

The title deed of the subject property was perused. Title deed T106682/2000 (refer **Annexure B – Title Deed**), contains no restrictive title deed conditions that prohibits the approval of the proposed applications.

8. ZONING

The following zoning parameters were assessed in conjunction with SR1, GR1, TR2(A) & (B) and OS3, OMLUS zonings as this is a relevant consideration in terms of Section 66 (1)(q) of the OM By-Law:



MOTIVATION

The **current zoning** of the subject property is:

RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL		
	Use of the property	Current Use
Primary use	Crèche, Dwelling House , Guest Rooms, Home Occupation, Second Dwelling Unit and Self-Catering.	Dwelling House
Consent use that may be applied for	Day Care Centre, Green House, Guest House, House Shop, Institution, Place of Instruction, Place of Worship, Residential Building, and Intensive Horticulture.	Not applicable

The **proposed zonings** of the subject property are:

RESIDENTIAL ZONE 1: SINGLE RESIDENTIAL			
	Parameters	Proposal	Comply/ deviate
Primary use	Crèche, Dwelling House , Guest Rooms , Home Occupation, Second Dwelling Unit and Self-Catering.	Dwelling House	Comply
Consent use	Day Care Centre, Green House, Guest House , House Shop, Institution, Place of Instruction, Place of Worship, Residential Building, and Intensive Horticulture.	Guest House (Portion 28)	Applied for and motivated
Development parameters			
Coverage	The maximum coverage for all buildings on the land unit is determined in accordance with the erf extent: 400m ² and greater = 50%	The erven within the development range from approximately 600m ² to 2000m ² , and although house sizes will vary, none of the proposed dwellings will exceed the maximum allowed coverage of 50%.	Comply
Building lines	(i) The street building line is determined in accordance with the extent of the erf: 400 m² and greater = 4m	The Architectural Design Guidelines propose a street building line of 2m for the dwelling units. It is however important to note that the front elevation of the garage may not be closer than 5,0 m to the street boundary.	Deviate, applied for and motivated.

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MOTIVATION

	(ii) The side and rear building lines are determined in accordance with the extent of the erf: Greater than 400 m² = 2m	The proposal is to have some of the Portions' garages located encroaching on the side building lines, maximising the space.	
Height	The maximum height of a building, measured from the base level to the top of the structure, is 8,0 m.	Maximum height proposed is 7,15m and although in compliance a departure from the maximum height of 6,8m in terms of the HPOZ is required	Deviate, motivated and applied for.
Garages and carports	Garages and carports may be constructed within building lines in accordance with Chapter 16.1.2.	Comply Portion 28 – Guest House 5 Guest Bedrooms – 5 Parking Bays Manager/Main Dwelling – 2 Parking Bays 7 Parking Bays required 9 Parking Bays provided Guests will be granted access via a booking system that provides them with a gate code. Additionally, reception will assist with any visitors to the development.	Comply



OPEN SPACE ZONE 3: PRIVATE OPEN SPACE (OS3)			
	Use of the property	Proposal	Comply
Primary uses	Private Open Space	Private Open Space	Comply
Consent uses	Cemetery, Environmental Facilities, Recreational Facilities, Tourist Accommodation, Tourist Facilities, Transmission Apparatus (Subject to the provisions of chapter 16.10), Urban Agriculture, Utility Services and any other related uses permitted by the Municipality.	N/A	N/A
Development Parameters			
a) A site development plan must be submitted in terms of 16.3 to the satisfaction of the Municipality. – Refer to Plan 6 for the SDP. b) The Municipality may require an environmental study and/or environmental management plan in terms of 16.4. – This is noted c) Prior to the approval of any building plans or engineering services, the Municipality must determine the development parameters that apply when: i) the zoning of a land unit to this zone is approved; ii) any environmental impact report is considered; iii) any environmental management plan is considered; and iv) any site development plan is approved. - This is noted d) No structure shall be erected, or use practised except such as is compatible with the "private open space" as defined. – No additional structures will be built on the private open spaces that are not being applied for and motivated. e) Structures/buildings may be erected with the written consent of the Municipality, should the Municipality deem it necessary, provided that the Municipality may impose conditions relating to design, architecture and development parameters.			

**PORTION 27 – PROPOSED HOTEL**

BUZINESS ZONE 3: LOCAL BUSINESS (B3)			
	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.	Restaurant	Applied for and motivated
Consent uses which 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).	- Hotel - Conference Facility	Applied for and motivated
Coverage			
Floor Factor	The maximum floor factor is 1.5.	TBD	TBD
Height	i. The maximum height of a building, measured from the base level to the top of the structure, is 8,5 m. The maximum number of storeys is 2.	TBD	TBD
Setback	i. The Municipality may require that all buildings and structures on the property are set back at least 6,5 m from the centre line of the street. Where special circumstances exist, the Municipality may require a greater setback.	TBD	TBD
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 3,0m;	TBD	TBD



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	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 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.		
Window and door placement	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. 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.	TBD	TBD
Parking and access	According to section 17.1 of the OMLUS: Four bays per 100m² GLA are required.	Hotel 16 Rooms = 16 Parking Bays Required 125m² Public Access Areas = 7 Parking Bays 23 Parking Bays Provided	Comply
Loading Bays	The minimum off-street loading must be provided to the satisfaction of the Engineering Department.	Noted.	Comply



MOTIVATION

TRANSPORT ZONE 2: ROAD AND PARKING (TR2 A)			
	Use of the property	Proposal	Comply/ deviate
Primary use	Private Parking and Private Road	Private Parking and Private Road	Comply
Consent uses which may be applied for	Informal Trading (subject to the provisions of Chapter 16.10), Transmission Apparatus (subject to the provisions of Chapter 16.10) or any other uses determined by the Municipality, provided that: i. such other use does not detract from the transport use as the predominant use; and ii. the property shall be rezoned if the other use constitutes a significant and permanent change from the primary use and if this land use scheme provides a more suitable alternative.	Not applicable	
Development Parameters			
Deemed zoning	Any public road and/or street or any portion of land indicated as a public road on an approved subdivision plan that has not lapsed shall be deemed to be zoned as Transport Zone 2 B: Public Road.	Not applicable	Not applicable
Construction and deposit of materials	Except when written permission was acquired from the Municipality and requirements of the Municipality adhered to, no person may: i. construct a private crossing, bridge or culvert onto or across a public street; ii. construct or lay a sidewalk on a public street; iii. construct a veranda, stoep, wall, steps or other projection in or over a public street; or iv. deposit or leave any goods, articles, building materials or waste in a public street, other than for a reasonable period of time during the course of loading, off-loading or removal of these goods, articles, building materials or waste.	Not applicable	Not applicable



MOTIVATION

TRANSPORT ZONE 2: ROAD AND PARKING (TR2 A)			
	Use of the property	Proposal	Comply/ deviate
Primary use	Public Road and Public Parking	Public Road and Public Parking	Comply
Consent uses which may be applied for	Informal Trading (subject to the provisions of Chapter 16.10), Transmission Apparatus (subject to the provisions of Chapter 16.10) or any other uses determined by the Municipality, provided that: iii. such other use does not detract from the transport use as the predominant use; and iv. the property shall be rezoned if the other use constitutes a significant and permanent change from the primary use and if this land use scheme provides a more suitable alternative.	Not applicable	
Development Parameters			
Deemed zoning	Any public road and/or street or any portion of land indicated as a public road on an approved subdivision plan that has not lapsed shall be deemed to be zoned as Transport Zone 2 B: Public Road.	Not applicable	Not applicable
Construction and deposit of materials	Except when written permission was acquired from the Municipality and requirements of the Municipality adhered to, no person may: v. construct a private crossing, bridge or culvert onto or across a public street; vi. construct or lay a sidewalk on a public street; vii. construct a veranda, stoep, wall, steps or other projection in or over a public street; or viii. deposit or leave any goods, articles, building materials or waste in a public street, other than for a reasonable period of time during the course of loading, off-loading or removal of these goods, articles, building materials or waste.	Not applicable	Not applicable

9. NOTIFICATION OF INTEND TO DEVELOP (NID)

Section 38 of the National Heritage Resources Act, contains the following provisions and the proposed development necessitates the submission of a Notice of Intent to Develop to Heritage Western Cape:

"Heritage resources management
38.

(1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as—

- a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;*
- b) the construction of a bridge or similar structure exceeding 50 m in length;*
- c) any development or other activity which will change the character of a site*
 - i. **exceeding 5 000 m² in extent**; or*
 - ii. involving three or more existing erven or subdivisions thereof; or*
 - iii. involving three or more erven or divisions thereof which have been consolidated within the past five years; or*
 - iv. the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;*
- d) **the re-zoning of a site exceeding 10 000 m² in extent**; or*
- e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority,*

An NID will was submitted to Heritage Western Cape by Lornay Environmental Consulting. The conditions of the HWC ROD include that a Heritage Impact Assessment (HIA) be conducted to address Section 38(3) of the National Heritage Resources Act (Act 25 of 1999) (NHRA).

10. HERITAGE IMPACT ASSESSMENT (HIA) & VISUAL IMPACT ASSESSMENT (VIA)

As indicated in Section 12 above, HWC requested that an HIA be conducted. The developer appointed, Mrs Jenna Lavin, a heritage specialist from CTS Heritage to conduct the HIA.

The HIA was required to comply with Section 38(3) of NHRA, the HIA concluded to state

"There is no objection to the proposed development from a heritage perspective on condition that: ..." and concluded further with some additional recommendations.

At the request of the HWC a VIA was conducted to determine the visual impact that the proposed development may have. The VIA was included in the HIA together with the other requirements of a Paleontological Impact Assessment and Archaeological Impact Assessment. The HIA will follow a separate public participation process and will be circulated to the Overstrand Heritage and Aesthetics Committee and the Stanford Heritage Committee for comment, before it will be submitted to Heritage Western Cape.

11. SERVICES

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

11.1 Electricity

An electrical services report was compiled by Driger Consulting and this report addresses the electricity requirements of the proposed development.

The OM will provide access to their grid to ensure the proposed development has adequate electricity capacity should it be required in instances where the solar system may be unable to supply maximum demand (Refer **Annexure H – Engineering Services Report**).

11.2 Water and Sewage

The engineering services report compiled by AVDM Consulting Engineers provides clear services information incorporating GLS Consulting's capacity report, which confirmed the availability of bulk water and sewer capacity. The report confirmed that the network capacity, reservoir capacity and the bulk supply all have sufficient capacity to accommodate the proposed development, subject to certain upgrades required. (Refer **Annexure H – Engineering Services Report & Annexure I – GLS Bulk Services Investigation**).

11.3 Access, Egress, Parking and Traffic Impacts

Vehicular access and egress to the subject property will be obtained from the R43. The developer has appointed UDS Africa Transport Engineers to compile a Traffic Impact Statement (TIS) (Refer **Annexure J – Traffic Impact Statement**).

The TIS concluded that the access to the R43 to remain where it is currently situated. The access to the development conforms to the relevant intersection spacing requirements, and the proposed development layout allows for future linkage to the neighbouring property should it be required. Both of these requirements are being adhered to as there is sufficient access to the neighbouring property owned by the municipality.

In terms of parking requirements, 2 parking bays will be provided on each erf as required in terms of the OMLUS. The parking options may consist of a double garage or a single garage and one covered or uncovered parking bay.

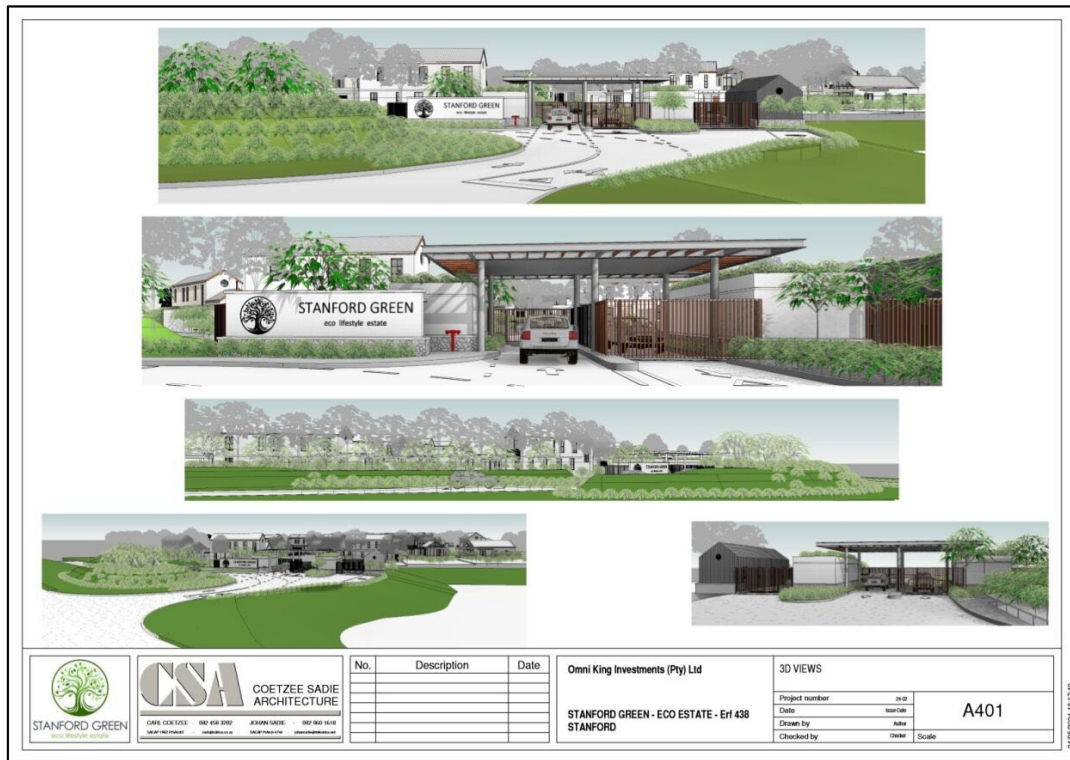


Figure 16: 3D Renders of the access gate

Figure 16 illustrate the proposed access plan, which ensures a well-designed access and egress system for the development. This plan allows for sufficient stacking distance off the public access to the property, thereby preventing any potential traffic congestion on the R43. Additionally, the design incorporates security measures, including a controlled entry point with gates and surveillance, to enhance safety for residents and visitors. The layout not only facilitates smooth traffic flow but also provides a secure and organised approach to accessing the property, contributing to the overall functionality and safety of the development.

Accessibility to the proposed refuse room is more than sufficient, and it is able to accommodate a wheelie bin for each unit in compliance with Section 17.4 of the OMLUS.

11.4 Stormwater

The services report compiled by AVDM Consulting Engineers addresses the stormwater management of the development (refer **Annexure H – Engineering Services Report**). As mentioned within the report, the developer wants to recreate the rural nature of Stanford Village with this development. “Leiwater” furrows will therefore be constructed next to the roads, refer to the figure 17:

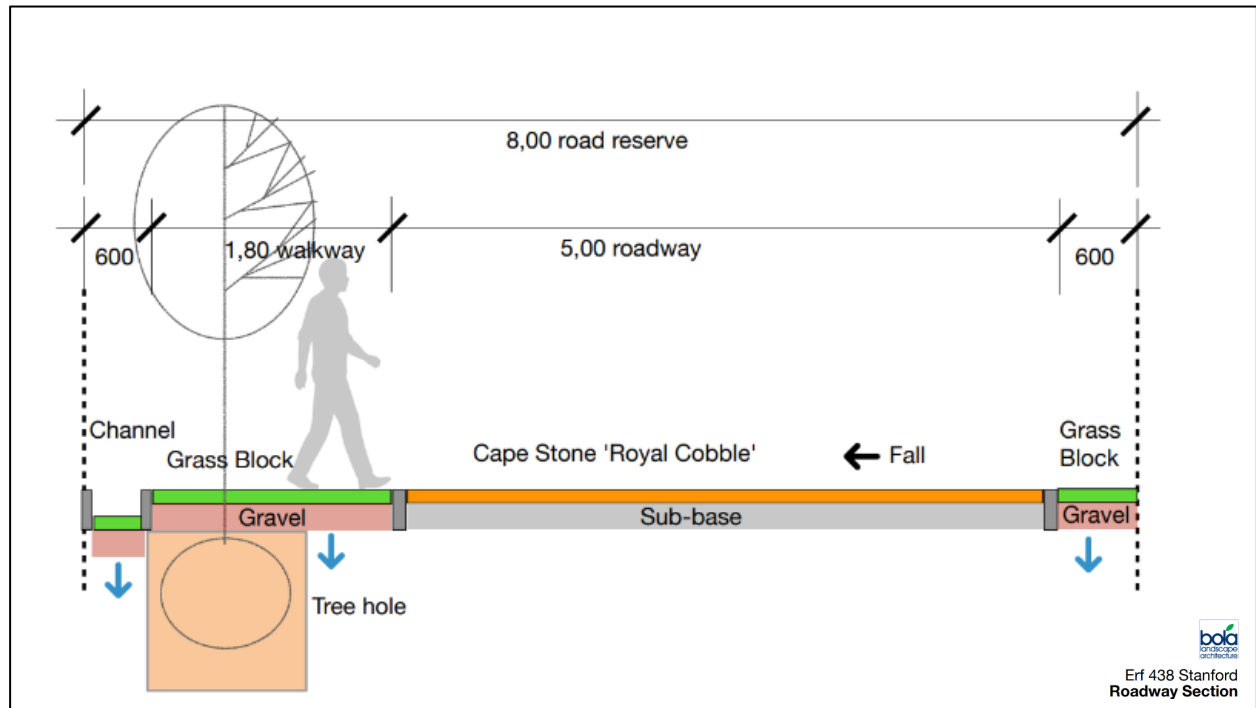


Figure 17: Typical Road section (details to be refined)

These furrows will act as the conduits for the minor stormwater system. Stormwater will be diverted into the furrows from the roads via shutes. This network will discharge into polishing detention ponds before the water is released into the wetland and dam on the southern side of the site at two points. The roadways will act as the major stormwater system. This system opens to the south to cater for overland flows for higher intensity storms.

12. ENVIRONMENTAL CONSIDERATIONS

Lornay Environmental Consulting (Pty) Ltd was appointed to ensure the proposed development complies with the provisions of the Regulations promulgated in terms of the National Environmental Management Act (NEMA).

Lornay Environmental Consulting is currently in the process of conducting a Basic Assessment Report (BAR) due to the existing water features and wetlands present on the site. This process is running concurrently with this application. Additionally, several other professionals were involved, providing additional information and reports, including an Aquatic Biodiversity Impact Assessment and Agricultural Impact



Assessment. The Millstream is home to the endangered western leopard toad, as part of the environmental process and report was compiled to provide feedback on the Millstream's role in the western leopard toad's habitat. Refer to **Annexure K: Western Leopard Toad Report**. Once the Environmental Authorisation is received, it will be submitted to the Overstrand Municipality.

Consultations with the municipal engineering department revealed that a flood line determination was required as a result of the Millstream running through the site. The developer appointed Fourth Element Consulting to assist with determination. The outcome was that the 48,5m contour represents the 1:100-year flood line, the contour is indicated on the SDP, refer to **Plan 6: Site Development Plan**.

13. 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 are indicated as follow:

13.1 Need

The need for the residential development arose from the developer's vision to address the future housing demands outlined in the Overstrand Municipality Spatial Development Framework (OMSDF). Although housing demand is not currently perceived as an issue, the OMSDF projects a different reality for the future.

Addressing housing demand only once it becomes a critical problem is not feasible and requires a proactive approach. The municipality took the first step by including additional land within the Urban Edge. The development of the subject property serves as the second step, ensuring the land acquires the appropriate land use rights to be developed into a residential area.

13.2 Desirability

The need for the land use application arose from the necessity to address all land use requirements and to ensure that the property can meet the development objectives proposed by the developer. To achieve this, the developers need to obtain approval apply for the rezoning, subdivision, and other related applications on the property.

Socio-economic impact	The proposed development offers several positive socio-economic impacts for the Stanford area and the broader Overstrand region: Job Creation and Economic Stimulation • Construction Phase Employment: The development will create numerous job opportunities during the construction phase. This includes employment for architects, engineers, construction workers, landscapers, and various
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subcontractors. These jobs will provide a significant boost to the local economy through the wages earned and spent within the community.

- **Permanent Employment:**

Once completed, the residential properties and the Milkwood tourist accommodation will generate permanent jobs. These will range from property management and maintenance staff to hospitality roles within the tourist accommodation, such as receptionists, housekeepers, chefs, and tour guides.

Housing and Community Development

- **Improved Living Standards:**

By creating a well-planned, eco-friendly residential area, the development aims to enhance the quality of life for its residents. The incorporation of green spaces, recreational areas, and sustainable energy solutions will contribute to a healthier and more enjoyable living environment.

Environmental and Ecotourism Benefits

- **Ecotourism Promotion:**

The Milkwood tourist accommodation will attract eco-tourists, fostering sustainable tourism that appreciates and conserves natural resources. This will not only create additional revenue streams for the local economy but also raise awareness about the importance of environmental conservation.

- **Conservation Efforts:**

The development includes measures to protect and integrate the existing milkwood trees and wetland areas. This focus on conservation will help preserve local biodiversity and ensure that natural habitats are maintained.

Local Business Support and Development

- **Supporting Local Businesses:**

The sourcing of materials and services from local businesses for both the construction and operational phases will stimulate local commerce. This support can lead to business growth, new ventures, and a more robust local economy.

- **Boosting the Hospitality Sector:**

The new tourist accommodation will likely increase the number of visitors to the area, benefiting local restaurants, shops, and other hospitality-related businesses. This can lead to expanded services and facilities to cater to the growing tourist population.



	Community Engagement and Development • Education and Awareness: Through features like the flora and fauna information library and guided tours, the development will provide educational opportunities about local ecology and conservation efforts. This can enhance community knowledge and encourage environmental stewardship. The proposed development promises to deliver significant socio-economic benefits, including job creation, economic stimulation, housing provision, environmental conservation, and community development. These positive impacts will contribute to the overall growth and sustainability of the Stanford area and the Overstrand region.
Compatibility with surrounding uses	Referring to Section 6, it is clear that the proposed development is well aligned with the surrounding area. This alignment is facilitated by the recent extension of the urban edge, ensuring that the development integrates seamlessly with the existing urban fabric. The careful planning and design of the development take into account the existing land uses and environmental considerations, promoting harmony and sustainability. By incorporating features such as preserved Milkwood trees, wetland conservation, and eco-friendly infrastructure, the development not only respects, but enhances the ecological and cultural heritage of the area. This thoughtful approach ensures that the new development will be a positive addition to the community, fostering a sense of continuity and coherence within the evolving landscape of Stanford.
Impact on the external engineering services	Refer Section 11.
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. In fact, the proposed project has the potential to provide several benefits to the community, such as increasing the number of residents that may in the future draw in new development potential as an increase in the population may create new opportunities.
Impact on heritage	A detailed HIA was conducted CTS Heritage: Visual and Heritage Practitioners. Refer to Section 10.
Impact on the biophysical environment	Refer Section 12.

Traffic impacts, parking, access and other transport related considerations	Refer to Section 11.
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13.3 Impact on views, sunlight and character of the area

Most of the surrounding properties are not yet fully developed and there will be little to no impact on the surrounding properties. To ensure the proposed development does not impede on the above mentioned these will be addressed individually:

Views

The proposed residential development on Erf 438, Stanford, has been meticulously planned to minimise its visual impact while enhancing the aesthetic appeal of the area. Several key considerations and strategies have been employed to ensure that the development integrates harmoniously with the surrounding landscape and urban environment.

Integration with the Existing Landscape

The design of the development prioritises the preservation of natural features, particularly the ancient Milkwood forest and the wetland area. By incorporating these elements into the layout, the development maintains a strong connection to the natural environment. The retention and protection of these ecological assets not only preserve the visual character of the site but also enhance its appeal, creating a unique and attractive living environment.

Architectural Design and Materials

The architectural design of the residential units and other structures within the development will feature materials and styles that complement the existing landscape and built environment of Stanford. The use of locally sourced, sustainable materials will ensure that the buildings blend in seamlessly with their surroundings. The aesthetic choices in building design, including colour palettes and textures, will be carefully selected to reflect the natural beauty of the area, reducing visual intrusion and promoting a cohesive look.

Visual Screening and Buffers

Strategic planting of indigenous trees and shrubs will be implemented to create visual buffers around the development. These green buffers will soften the edges of the built environment, providing a natural screen that mitigates the visual impact from surrounding areas. The 25m setback from the R43, supported by a planted berm, will further reduce the visual and noise impact from the main road, enhancing the privacy and tranquillity of the residential areas.

Building Heights and Density

The development plan incorporates a balanced approach to building heights and density, ensuring that structures do not dominate the skyline or overshadow the natural features. By maintaining a low to medium building profile, the development respects the scale of the surrounding landscape and existing urban fabric. This



thoughtful approach to height and density helps to preserve the visual integrity of the area.

View Corridors and Open Spaces

The layout includes designated open spaces and view corridors that provide residents and visitors with unobstructed views of the natural landscape, including the Milkwood forest and wetland. These open spaces are designed not only for aesthetic value but also for recreational use, promoting a connection to nature and enhancing the overall visual experience of the development.

Nighttime Lighting

Careful consideration will be given to nighttime lighting to minimise light pollution and its visual impact on the surrounding area. The use of downward-facing, shielded lighting fixtures will ensure that light is contained within the development, preserving the natural darkness of the night sky. This approach not only benefits the visual environment but also supports local wildlife and contributes to a more sustainable living space.

Overall, the visual impact of the proposed development on Erf 438, Stanford, has been carefully evaluated and addressed through a combination of thoughtful design, strategic planning, and environmental sensitivity. By integrating natural features, utilising complementary architectural styles and materials, and implementing effective visual buffers, the development aims to enhance the aesthetic appeal of the area while preserving its unique character and beauty. This approach ensures that the development will be a visually harmonious addition to the Stanford community.

Sunlight

With the proposed development being aligned with the development parameters of the Overstrand Municipality, it is not predicted to negatively affect any other property owner's sunlight. The maximum height of the structures will be below the maximum height of 8m allowed, with a maximum of 2 storeys.

The development plan incorporates a balanced approach to building heights aligned with the OMLUS, ensuring that structures do not dominate the skyline or cast extensive shadows over adjacent properties (note: no other developed residential properties are located close by). By designing buildings with varying heights that are sympathetic to the surrounding environment, the development prevents the creation of large, shadowed areas and ensures that sunlight can reach all parts of the development and its surroundings.

The layout of the development carefully considers the orientation of buildings and their placement relative to each other and to existing structures outside the development. This strategic orientation maximises natural light penetration throughout the development. Additionally, adequate spacing between buildings is maintained to allow for ample sunlight to filter through, enhancing the living conditions within the development.



Furthermore, the landscape design incorporates open spaces and green areas that are free from tall structures, ensuring these areas receive plenty of sunlight throughout the day. These spaces not only provide recreational areas for residents but also contribute to the overall aesthetic appeal of the development, creating a harmonious blend of built and natural environments.

Character

The proposed development is meticulously aligned with the character of the surrounding area, a point that has been consistently emphasised throughout the application. This alignment is achieved through several carefully considered factors, ensuring that the new development complements and enhances the existing community rather than disrupting it.

The development respects the established architectural styles and building scales prevalent in Stanford. The design incorporates traditional elements that are characteristic of the area, blending seamlessly with the historical and aesthetic context of the town. By maintaining this architectural continuity, the development not only respects the visual heritage of Stanford but also reinforces its unique identity.

The development plan prioritises environmental harmony, which is a defining aspect of Stanford's character. The layout has been evaluated by a landscape architect to ensure it integrates seamlessly with the natural surroundings. Key environmental features, such as the Milkwood grove and the wetland, are preserved and incorporated into the design. This commitment to environmental stewardship mirrors the community's values and enhances the area's natural beauty.

Additionally, the development promotes a sense of community through its design of open spaces and pedestrian-friendly pathways. These elements encourage social interaction and active lifestyles, reflecting the communal ethos of Stanford. The inclusion of pedestrian and cycling routes, safe crossings, and shared spaces within the development mirrors the village's commitment to creating a connected, inclusive community.

Lastly, the development adheres to sustainable practices in both construction and operation. This focus on sustainability is in line with Stanford's reputation as a forward-thinking community that values environmental responsibility and quality of life. By incorporating sustainable building materials, energy-efficient designs, and environmentally friendly infrastructure, the development sets a benchmark for future projects in the area.

13.4 Economic impact

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



Economic Growth and Employment

13.4.1 Job Creation: The development of Stanford Green will generate numerous employment opportunities during both the construction and operational phases. This includes jobs for construction workers, project managers, architects, engineers, and various tradespeople during the construction phase. Once operational, the estate will create jobs in property management, maintenance, security, landscaping, hospitality, and tourism.

Impact during construction

The construction of the Stanford Green development will create numerous job opportunities across various sectors, providing a significant boost to the local economy. These jobs can be categorised into several main groups:

Skilled Trades and Labor

- **Construction Workers:**
 - **General Laborers:** Executing various construction tasks.
 - **Carpenters:** Building construction frameworks, structures, and installing carpentry work.
 - **Masons:** Brick-, stones- and concrete work.
 - **Electricians:** Installing electrical systems and ensuring compliance with safety standards.
 - **Plumbers:** Plumbing systems and fixtures.
 - **Roofers:** Installation of roofs.
 - **Painters:** Final finish to buildings
- **Heavy Equipment Operators during civil- and electrical infrastructure installation and construction of top structures.**

Engineering and Technical Roles

- Civil- and electrical engineers: Overseeing the design and construction of internal services.
- Architects: Preparation of detailed building and construction plans and overseeing building work.
- Land Surveyors: Preparing all cadastral work for the development.

Project Management and Administrative Roles

- Project Managers: Coordinating the overall construction process, managing budgets, and timelines.
- Health and Safety Officers: Ensuring all safety regulations and protocols are followed.



Specialty Contractors

- Landscapers and Horticulturists: Preparing the land and planting vegetation according to the development plan.
- Solar System Installers: Implementing renewable energy systems to minimise dependence on Eskom.
- Security Personnel: Protecting the construction site from theft and vandalism.

Environmental and Ecological Roles

- Environmental Consultants: Ensuring the construction process adheres to environmental regulations and standards.

Local Business Opportunities

- Local Suppliers: Providing materials such as concrete, timber, and other building supplies.
- Transport Services: Offering logistics support for the transportation of materials and equipment.

Impact during operation

The Stanford Green development is expected to create a variety of jobs across multiple sectors once it is completed and operational. These jobs will contribute significantly to the local economy and provide diverse employment opportunities for residents.

Hospitality and Tourism

1. Hotel Staff:

- **Managers:** Overseeing operations of the Hotel.
- **Receptionists:** Handling guest check-ins, check-outs, and customer service.
- **Housekeeping Staff:** Maintaining cleanliness and order in guest accommodations.
- **Kitchen Staff:** Including chefs, cooks, and kitchen assistants to manage the hotel's dining services.
- **Waitstaff and Bartenders:** Serving guests in the restaurant and bar areas.

Property and Estate Management

2. Estate Management Team:

- **Estate Managers:** Overseeing the maintenance and operations of the estate.
- **Security Personnel:** Ensuring the safety and security of the residents and the property.
- **Maintenance Staff:** Performing repairs and upkeep of buildings and infrastructure.



- **Groundskeepers and Landscapers:** Maintaining the estate's gardens, parks, and natural areas.

Environmental and Sustainability Roles

3. Environmental Management:

- **Conservation Specialists:** Managing the ecological aspects of the development.

Administrative and Support Roles

4. Marketing Staff:

- **Marketing and Sales Staff:** Promoting the development and managing sales of properties and hotel bookings.

13.4.2 **Boost to Local Economy:** Increased employment and business activities related to the development will result in higher local spending, boosting the Stanford and Overstrand regional economy. Local businesses, such as suppliers of building materials, landscaping companies, and service providers, will benefit from the increased demand for their products and services.

13.4.3 **Tourism Enhancement:** The establishment of the hotel will attract eco-tourists, honeymooners, and nature seekers, bringing additional revenue to the local tourism sector. This will have a multiplier effect, benefiting nearby restaurants, shops, and tour operators.

13.4.4 **Increased Property Values:** The introduction of a high-quality, eco-friendly residential estate is likely to increase the value of surrounding properties. This uplift in property values can result in higher tax revenues for the local municipality, which can be reinvested into community infrastructure and services.

13.4.5 **Long-term economic impact:** Long term economic impact will be in terms of the additional rates and taxes that will be payable to the Overstrand Municipality.

Calculated at a ratio of only 3 people per dwelling unit the **residential additionality** was calculated at 78 which means that the development will bring at least 78 new permanent people to Stanford. These people will spend money in Stanford on various items such as food, petrol, restaurant, repairs etc, contributing to the local economy, excluding transient guest who will be visiting the hotel. With an occupancy rate of only 50% for the 15 rooms of the proposed tourist accommodation and 4 lettable rooms of the proposed guest house, an additional 6935 people will visit Stanford annually.



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The **initial direct investment** into the development was calculated to be approximately ±R 250 000 000. Based on this investment the additional **basic charges** payable to the Municipality will be approximately ±R 388 400 per annum.

The **annual rates payable** to the Overstrand from the development, calculated at the average value of dwellings in the development, will be approximately ±R 850 000 per annum.

The **bulk services levy** that the development will need to pay to the Overstrand Municipality is approximately R 3 000 000.

In terms of the GLS report approximately R 2 740 000 will be required to upgrade bulk water and sewer networks to accommodate the proposed and other developments which will also improve the networks for existing residents in Stanford.

13.5 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.

The proposed development is not foreseen to negatively affect any surrounding landowners as the development is aligned with what the new urban area is being earmarked for. The development is a starting point for the future of Stanford and will enable the OM to ensure that the projected housing demand is met.

14. COMPLIANCE WITH POLICIES AND REGULATIONS

14.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The property is located in the following Overlay Zone that will be addressed below:

URBAN CONSERVATION ENVIRONMENTAL MANAGEMENT OVERLAY ZONE **(Urban Conservation Category D: Private Property)**

- *Private property within priority conservation-worthy ecological corridors from mountain to coast and/or across priority conservation-worthy areas identified in accordance with the Overstrand Environmental Management Framework.*
- *In the face of development pressure, the Municipality may, if it deems it necessary, upon receipt of a development proposal or application that does not involve any activities identified under the NEMA listing notices, require that specialist biodiversity and/or other relevant studies be undertaken by the developer/owner in order to inform development planning and retain priority ecological corridors and habitats.*

The developer appointed and embarked on an environmental process to ensure that the unique area and environment is managed and maintained correctly, the EMOZ has several points that are supposed to be addressed:

Vegetation Management: • Private Property in Conservation Areas: Private properties located within priority ecological corridors, identified by the Overstrand Environmental Management Framework, may require biodiversity or relevant studies when development proposals are submitted, even if not listed under NEMA activities. This aims to preserve critical ecological corridors. • Management of Conservation Land and Buffers: The municipality emphasises the need to manage undeveloped conservation-worthy land, particularly through vegetation management, to control the spread of invasive alien species, which pose significant environmental risks. • Invasive Alien Species Control: The municipality plans to introduce regulations across Overstrand to manage invasive alien species. It may also prioritise Urban Conservation EMOZ areas for invasive vegetation control and take action, at the property owner's expense if needed, to prevent the spread of invasive species from neighbouring lands.	• Conservation of Ecological Corridors: The development will respect the priority ecological corridors identified within the Overstrand Environmental Management Framework. Specialist biodiversity assessments are being undertaken to guide the planning process and ensure the retention of these corridors and priority habitats. • Vegetation Management: The development will actively participate in the municipality's initiatives to manage undeveloped conservation-worthy land, particularly by adhering to best practices for controlling invasive alien species. A proactive approach will be taken to ensure that no part of the development contributes to the spread of these species. • Invasive Alien Species Control: As the property falls within an Urban Conservation EMOZ, priority will be given to invasive species management in line with municipal regulations.
Fire Management within Urban edge: • Proactive Fire Control Management: The municipality may collaborate with landowners to prioritise and implement urgent fire control measures in high-risk areas to protect the environment, life, and property. • Ecological Fire Management Plan: An Ecological Fire Management Plan may be developed for undeveloped	• Fire Control Collaboration: The development will work closely with the municipality and surrounding landowners to facilitate proactive fire control measures. • Ecological Fire Management: If required, the development will adhere to any Ecological Fire Management Plan created for the site.



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conservation-worthy land within the urban edge, exempting these properties from the general fire management policy and using appropriate fire management cycles. • Fire and Fuel Breaks: The municipality may create fire and fuel breaks along residential property boundaries to enable fire-fighting access and minimise the spread of fires. • Fire Risk Structures: High fire risk structures may be restricted within building lines in Urban Conservation EMOZ areas, with the municipality having the authority to order their removal if they pose a fire hazard. • Fire Protection for Thatched Roofs: Buildings with thatched roofs near UC EMOZ properties may be required to install sprinkler or fire protection systems to reduce fire risks.	• Fire and Fuel Breaks: The layout and design of the development will incorporate fire and fuel breaks along property boundaries to ensure access for fire-fighting teams and to minimise the risk of fires spreading across properties. • High Fire Risk Structures: No high fire risk structures or buildings will be placed within building lines adjacent to the Urban Conservation EMOZ. • Fire Protection for Thatched Roofs: No thatched roofs are proposed in the development.
Access: • Right of access: Undeveloped conservation worthy land shall be regarded as a Public Place whereby the right of access for the general public is guaranteed, unless such access will result in pollution or environmental degradation or where such access will constitute a public nuisance. • No access: (entrances, pathways, structures) will be allowed from private properties to open spaces without the necessary written consent of the municipality	• Right of Access to Conservation Areas: The undeveloped conservation-worthy land within the development will be treated as a private open place, however allowing controlled access for the general public. Measures will be in place to ensure access is controlled to a manner that will not increase pollution, environmental degradation, or any form of public nuisance, ensuring that access does not negatively impact the environment.
Activities/Uses: • The following primary uses will be permitted within the Urban Conservation EMOZ:	The proposal aligns refer to the motivation report above.



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– Recreation; – Ecosystem Management; and – Heritage Conservation. • The following uses will be permitted within the Urban Conservation EMOZ with the municipality's consent: – Environmental Facilities; – Catering Enterprises.	
Infrastructure: • The design and development of new buildings, infrastructure and utility services within the Urban Conservation EMOZ must complement the natural character and sense of place of the ecological corridor and existing development in such areas. • The erection of religious symbols, memorabilia and the defacement of municipal infrastructure or natural features will be prohibited and managed by means of removal / repair / rehabilitation measures.	• This will be adhered to. • No symbols or memorabilia will be erected.
Management Agreements: • The Municipality may enter into Co-Management Agreements with third parties for the funding / operational management of the Urban Conservation EMOZ.	The developers already engaged with the municipality in this regard.

SCHEDULE A PROHIBITED ACTIVITIES IN OVERSTRAND ENVIRONMENTAL MANAGEMENT OVERLAY ZONES		
Prohibited Activity	Applicable Environmental Management Overlay Zone (EMOZ)	Applicable to the application or not
	Urban Conservation	
Agricultural practices within this EMOZ which may cause water logging and siltation.	X	N/A



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Planting or harbouring of declared alieninvasive plant species on properties located within and adjacent to this EMOZ.	X	N/A
Planting or harbouring of declared emerging weeds on properties within and adjacent to this EMOZ.	X	N/A
Planting or harbouring of locally important emerging weed species within and adjacent to this EMOZ.	X	N/A
Development or agriculture on slopes steeper than 1:4.	X	N/A
Development above the 120m geographical contour line.	X	N/A
Development on the crest of a mountain, ridge or hill.	X	N/A
Establishment of Informal settlements or Temporary Relocation Areas.	X	N/A
No land user within this EMOZ may utilise the vegetation in a vlei, marsh or within the flood area of watercourse in a manner that may cause the deterioration or damage to the natural agricultural resources.	X	N/A
Placement of religious symbols or memorabilia.	X	N/A
Harvesting /collection of kelp / seaweed in municipal designated "no-take" zones.	X	N/A
Harvesting, collection, moving, loading drying of kelp /seaweed, with a valid Seaweed Harvesting Permit or an exemption in terms of Section 81 or the MLRRA issued by the DAFF.	X	N/A
Stockpiling, drying, processing or loading of marine resources beyond areas designated, demarcated and signposted by the Municipal Council for such purposes.	X	N/A
Modification of the littoral active zone / functional dune systems in absence of approved management plans.	X	N/A
Feeding, disturbing / pursuit of fauna.	X	N/A
Disturbance, modification or destruction of the environment or species within special management areas designated, demarcated and signposted by the Municipal Council from time to time.	X	N/A



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Defacing/damaging / removing of any notice, sign, barrier building or other infrastructure.	X	N/A
Playing or tampering with any rope, float, buoy, vessel, shelter or similar life - saving device.	X	N/A
Staying overnight.	X	Applicable – Applied for.
The discharging of domestic effluent / grey water into all natural systems.	X	N/A all Greywater will flow into the existing sewage system.
Tampering with security / surveillance infrastructure.	X	N/A
Defacing of rocky outcrops and placement of memorial plaques, religious symbols or structures on natural features.	X	N/A
Graffiti, vandalism or damaging of municipal infrastructure.	X	N/A
Littering	X	N/A
Disposal of cigarette butts, ash or other hazardous materials in any place or manner other than a receptacle designated for such items	X	N/A
Dog walking / exercising of dogs in non-designated zones.	X	N/A

SCHEDULE B ACTIVITIES ONLY PERMITTED WITH COUNCIL CONSENT IN OVERSTRAND ENVIRONMENTAL OVERLAY ZONES		
A) Activities Only Permitted With Council Consent	Applicable Environmental Management Overlay Zone (EMOZ)	Applicable to the application or not
	Urban Conservation	
Permission for the utilization of access routes to permitted kelp / seaweed harvesting sites.	X	N/A
Removal or destruction of vegetation which is protected and/or of conservation concern.	X	N/A
Dune maintenance on private land as per approved dune maintenance management plans.	X	N/A



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Excavation and destruction or removal of substrate (soil, substrate, rock, shellgrit, dune sediment, mineral deposits).	X	N/A
Discharging of pool backwashing or untreated grey water or the channelling of storm water into open spaces without the necessary approval from the Municipality.	X	N/A
B) Permit Upon Approval By Delegated Authority and / Receipt of Tariff	Applicable Environmental Management Overlay Zone (EMOZ)	Applicable to the application or not
	Urban Conservation	
Access from private properties to open spaces, including the removal of vegetation and the establishment of paths, structures and infrastructure.	X	N/A all path and infrastructure will occur on the subject property.
Commercial filming.	X	N/A
Construction or placement of any temporary object, building, shelter, path or structure.	X	N/A
Use of engine or motor driven vehicles, remotely piloted aircraft or any other means of transport or other conveyances beyond designated, demarcated and signposted areas.	X	N/A
C) Council Authorisation Pending Consent Use Application / Lease Agreement / Applicable Tariffs as applicable	Applicable Environmental Management Overlay Zone (EMOZ)	Applicable to the application or not
	Urban Conservation	
Buildings / Structures associated with: Taking of water, storing of water, impeding or diverting flow, stream flow reduction, altering the bed, banks, course characteristics, outflow structures or discharge pipes.	X	N/A
Buildings / Structures associated with: Taking of water, storing of water, impeding or diverting flow, stream flow reduction, altering the bed, banks, course characteristics, outflow structures or discharge pipes.	X	N/A



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Application for the designation of industrial sites and activities associated with the seaweed harvesting, collection, drying, transport and processing fishery.	X	N/A
Encroachment of private buildings, structures, infrastructure, access routes.	X	The entire property is located inside of the zone.
Commercial Harvesting/collection and removal of any natural resource.	X	N/A
Construction or placement of any permanent object, building, shelter, pathway or structure.	X	The entire property is located inside of the zone.

14.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

14.2.1 Scenic Route

The subject property is located adjacent the R43, identified as a 'Route of Regional Scenic Significance'. The developer acknowledges the significance of the route and would not want to impact on the scenic nature thereof.

To ensure compliance, the HPOZ has guidelines in place to ensure new developments do not impact the scenic route as indicated in Section 8.2.6:

Protection of scenic corridors	Compliance
8.2.6.1 - New buildings must not block views from scenic routes, particularly views towards the mountains and the coastline and towards places/sites identified as having visual or heritage significance, where possible.	The subject property is located on the eastern side of the R43, and the mountains are located to the north of Stanford and the subject property. The proposed development will therefore not block the view of the mountains from the scenic route. To ensure compliance with the HPOZ, it was ensured in the planning phase, that the proposed development is aligned with the provisions of the HPOZ.
8.2.6.2 - Comment must be obtained from the Overstrand Heritage and Aesthetics Committee, Stanford Heritage Committee and/or a registered conservation body on potential visual impacts before the Municipality approves any applications within this HPOZ.	This application will be circulated to the relevant departments and committees for comment. The Overstrand and Stanford Heritage Committees will be afforded the opportunity to comment on the application during the public- and authority commenting period.



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8.2.6.3 - Development on ridge lines and on steep slopes greater than 1:4 must be avoided in this zone.	This is noted and is <u>not</u> applicable to this application as the development area has a very gradual gradient.
8.2.6.4 - New interventions must be modest and restrained in scale, limited in height, recessive in character and appropriate to the natural and cultural landscape.	As previously mentioned, the development was designed in such a way that it complies with the Overstrand Municipality's By-Laws, zoning scheme, etc in order to ensure that the application is appropriate in scale and height.
8.2.6.5 - New developments must be associated and linked with existing settlements, rather than being built on isolated sites on undeveloped land.	The proposed development is approximately 500m from the centre of Stanford. The proposal is to link the development with other environmental and ecological areas in the surrounding area. In addition, the development has incorporated designated links to future development of the vacant municipal property adjacent to the development linking these two properties.
8.2.6.6 - Buildings must be aligned parallel to the contours. Hard and soft landscaping must be used to tie the buildings into the landscape.	With the typography of the subject property, this is not applicable as the subject property is almost flat.
8.2.6.7 - Building platforms on sloping sites must be kept to a minimum. Buildings on high stilts in excess of 2,4 m, as measured from the base level and as defined in the land use scheme, must be avoided. New levels must be designed to fit into the surrounding landform. Mitigation measures must be identified to limit visual impacts.	With the typography of the subject property, this is not applicable as the subject property is reasonably flat with sufficient slope to allow drainage.
8.2.6.8 - Outdoor spaces must be designed so that the landscape appears to flow throughout the site. Extensions on coverage will be discouraged.	The proposed development is within the coverage limit of the development parameters. Open spaces were designed to be functional and integrated.
8.2.6.9 - The layout and design of new buildings must respect local traditions and settlement patterns in terms of the placement and alignment of buildings on sites.	Refer to Section 5.2.3 that focused on the layout and the reasoning for the specific layout.
8.2.6.10 - Access roads and pathways must be designed to avoid excessive cutting and filling and to ensure harmonious adaptation to the existing topography.	This is noted and all access roads will be constructed engineering standards and will meet the requirements of the OM.

14.2.2 Stanford Heritage Protection Overlay Zone ("STANFORD HPOZ")

A portion of the subject property is located in the Heritage Protection Overlay Zone and is contained in the local area HPOZ as illustrated by the figure 18:

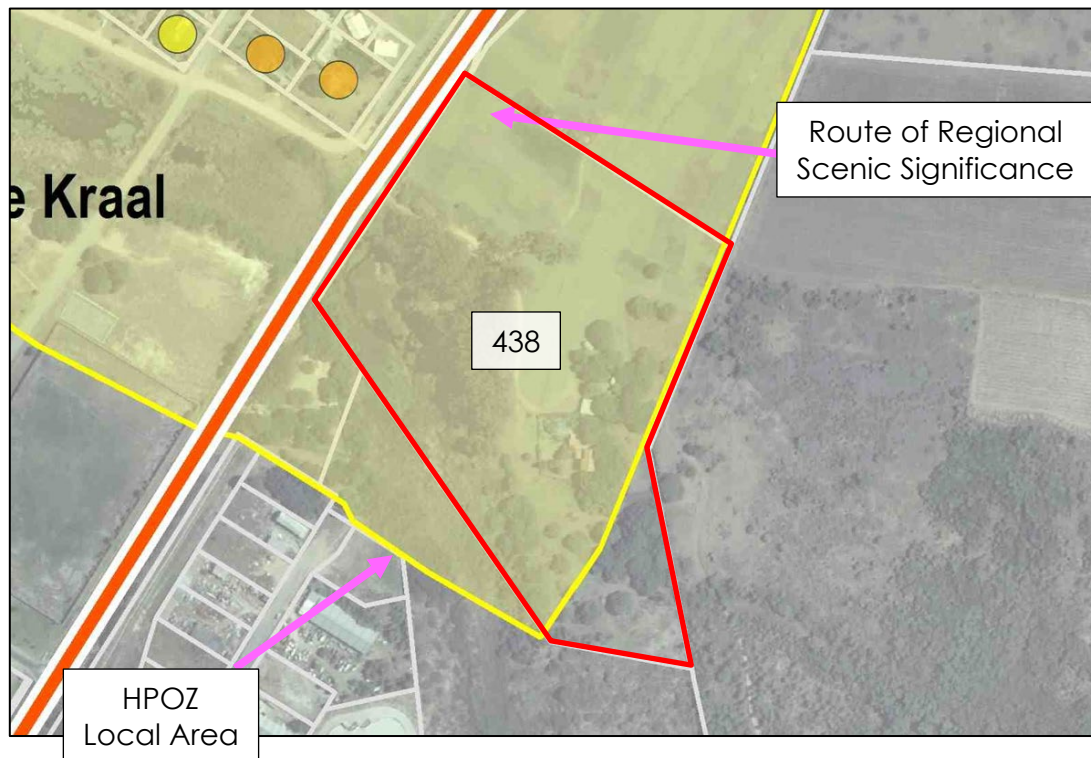


Figure 18: HPOZ

Protection of scenic corridors	
8.2.6.1 New buildings must not block views from scenic routes, particularly views towards the mountains and the coastline and towards places/sites identified as having visual or heritage significance, where possible.	The subject property is located east of the scenic route with mountains to the north.
8.2.6.2 Comment must be obtained from the Overstrand Heritage and Aesthetics Committee, Stanford Heritage Committee and/or a registered conservation body on potential visual impacts before the Municipality approves any applications within this HPOZ.	The application will be circulated to the required committees during the public participation process.
8.2.6.3 Development on ridge lines and on steep slopes greater than 1:4 must be avoided in this zone.	Not applicable.
8.2.6.4 New interventions must be modest and restrained in scale, limited in height, recessive in character and	The developer has appointed a skilled team to ensure the proposed development is considered appropriate.



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appropriate to the natural and cultural landscape.	
8.2.6.5 New developments must be associated and linked with existing settlements, rather than being built on isolated sites on undeveloped land.	The subject property is located adjacent the R43 and provides access to the neighboring property.
8.2.6.6 Buildings must be aligned parallel to the contours. Hard and soft landscaping must be used to tie the buildings into the landscape.	This is noted and is proposed to be incorporated into the development using berms and landscaping to assist in merging the development into the landscape.
8.2.6.7 Building platforms on sloping sites must be kept to a minimum. Buildings on high stilts in excess of 2,4 m, as measured from the base level and as defined in the land use scheme, must be avoided. New levels must be designed to fit into the surrounding land form. Mitigation measures must be identified to limit visual impacts.	This is noted and is not expected within the development.
8.2.6.8 Outdoor spaces must be designed so that the landscape appears to flow throughout the site. <i>Extensions on coverage will be discouraged.</i>	This condition will be complied with.
8.2.6.9 The layout and design of new buildings must respect local traditions and settlement patterns in terms of the placement and alignment of buildings on sites.	This condition will be complied with.
8.2.6.10 Access roads and pathways must be designed to avoid excessive cutting and filling and to ensure harmonious adaptation to the existing topography.	This condition will be complied with.

Purpose of the Stanford HPOZ	
18.2.1 To protect and enhance the wide range of heritage sites and streetscapes of considerable heritage significance which contribute to the unique townscape character.	The subject property is not located near any heritage sites and streetscapes as it is located on the edge of Stanford.
18.2.2 To protect and enhance the role of Market Square and Queen Victoria Street as major structuring elements within the historic core of Stanford which reflect a number of architectural and historical features and establish the	The subject property is not located near the Market Square and Queen Victoria Street.



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character and sense of place in Stanford.	
18.2.3 To enable adjustments in the standard provisions of the land use scheme, especially related to the provision of parking and the implementation of setback lines, to ensure the enhancement of identified streetscapes of heritage and architectural value.	The proposed development will be a security estate and is not expected to have a negative impact on the 'identified streetscapes of heritage' and architectural value.
18.2.4 To protect and enhance the relationship of the village to the Klein River and the natural spring, "Die Oog", to the south-east, which underpins the role of water in the origins and evolution of the place.	Recognising the significance of these water features in the origins and evolution of Stanford, the development incorporates measures to safeguard their ecological integrity and historical importance. By implementing sustainable water management practices and preserving natural buffers, the project ensures that the Klein River and "Die Oog" remain central to the village's identity. This approach not only respects the area's heritage but also promotes the continued appreciation and conservation of these vital natural resources.
18.2.5 To protect and enhance the character of the historical built environment (established by street, subdivision and building patterns, including building setbacks, orientation, scale, massing and form, street interface and access) and avoid negative impacts on townscape and streetscape character in general and on architecturally and historically significant buildings in particular. This applies to new development, alterations to existing structures, road engineering interventions and boundary treatments and include security fencing, signage and landscaping.	The subject property is not located near any historical built environment.
18.2.6 To protect and enhance historical building typologies. Inappropriate typologies must be avoided in the historical core of Stanford with its significant spatial character. The	Refer to the motivations above. Appropriate building typologies are being proposed.

historical present, streetscape and street block character and the role of buildings as landmarks, street liners or corner buildings in contributing to this character must be respected. Appropriate modern interpretations will be considered by the Municipality with comment from Stanford Heritage Committee.	
18.2.7 To protect and enhance the leiwater system which contributes substantially to the area's character.	The proposed development will not have an effect on the existing leiwater system.
18.3 Land use and building plan applications, if applicable, within the defined Stanford HPOZ area must be submitted to the Stanford Heritage Committee for comment.	This condition will be complied with.
18.4 Height, massing and orientation	Deviation addressed and motivated in Section 5.2.8 above.

15. SPATIAL PLANNING POLICIES

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

PSDF
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. 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.
OMSDF
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.

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.

15.1 Spatial Planning Policies

15.1.1 PSDF

To ensure the proposed residential development is in line with the PSDF, the Provincial settlement policy objectives, the proposed development was evaluated in terms of the policy objectives.

Provincial settlement policy objective	Alignment of the proposal with the policy objectives.
Protect and enhance sense of place and settlement patterns.	The proposed development is situated on the eastern side of the R43, positioned as the second residential development proposal submitted, south of the R326 and to the east of the R43. It is crucial to seamlessly integrate the proposed development into the Stanford urban landscape, preserving its heritage and historical significance. This objective is achieved by conscientiously placing the development within its surroundings and facilitating resident access to the area's amenities. Moreover, the development aims to establish itself as a new focal point, emphasising well-being and creating a space of attraction for the community to visit the rehabilitated Millstream.
Improve accessibility at all scales	The subject property has adequate accessibility to the centre of Stanford and also access to Hermanus via the R43. The proposed development was designed to form part of the extended town, while ensuring access is granted to larger towns and cities such as Hermanus and Cape Town.
Promote an appropriate land use mix and density in settlements	The predominant land use is residential, with additional land uses such as the Milkwood tourist accommodation, which will offer several facilities for guests and residents. For residents, these facilities include outdoor gym equipment as well as a day care centre, while ensuring the development has access to nature through specifically placed open spaces. The density of the proposed development is approximately 5 dwelling units per hectare, as regulated by the OMLUS.



Ensure effective and equitable social services and facilities	With Hermanus being a regional service centre as indicated by the PSDF, the importance is to ensure access to the area is important. There are adequate road networks between the proposed development and Hermanus which have been upgraded recently to ensure access to these already existing facilities.
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15.1.2 OMSDF

The OMSDF is directed by National Provincial and Municipal Planning legislation, policies and plans. These include SPLUMA, LUPA, By-Law, PSDF and the IDP. The OMSDF aims to provide sufficient guidance regarding what constitutes appropriate spatial development land uses and direction within the urban edge. The SDF was drafted after considering input from other state departments and the public and provides a shared spatial vision which the development proposal should ideally attempt to synchronise with.

To ensure compliance with the principles and objectives set out by the PSDF and the National Development Plan the OMSDF was synthesised through the influence of these policies and frameworks.

The proposed residential development was aligned with the OMSDF to ensure that policy requirements are met. The OMSDF focussed on the increasing pressure to provide adequate housing options to the increasing population. This includes the Stanford area. Refer to **Table 1** for an indication of the population growth within the Stanford area.

The following was identified within the OMSDF, p90:

*"A survey in terms of the availability of vacant land was undertaken in 2019. A total of 225 vacant residential erven were identified. A total amount of 2 828 additional people will need to be accommodated from 2019 to 2031, based on the aforementioned population total. Based on an average household size of 2.6 persons per household, this amounts to a total requirement of **1 088 additional dwelling units by 2031.**"*

The increase in population is based on the growth indicated by Table 2.7 p25 of the OMSDF. The proposed development will add 27 additional dwelling units to the Stanford area, addressing 2,48% of the estimated demand identified by the OMSDF within the Stanford Area. It may only be a small percentage of the required dwellings, but with the existing constraints on the property the area available for development was optimised, without having a negative impact on the surrounding environment. These dwelling units are located adjacent the area recently incorporated within the urban edge, ensuring that there is adequate alignment with the future expansion of Stanford.

The proposal includes provisions to ensure sufficient future linkage with the surrounding area. The property features a section of public road that will be developed and

subsequently transferred to the municipality. This road section will facilitate a robust connection between the adjacent vacant municipal property, which may be developed in the future.

Furthermore, this link could potentially be used to provide access to the area recently incorporated within the urban edge. Should it become necessary, this connection would integrate these two areas into the public road network, enhancing accessibility and connectivity. However, it remains crucial to maintain the development as a private security development to ensure the safety and exclusivity of its residents. Balancing the need for connectivity with the imperative for security, the proposal aims to achieve a harmonious integration with the broader urban framework while preserving the integrity and safety of the development.

The application is aligned with the OMSDF as the proposal would assist the OM to be able respond to the future housing demand and ensure adequate residential options are available within the Stanford area.

Commercial Enterprise: The proposal is to include commercial property within the development. Although not earmarked for commercial activity in terms of the OMSDF, the proposal is not considered out of the ordinary. The activities proposed are considered to align with the development, as the hotel, restaurant, and conference facilities will be open to the public, placing a strong emphasis on the environment, which plays a major role in the development.

Overstrand Municipal Growth Management Strategy, 2010

Although repealed, the Overstrand Municipal Growth Management Strategy is used as a guideline document to the municipality. Erf 438 however falls within a zone that is not identified for densification, refer to the figure 19:

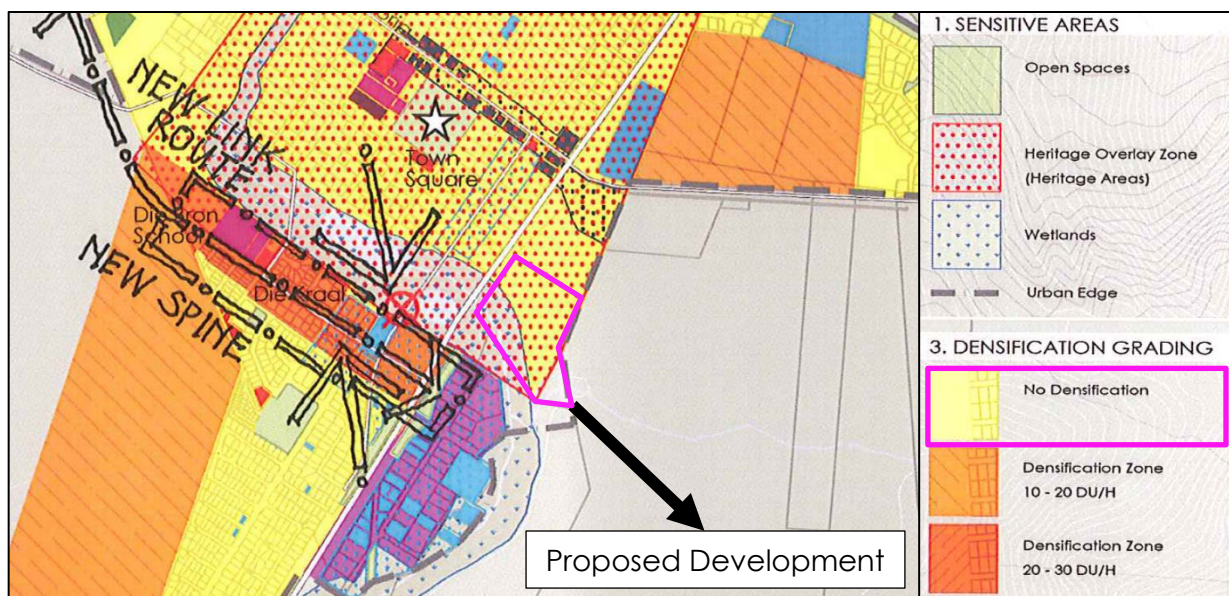


Figure 19: Extract of the OMGMS



The subject property is proposed to be developed with a density in alignment with the rest of Stanford. Referring to Section 5.2.2 of the motivation, the proposed development is intended to have a density of only 5.16 du/ha.

The property is located in Planning Unit 1 of the OMGMS. While this planning unit is not earmarked for densification, it is important to consider that the OMGMS was compiled during a period of slower growth, unlike the current situation. A review of the OMGMS and other spatial policies of the OM indicates that this shift in growth should be taken into account.

The subject property is 5.2342 ha, and utilising the entire area for a single residence is irrational, especially in a region where new vacant properties can only be achieved through infill densification via subdivision of larger properties. This approach would however detract from the historic core of the Stanford area.

Planning Unit 1 has an approximate gross density of 3.3 du/ha. With the proposed development incorporated, the gross density of the planning unit is expected to increase only slightly, by 0.2 du/ha, to 3.5 du/ha. This increase is negligible and is not expected to have a negative impact on the surrounding area.

This proposed density aligns with the guidelines and density set forth in the OMGMS and is consistent with the surrounding area's planning unit 1, ensuring that the development integrates seamlessly with the existing community. This careful planning ensures that the development does not deviate from the established norms and maintains the character and cohesiveness of the Stanford area.

Commercial Enterprise: The proposal is to include a commercial property within the development. Although not earmarked for commercial activity in terms of the OMGMS, the proposal is not considered out of the ordinary. The activities proposed are considered to align with the development, as the hotel, restaurant, and conference facilities will be open to the public, placing a strong emphasis on the environment, which plays a major role in the development.

16. PLANNING PRINCIPLES

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

16.1 Spatial justice

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. This proposal for new a residential development is not proposed to contribute to the perpetuation of apartheid spatial development imbalances. The development aims to provide housing options for all within the Stanford area, and the position of the development is located close to the current urban centre.



16.2 Spatial sustainability

Consideration was given to the protection of prime and unique agricultural land. The development site has been carefully selected to avoid prime agricultural areas, ensuring that valuable agricultural resources are preserved. This aligns with the goal of maintaining agricultural productivity and sustainability in the region.

In addition, the development upholds consistency of land use measures in accordance with environmental management instruments. Environmental considerations have been integrated into the planning process, with specific measures to protect and enhance natural features such as wetlands and milkwood groves. This ensures that the development is environmentally responsible and sustainable.

Moreover, the development promotes land development in locations that are sustainable and limit urban sprawl. By focusing on infill development within the existing urban edge, the proposed development aims to assist with containing urban expansion and preserve open spaces and natural areas. This approach supports more compact and efficient urban growth patterns.

Finally, the development results in communities that are viable. The project is designed to create vibrant, inclusive, and sustainable communities with access to necessary amenities and services. This includes integrating residential areas with green spaces, promoting pedestrian and cycling routes, and ensuring a high quality of life for all residents.

In summary, the proposed development aligns with the principle of spatial sustainability by being fiscally responsible, protecting agricultural land, adhering to environmental management practices, supporting equitable land markets, considering all infrastructure costs, limiting urban sprawl, and fostering viable communities.

16.3 Efficiency

The proposed development aligns with the principle of efficiency in several ways: The development optimises the use of existing resources and infrastructure by situating the project within Stanford's established urban edge. This reduces the need for new infrastructure investments and minimises environmental disruption. The development also preserves and integrates natural features like the wetland and Milkwood groves, making efficient use of the site's ecological resources.

Secondly, the decision-making procedures aim to minimise negative financial, social, economic, or environmental impacts. Extensive environmental assessments and community consultations will be conducted before final decision is made. This allows the developer the option to mitigate potential adverse effects. The project incorporates sustainable design principles and ensures long-term economic viability while enhancing the quality of life for residents.



16.4 Spatial resilience

The proposed development aligns with the principle of spatial resilience as the development incorporates flexibility in its spatial plans and land use management systems. While also preserving natural features such as the Milkwood groves and the wetland, the project ensures the sustainable use of ecological resources. This approach not only protects the environment but also supports the resilience of the local ecosystem against potential environmental shocks.

The development promotes sustainable livelihoods by integrating eco-tourism elements, such as the Milkwood tourist accommodation and the guest house. These features create economic opportunities and diversify income sources for the community, enhancing their ability to withstand economic fluctuations.

The design of the development also includes provisions for future adaptability, such as potential road linkages to adjacent areas and their green spaces. These elements ensure that the community can respond flexibly to future needs and challenges, whether they arise from environmental changes or economic pressures.

In summary, the proposed development aligns with the principle of spatial resilience by incorporating flexible and adaptive spatial planning, supporting sustainable livelihoods, and enhancing the community's ability to withstand and recover from economic and environmental shocks.

16.5 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.

17. EVALUATION

The proposed residential development on Erf 438, Stanford, is a meticulously planned project that balances modern residential needs with environmental stewardship and community integration. The development's alignment with the Overstrand Municipality Spatial Development Framework (OMSDF) highlights a forward-thinking approach to address future housing demands while respecting the site's unique ecological features. This proactive planning ensures that the development not only meets current requirements but also anticipates and accommodates future growth in a sustainable and responsible manner.

Environmental considerations have been at the forefront of this proposal. The incorporation of detailed environmental site analysis, including hydrology, and vegetation studies, demonstrates a commitment to preserving and enhancing the site's natural attributes. The development's design incorporates significant environmental buffers, sustainable stormwater management systems, and the protection of the Milkwood grove and wetland, ensuring minimal disruption to the local ecosystem. These measures align with the principles of spatial sustainability, promoting development that is both ecologically sound and sustainable in the long term.

From a socio-economic perspective, the development promises significant benefits. The inclusion of eco-tourism elements, such as the Milkwood tourist accommodation and the guest house, not only preserves important natural features but also creates new economic opportunities. These facilities will attract visitors, generate employment, and stimulate local businesses, contributing to the economic vitality of the Stanford area. The project's focus on integrating these features with the residential development underscores a holistic approach to community development, fostering a vibrant, diverse, and resilient local economy.

The development also aligns with the planning principles. By utilising existing resources and infrastructure efficiently, and ensuring streamlined decision-making procedures, the project minimises negative financial, social, economic, and environmental impacts. This efficiency ensures that the development is not only economically viable but also beneficial to the broader community.

In conclusion, the proposed residential development on Erf 438 Stanford stands as a model of sustainable, responsible, and forward-thinking urban planning. It integrates environmental preservation with socio-economic development, aligns with key planning principles, and anticipates future needs, ensuring a balanced and resilient community. The project not only addresses immediate housing demands but also sets a precedent for future developments in the area, demonstrating a commitment to creating a sustainable and inclusive environment for all residents.



RECOMMENDATION

18. RECOMMENDATION

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

- 18.1 Rezoning** of Erf 438 Stanford from Residential Zone 1: Single Residential to Subdivisional Area Zone (SA) in terms of Section 16(2)(a) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 18.2 Subdivision** of Erf 438 Stanford into twenty-seven (27) Residential Zone 1: Single Residential (SR1) erven, one (1) Business Zone 3: Local Business (B3) erf, two (2) Open Space Zone 3: Private Open Space (OS3) erven and one (1) Transport Zone 2: Road and Parking (TR2-A) erf in terms of Section 16(2)(d) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 18.3 Consent Use** for a hotel, conference facility open to the public on Portion 27 (Business Zone 3: Local Business (B3)) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 18.4 Consent Use to allow a guest house** on 28 (Residential Zone 1: Single Residential) of the proposed development in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.
- 18.5 Permanent Departure** from the street building line of 4m to 2m on all portions in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.
- 18.6 Permanent Departure** from the side building line of 2m to 0m on Portions 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26 and 28 in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.
- 18.7 Permanent Departure** from the side building line of 3m to 2m on portion 27 in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.
- 18.8 Permanent Departure** from the Overstrand Municipality Environmental Management Overlay Zone Regulations in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.
- 18.9 Permanent Departure** from the provisions of Section 18.4 of the HPOZ regarding maximum height in terms of Section 16(2)(b) of the Overstrand Amendment By-Law on Municipal Land Use Planning, 2020.



RECOMMENDATION

18.10 Allocation of street names in terms of Section 96 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

18.11 Approval of the Architectural Design Guidelines; and

18.12 Establishment of an owner's association in terms of Section 31 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.