

LAND USE PLANNING ASSESSMENT REPORT
(In terms of Sections 56, 65 & 66 of the Langeberg Land Use Planning Bylaw PN 264/2015, 30 July 2015)

AANSOEK: VERGUNNINGSGEBRUIK EN AFWYKING: ERF 420, FULLARDSTRAAT 10, ASHTON

PART A: AUTHOR DETAILS

First name(s) & Surname	Jack van Zyl
Job title	Assistent Bestuurder: Stadsbeplanning
SACPLAN registration number	A/1170/2000

PART B: PROPERTY DETAILS

Property description (in accordance with Title Deed)	Erf 420					
Physical address	Fullardstraat 10			Town	ASHTON	
Current zoning	Residensiële sone I (vergunning vir 5 kamer-gastehuis)	Extent	1673m²	Are there existing buildings on the property?	Y	N
Applicable zoning scheme	LIZS. 2018					
Current land use	Woonhuis / Gastehuis			Title Deed number & date	75003/2017	
Any restrictive title conditions applicable	Y	N	If Yes, list condition number(s)	4b) It shall be used for the purpose of erecting thereon one dwelling together with outbuildings. (‘n Nuwe tweede woning word voorgestel, maar dit is toelaatbaar ingevolge die toepaslike soneringskema, waar dit ingesluit word in die definisie van ‘n “Woonhuis”. Die voorstel word dus nie a steenstrydig met die titelbeperking beskou nie). 4d) Street boundary of 4,72m²		

			(Die voorstoep is 4,2m van die straatgrens af, maar dit is 'n bestaande struktuur wat nie die aansoek vir die gastehuis affekteer nie)
Any third party conditions applicable?	Y	N	If Yes, specify
Any unauthorised land use/building work	Y	N	If Yes, explain

PART C: APPLICATION DESCRIPTION

Aansoek ingevolge Artikel 15 van die Langeberg Munisipaliteit Verordening op Grondgebruikbeplanning, 2015 vir:

1. die wysiging van 'n goedkeuringsvoorwaarde ten opsigte van 'n beperking op die maksimum aantal gaste wat opgelê is met 'n vorige goedkeuring van 'n vergunningsgebruik vir Gastehuis op die eiendom, om 6 kamers in plaas van 5 kamers vir gaste-akkomodasie te mag gebruik; en
2. 'n permanente afwyking van die ontwikkelingsparameters van toepassing op 'n Gastehuis wat bepaal dat etes en drank slegs aan inwonende gaste bedien mag word, om toe te laat dat etes en drank ook aan die algemene publiek bedien mag word.

PART D: BACKGROUND & SUMMARY OF APPLICANTS MOTIVATION

Die eiendom word reeds etlike jare as gastehuis bedryf en beskik oor die regte vir 'n gastehuis met 5 slaapkamers.

Die huidige eienaar beoog om die gastehuis met een suite uit te brei na 6 slaapkamers / 12 gaste. Die 5 gaste slaapkamers is almal binne die bestaande woonhuis ingerig. Die eienaars wil 'n nuwe tweede woning oprig vir hulle eie akkomodasie, maar met een kamer wat ook as die 6de gasteslaapkamer aangebied kan word. Die bestaande privaatslaapkamer in die huis gaan as kombuis vir die gastehuis ingerig word. Daar word ook beoog om die woonhuis te vergroot, wat die leefkamer/eetkamer-gedeelte aansienlik sal vergroot.

Die aansoeker wil die nuwe eetkamer ook gebruik as restaurant vir nie-inwonende gaste. Dit sal 'n totaal van 20 gaste kan akkomodeer.

Aangesien die beoogde 2de woning se vloeroppervlakte minder as 60m² is, is dit 'n primêre gebruiksreg ingevolge die definisie van "woonhuis" in die betrokke soneringskema.

Daar word dus aansoek gedoen vir die wysiging van die voorwaardes ten opsigte van die maksimum getal kamers/gaste (van 5 kamers/10 gaste na 6 kamers/12 gaste), asook vir 'n afwyking van die ontwikkelingsparameters vir 'n gastehuis, wat bepaal dat etes en alkoholiese drank slegs aan inwonende gaste bedien mag word, ten einde ook etes en drank aan die algemene publiek te mag bedien.

Die aansoeker motiveer die voorstel aan die hand van die volgende:

- Bestaande gebruik in wenslike ligging
- Behoefte aan gastehuis in Ashton
- Suksesvol bedryf in verlede
- Goeie ligging ten opsigte van uitsigte
- Voldoende toegang en op-perseel parkering vir gastehuis
- Restaurant vir publiek sal waarde tot eiendom toevoeg en bestaande infrastruktuur optimaal benut.
- Behoefte aan restaurant in Ashton
- Klein skaal en lae impak van restaurant is slegs 8 sitplekke meer
- Draadheinings sal met soliede mure vervang word om bure se privaatheid te beskerm (reeds in proses)
- Addisionele parkering vir restaurant is beskikbaar in straatreserwe voor woning, wat breed genoeg is om dit te akkomodeer (21m).

PART E: SUMMARY OF PUBLIC PARTICIPATION

Public participation required in terms of Sections 45- 49 of the By-law?

Y

N

Where participation is required, state method of advertising

Press

Notices

Ward Councilor

Other

PART F: SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION (if applicable)

Daar is drie beswaarbriewe ontvang, waarvan een 'n petisielys met 23 name insluit. Die besware en petisielys verteenwoordig 24 persone en 15 eiendomme in die omgewing (gemerk op liggingsplan in Bylae 1).

Die besware behels die volgende:

- Geraas en aktiwiteite afkomstig van restaurant sal steurend wees.
- Restaurant aanliggend is onvanpas vir omgewing waar kinders woon en sal ook steurende geraas veroorsaak vir tutor klasse langsaan.
- Onvoldoende parkering vir restaurant.
- Straatparkering vir huidige gastehuis veroorsaak reeds ongerief vir inwoners.
- Restaurant met dranklisensie sal gevaar wees vir kinders en omliggende inwoners, veral oor naweke.
- Naby skool en kerk.
- Onveilig vir voetgangers (skoolkinders) wat dië straat gebruik om by Ashton Laerskool te kom.
- Geraas by swembad in somer sal steurnis veroorsaak.

Die aansoeker het as volg op die besware reageer:

- Regte bestaan reeds om 10 inwonende gaste van etes en drank te voorsien.
- Aansoek nie vir nuwe restaurant, maar net vir 10 addisionele sitplekke in bestaande goedgekeurde eetkamer van gastehuis.
- Primêre funksie van die perseel is gaste-akkomodasie. Voorstel is om tot 12 gaste te akkomodeer sodat in effek net 8 ekstra nie-inwonende gaste akkomodeer sal word.
- Voorgestelde openbare toegang tot "restaurant" sal optimale gebruik van die bestaande fasiliteit teweegbring.
- Maaltye word bedien na 08h00 wanneer die skool reeds begin het en saans, wanneer die skool toe is.
- Daar sal parkering in die bestaande tuin ingerig word, wat die huidige situasie sal verbeter. Fullardstraat is boonop wyd genoeg vir straatparkering sonder enige versperring.
- Geraas by die swembaddens kom in elk geval oral voor in die woonbuurt. Die addisionele kamer en gebruik as publieke restaurant sal nie noemenswaardig meer geraas genereer as die huidige situasie nie. Die eienaar het reeds soliede geboude mure opgerig om visuele en geraasimpakte te versag.

PART G: SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS (if applicable)Siviele Dienste

Die Siviele Ingenieursdepartement het in beginsel geen beswaar teen die bogenoemde voorgestelde vergunningsgebruik nie, onderhewig aan die volgende voorwaardes:

1. Die bestaande water en rioolaansluiting sal behoue bly vir Erf 420.
2. Die bestaande toegang tot erf 420 sal behoue bly.

Elektriese Dienste

1. Ons het geen beswaar solank die bestaande elektriese dienste gebruik word.
2. Indien addisionele kapasiteit benodig word, moet 'n formele aansoek gerig word aan die Elektriese Ingenieursdienste afdeling.

Brandweerdienste

24 August 2022

1. Fire Services will need a Fire Protection Plan to be able to make an informed recommendation.

7 September 2022

2. No objection from Fire Services

Verkeersdienste

No objection.

Kaapse Wynland Distriksmunisipaliteit

Cape Winelands District Municipality Municipal Health Services supports the application subject to:

- The applicant needs to apply for a Certificate of Acceptability with adherence to – Regulations 5 & 6 of GNR 638\ 22 June 2018 (Regulations governing general hygiene requirements for food premises, the transport of food, and related matters promulgated in terms of the Foodstuffs, Cosmetics & Disinfectants Act 54 of 1972 as amended.
- This office reserves the right to call for additional requirements if deemed necessary at any later stage.

Wyksraadslid Wyk 11 – Raadslid Y Siegel

Ek ondersteun die versoek.

PART H: MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)

Die voorgestelde uitbreiding van die gastehuis van maksimum 5 suites/10 gaste na 6 suites/12 gaste word as wenslik beskou en aanbeveel vir goedkeuring, aangesien:

1. Dit slegs 'n geringe uitbreiding van die bestaande regte verteenwoordig, met baie min addisionele impak op die omliggende omgewing.
2. Dit steeds binne die ontwikkelingsparameters vir gastehuse is, soos neergelê in die Langeberg Munisipaliteit: Geïntegreerde Soneringskema-verordening, 2018;
3. Daar voldoende op-perseel parkering vir die uitbreiding voorsien word.

Die voorgestelde afwyking van die ontwikkelingsparameters vir gastehuse sal in effek die regte gee om 'n gelisensiëerde 20-sitplek restaurant te bedryf. Dié voorstel word as onwenslik beskou om die volgende redes:

1. Die voorstel is teenstrydig met die definisie van "gastehuis" in die bg. soneringskema-verordening, wat duidelik daarop dui dat 'n gastehuis 'n woonhuis is wat gebruik word vir die doel om verblyf en maaltye aan reisende ("transient") gaste te bied. Artikel 20(4) soneringskema-verordening bepaal dan ook dat die munisipaliteit nie 'n afwyking van die grondgebruikbeskrywings of definisies daarin mag toestaan nie. Die voorstel behels in wese 'n restaurant, wat 'n hoër orde sakegebruik is en akkomodeer word onder ander sonerings en gebruike, bv Sakepersele as primêre gebruiksreg in Sakesone I of Restaurant as vergunningsgebruik in Sakesones II en -III.
2. Die gebruik as restaurant is onvanpas by die karakter van die omliggende lae digtheid enkelresidensiële omgewing.
3. Die vereiste op-perseel parkering is as volg:

1 parkeerplek per gastekamer x 6 kamers	6 parkeerplekke
2 parkeerplekke vir gastehuseienaar/bestuurder	2 parkeerplekke
1 parkeerplek vir gastehuis besoekers / werknemers	1 parkeerplek
Restaurant @ 1 parkeerplek/25m ² vir 120m ² (eetkamer = 53m ² ; sonkamer = 12m ² ; dek = 55m ²).	5 parkeerplekke
Totale vereiste	14 parkeerplekke

Die voorstel is vir 9 parkeerplekke op die perseel, waarvan 1 binne die bestaande garage is. Daar sal dus minstens 5 parkeerplekke te min voorsien kan word op die perseel. Die voorstel is om 5 parkeerplekke in die straat voor die perseel te skep. Die voorsiening vir op-perseel parking sal dus onvoldoende wees, terwyl die voorgestelde straatparkering ook onvanpas sal wees by die residensiële karakter van die buurt.

PART I: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS (REFER TO ROR GUIDELINE)

NVT

PART J: RECOMMENDATION

- A. Dat die aansoek om wysiging van goedkeuringsvoorwaardes te opsigte van die maksimum aantal gaste wat akkomodeer mag word by die goedgekeurde vergunningsgebruik vir Gastehuis op Erf 420, Ashton ingevolge Artikel 60 van die Langeberg Munisipaliteit: Verordening op Grongebruikbeplanning, 2015 goedgekeur word, om die volgende redes en onderhewig aan die onderstaande voorwaardes ingevolge Artikel 66 van dieselfde verordening:

Redes vir goedkeuring:

- a. Die voorstel behels slegs 'n geringe uitbreiding van die regte en sal baie min addisionele impak op die omliggende omgewing hê.
- b. Die maksimum toegelate aantal gastekamers/gaste sal steeds binne die ontwikkelingsparameters vir gastehuse wees, soos neergelê in die Langeberg Munisipaliteit: Geïntegreerde Soneringskemaverordening, 2018;
- c. Daar kan voldoende op-perseel parking vir die uitbreiding voorsien word.

Voorwaardes van goedkeuring:

1. Die ontwikkeling van die terrein moet wesenlik ooreenkomstig die voorstel op die terreinplan gemerk ASH420-LBM-TP1 geskied, ingesluit die voorsiening van minstens 9 op-perseel parkeerplekke (1 motorhuis plus 8 oop parkeerplekke).
2. Die ontwikkeling en bedryf van die gastehuis is onderhewig aan al die ontwikkelingsparameters vir "Gastehuis" soos uiteengesit in Skedule 2 van die Langeberg Munisipaliteit: Geïntegreerde Soneringskema Verordening (P.N. 71/2018 van 18 Mei 2018).

- B. Dat die aansoek om afwyking van die ontwikkelingsparameters vir Gastehuis ten einde die bediening van etes en alkoholiese drank aan nie-inwonende gaste op Erf 420 Ashton toe te laat ingevolge Artikel 60 van die Langeberg Munisipaliteit: Verordening op Grongebruikbeplanning, 2015 afgekeur word, om die volgende redes:

Redes vir afkeuring:

- a. Die voorstel is teenstrydig met die grondgebruikoms krywing van "gastehuis" in die soneringskemaverordening, wat bepaal dat 'n gastehuis 'n woonhuis is wat gebruik word vir die doel om verblyf en maaltye aan reisende ("transient") gaste te bied, terwyl Artikel 20(4) van die Langeberg Munisipaliteit Geïntegreerde Soneringskemaverordening, 2018 bepaal dat die munisipaliteit nie 'n afwyking van die grondgebruikbeskrywings of definisies daarin mag toestaan nie.
- b. Die voorstel behels in wese 'n restaurant, wat 'n hoër orde sakegebruik is en akkomodeer word onder ander sonerings en gebruike, byvoorbeeld Sakepersele as primêre gebruiksreg in Sakesone I of Restaurant as vergunningsgebruik in Sakesones II en -III. Die gebruik as restaurant is onvanpas by die gebruikskarakter van die omliggende lae digtheid enkelresidensiële omgewing.
- c. Daar kan slegs 9 van die vereiste 14 op-perseel parkeerplekke voorsien word, terwyl die publieke restaurant verder aanleiding sal gee tot straatparkering, wat ook onvanpas sal wees by die residensiële karakter van die buurt en kan lei tot steurnis vir omliggende inwoners.

PART K: ANNEXURES

Bylae 1 - Planne
Bylae 2 - Motivering
Bylae 3 - Besware
Bylae 4 –Aansoeker se reaksie op besware

PART L: AUTHOR SIGNATURE

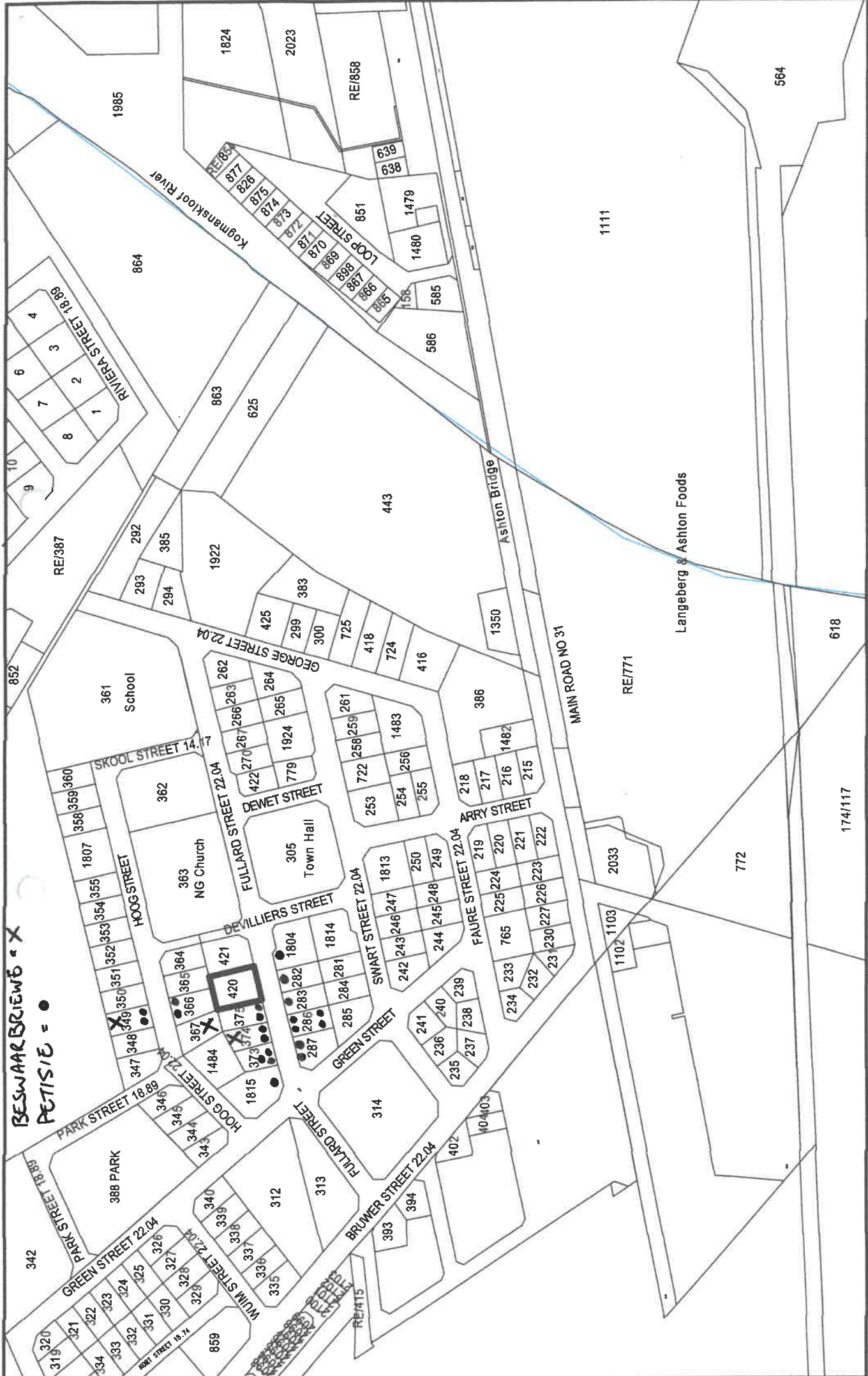


.....
J L E R VAN ZYL
ASSISTENT-BESTUURDER : STADSBEPLANNING
GEREGISTREERDE PROFESSIONELE BEPLANNER – NO. A/1170/2000

9.6.2023
.....
DATUM

BYLAE 1

Planne



BESWAARBRIEWE = X
 PETISIE = •

LOCATION PLAN: ERF 420 ASHTON



SCALE 1:5000

ASH420 - LBM-7P1

366

2032

367

421

375



NOTES:

Maximum 6 guest bedrooms (B1-B6) with 9 parking bays as required

Permanent departure from providing food and alcohol only to lodgers

Permanent departure for additional public parking bays

Public parking will overlap with guest lodge OR provided in 21m wide street

Serving of food and drinks will be limited to 20 seats (including lodgers)

Coverage: 378m²/1673m² X100 = 22,6%

Alterations/Renovations and new structures are indicated on Site Plan SD1_100 (HVN)

FULLARD STREET 22.04
21m wide

ASH420-LBM-7P1

1804

282

ERF 420 ASHTON: SITE DEVELOPMENT PLAN:
TERRANCE HILL GUEST HOUSE (CONSENT ON SRZ1)



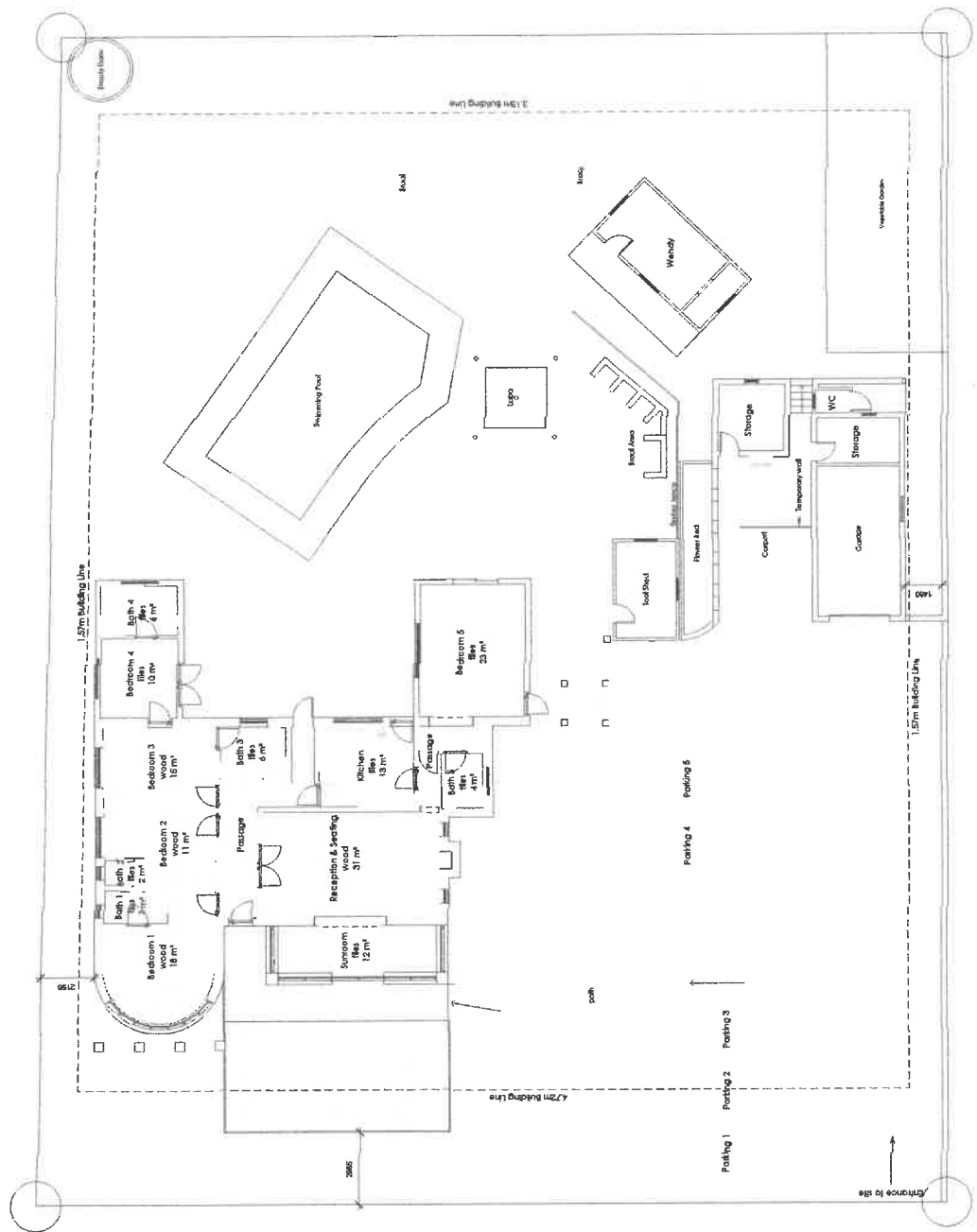
UMSIZA
PLANNING
Town and Regional Planner

SCALE 1: 300

9

CURRENT FLOOR PLAN

10



Site Plan
1 : 100

Existing Structures Area Schedule	Name	Area
1	Main House	217 m²
2	Garage & Outage	78 m²
3	Wendy	18 m²
4	Tool Shed	11 m²

Legend	Description
1	Proposed Structure
2	Existing Structure
3	Proposed Structure
4	Existing Structure
5	Proposed Structure
6	Existing Structure
7	Proposed Structure
8	Existing Structure

ALL DRAWINGS, DIMENSIONS AND QUANTITIES MUST BE CHECKED BY THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. ANY DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT IMMEDIATELY. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE DRAWINGS.

No. Description Date

Name: Deon & Monja Bize
Owner: 20/05/2022
The owner of the relevant premises herewith confirms that he/she has studied the plans thoroughly, and that he/she understands the contents of the plans.

Proposed additions & alterations
10 Fullard Street, Ashton, WC
Deon & Monja Bize

Site Plan

Project number 2221
Date 20/05/2022
Rev. 001
Ref. R:\Projects\2022\2221\2221_001_Site Plan.dwg

SD1_100

Scale 1 : 100
Site A1



HENRI VAN NIEUWENHUIZEN
ARCHITECTS
30 Piel Street, PO Box 300, Montagu 6705
Phone +27 (0)53 444 4474
Henry@hvn.co.za
5/20/2022 3:02:18 PM

ALL DRAWINGS, DIMENSIONS AND QUANTITIES MUST BE

CHECKED BEFORE ANY MATERIALS ARE ORDERED OR ANY BUILDING WORK COMMENCES. ANY DISCREPANCIES MUST BE BROUGHT UNDER THE ATTENTION OF THE ARCHITECT IMMEDIATELY. COPYRIGHT RESERVED ON ALL DRAWINGS

ARCHITECT'S DESIGN

No. Description Date

Owner: Dean & Monja Bure

Name: Date: 13/06/2022

The owner of the subject premises herewith confirms that he/she has studied the plans thoroughly, and find the/understand the contents of the plans.

Proposed additions, alterations & renovations

10 Fullard street, Ashton, WC

Dean & Monja Bure

Floor Plans

Project number 2221

Date 13/06/2022

Rev. 002

Ref. E:\ashton\ashton\Design\WPA\10 Fullard Street\10 Fullard Street\10 Fullard Street.dwg

SDI_101

Scale 1:100

Size A2

HENRY VAN NIEUWENHUIZEN

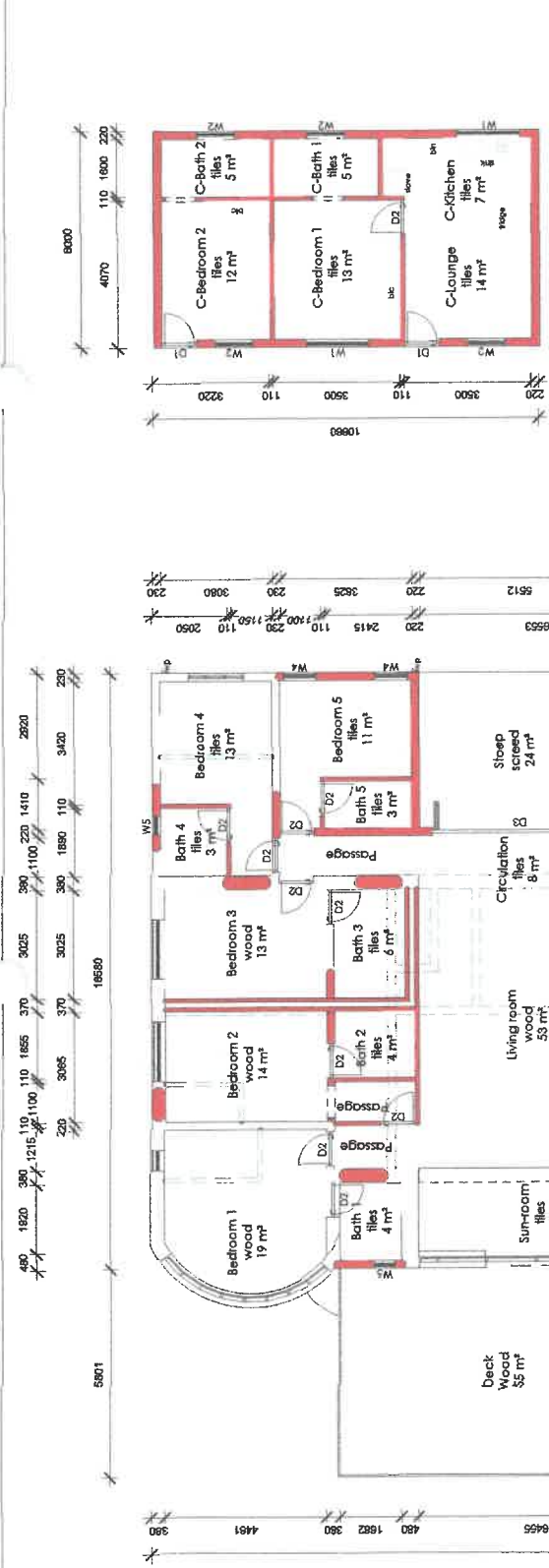
06 311 11 44

3M Fullard Street 10 Fullard Street, Marburg 2795

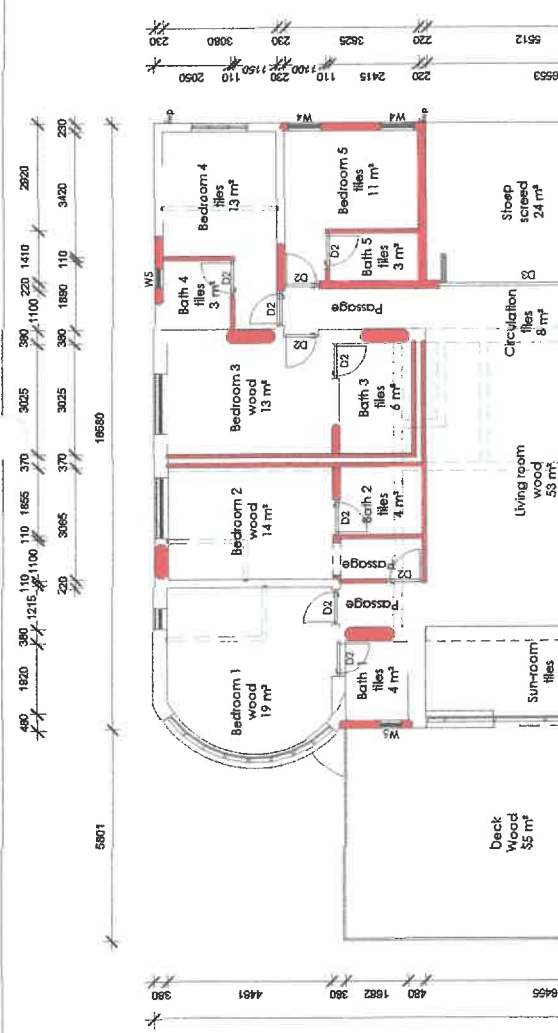
Phone 06 311 11 44

Henry van Nieuwenhuizen

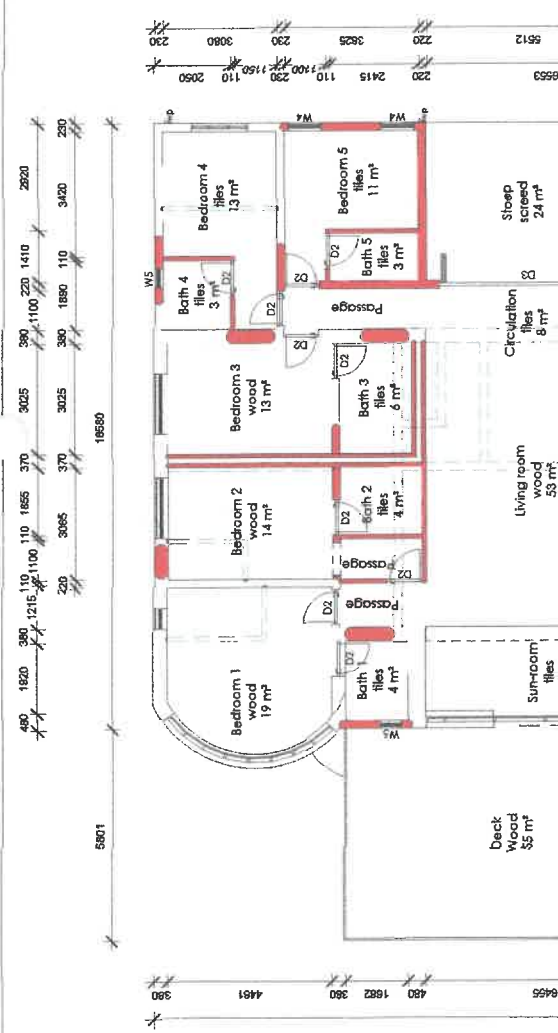
6/13/2022 04:11 PM



Main House Ground Floor
1 : 100



Cottage Ground Floor
1 : 100



Garage Ground Floor
1 : 100

These drawings may only be used for the purpose intended and no liability shall be accepted by the Architect for any loss or damage arising from the use of these drawings for any other purpose than those shown below.

Information Only	1	2	3	4	5	6	7
Concept Drawing							
Architectural Drawing							
Approved Drawing							
Working Drawing							
Final Drawing							

Note:
Green dashed lines to show demolished walls

Window Schedule

Type Mark	QTY	Model	Height	Width	Glass	Manufacturer
W1	5	SEV L/R	1755	900	Single Glazing	Swarland Windows & Doors
W2	7	SE2 L/R	1045	900	Single Glazing	Swarland Windows & Doors
W3	1	SFIV	900	1155	Single Glazing	Swarland Windows & Doors
W4	2	SFIV	900	1155	Single Glazing	Swarland Windows & Doors
W5	7	SE1	545	900	Single Glazing	Swarland Windows & Doors

Door Schedule

Type Mark	QTY	Model	Height	Width	Manufacturer
D1	6	SD26	2150	961	Swarland Doors & Windows
D2	19	VNCOMLO	2102	953	Swarland Doors & Windows
D3	1	Stacked Doors	4790	2390	Swarland Doors & Windows

PROPOSED FLOOR PLAN



Entrance

These drawings may only be used for the purpose as marked below. HVN Architects do not take responsibility for usage of these drawings for any other purpose than shown below.

1	Information Only	
2	Concept Drawings	
3	Sketch Design	X
4	Approval Drawings	
5	Tender Drawings	
6	Working Drawings	
7	As-Built Drawings	



Restaurant Area



**HENRY
VAN NIEUWENHUIZEN**
architects

Phone +27 (0)23 614 3074
Henry +27 (0)83 559 3906

38 Piet Retief Street, PO
Box 382, Montagu 6720

Proposed additions, alterations
& renovations

10 Fullard street, Ashton, WC

Deon & Monja Büre

Perspectives

12

Project number 2221

Date 31/05/2022

Rev. 002

SD1_101

Scale 1 : 100

Size A4

Ref.

E:\Users\bnor\Desktop\HVN Arch\2022\2221_Deon Bure_B1 420\Ashton\Picture Pictures\2221_Deon Bure_B1 420 Concept.rvt

BYLAE 2

Motivering

MOTIVATIONAL REPORT

APPLICATION FOR CONSENT USE (GUEST HOUSE WITH 6 GUEST BEDROOMS) & PERMANENT DEPARTURES FROM DEVELOPMENT PARAMETERS: ERF 420 ASHTON (Terrace Hill Guest House)

1. PURPOSE OF APPLICATION

According to Section 15(1) of the Langeberg Municipal Land Use Planning Bylaw of 2015, no person may commence land development without the approval of the Municipality. According to Section 15(2) the owner of land may apply to the Municipality for, *inter alia*, contemplated consent uses and permanent departures from the development parameters of a zone.

The existing Terrace Hill Guest House has been operation for many years and has obtained a temporary departure approval for a bed and breakfast establishment in terms of the previous Ashton Township Scheme Regulations of 1985 that did not make provision for guest houses.

The new Langeberg Integrated Zoning Scheme (IZS) of 2018 makes provision for a guest house with a maximum of six guest rooms as a permanent consent use on Single Residential Zone I.

The owners want to extend the guest bedrooms to six and apply for approval to host also the public (not only lodgers) for the serving of meals and drinks, including alcohol, on a small scale.

2. LOCALITY AND ACCESS TO ERF

Erf 420 Ashton is located in the center of Ashton within a residential block adjacent west of the NG Church.

Access is obtained from Fullard Street that is 22m wide.

3. CHARACTERISTICS OF SITE AND SURROUNDING AREA

Erf 420 Ashton is 1673m² in extent and belongs to Deon and Monja Bure according to Deed of Transport T 75003/2017.

The Terrace Hill Guest House is located on the application site and consists of:

- Main dwelling: five bedrooms, a dining room, kitchen, sunroom and open deck;
- Garage and afdak with storage rooms at the back;
- Tool shed between the house and garage;
- Wendy in the back garden;
- Swimming pool, lapa and braai place in the back garden; and
- *Parking places near the entrance gate.*

Erf 420 Ashton is part of "uneven" residential block with large erven and large houses that are accessed by High - and Fullard Streets (both 21m wide) to the north and south respectively.

The NG Church site is located 50 meters to the east with the City Hall directly to the south of the church. Ashton Primary School on Erf 361 Ashton is also accessed from Fullard Street.

4. APPLICATION

Application is made in terms of:

Section 15(ii)(o):

Consent use to use the existing dwelling house (including one guest bedroom in owner's cottage) for a guest house with six guest bedrooms.

The zoning remains similar with adherence to the following development parameters:

- Height: existing structures except for new owner's cottage (one storey)
- Building lines: All existing structures except for new owner's cottage that is located outside the Deed's and Scheme's rear building lines – see SDP.
- Coverage: 22,6% adheres to both the Deed's and Scheme's conditions/parameters.
- Parking: 1 bay per bedroom (6) + 2 bays for owner + 1 bay for visitors = 9 are provided for the guest house.

- Owners live on the property in the cottage.
- Maximum 6 guest rooms are included in the proposal.

Section 15(ii)(b):

Permanent departures of the development parameters for guest house, i.e:

- To allow the serving of alcoholic beverages also to the public (max 20 people, including lodgers) for consumption inside the house (including deck and stoep); and
- To allow the serving of meals also to the public (max 20 seats, including lodgers) inside the house (including deck and stoep); and
- To provide additional public parking, when necessary/if required, within the 21m wide Fullard Street.

5. MOTIVATION

5.1 ADHERENCE TO DEVELOPMENT PRINCIPLES

Development principles are referred to in Section 42 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA) and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA). Spatial justice, sustainability and resilience *as well efficiency and good administration are met by the proposed application:*

The erf was bought in 2017 as a running concern with an existing, former approved guest house in a desirable location (sustainability). The renewal of the previous land use rights can be seen as spatial justice where an existing land use is restored under new legislation. It is also the optimization of the use of land by using existing resources and infrastructure (efficiency).

The Terrace Hill Guest House has been well-managed, administered and operated efficiently over the past 5 years by the current owners that warranted a sustainable income and insured sustainable livelihoods (resilience).

5.2 NEED AND DESIRABILITY

The Terrace Hill Guest House is the only guest house in Ashton town and provides accessible and high quality guest accommodation in Ashton that is central in an area that is known for numerous tourist attractions, especially nearby wineries such as the Ashton Winery, Arabella, Excelsior, Van Loveren, Viljoensdrit, De Wetshof, Zandvliet, Rietvallei etc.

Other attractions in the immediate area include the Klaas Voogds Meander with the Kranskop Cellar, Fraai Uitzicht, The Lab boutique hotel spa, game farm, olive farms, a lavender farm, a succulent garden etc. The Platform 62 Wine Experience in Ashton at *the historical steam train is a large tourist attraction as well as La Montanara meat sales and restaurant along the R60 to Swellendam.*

The Guest House has hosted many workers from Langeberg & Ashton Foods in the past and it is believed that this facility, or a similar replacement, will be in operation in the near future.

The guest house serves also as overnight accommodation for employees visiting the Langeberg Municipal Head Office and people attending weddings and festivals in the surrounding area.

Weddings in the Langeberg/Winelands District has become increasing popular.

The guest house is located in Fullard Street that has a beautiful view from the deck over the town and surrounding vineyards/orchards.

The owner wants to extend the number of guest rooms due to an existing and proven demand.

The existing four western guest bedrooms will remain and be altered/renovated, while an additional new guest bedroom will be added next to the back stoep in exchange for an existing bedroom that will be used as future kitchen.

Adequate parking bays are provided at the entrance.

The owner's want to stay separately for privacy reasons and a separate cottage of 56m² is proposed at the back of the property. This will include a second bedroom with access from outside that will be used by the owner, but also as an additional guest bedroom when required.

The owners will have two parking bays, i.e. the existing garage as well as one parallel bay along the eastern boundary. The proposed pottery studio will be a private hobby/working place for the owner.

In addition, to add value to the property and optimize the current infrastructure, as well as to meet the big demand for public dining in Ashton, the owners request that the guest house dining facility may be used to serve also the public that do not stay overnight.

This will be limited to 20 seats, including the lodgers.

The existing dining room, sunroom, open deck and stoep can then be optimal utilized to ensure sustainability.

Currently there are no restaurants available in Ashton and there is a big demand for a facility that can provide breakfast/cake and coffee, light meals and dinner (with alcohol) in Ashton.

This will be on small scale with low impact as it will be done inside the existing house. As the rights of guest house allow for the catering of 12 lodgers, it will only be eight seats in addition.

The existing wire fences along two boundaries will be replaced with vibracrete walls to ensure privacy.

Additional parking for the eight extra seats is available in Fullard Street that is 21m wide with adequate space for parking. The church's grounds are 50m away and the minister has indicated verbally that the parking area can also be used when required.

6. CLOSURE / SUMMARY

Terrace Hill is an existing Guest House that has been in operation for many years, also by the previous owners.

The existing house with 5 bedrooms will be altered to 5 guest bedrooms and an additional cottage (including an overspill guest room) of less than 60m² will be added to accommodate the owner.

The proposal is to do a few alterations / renovations for improved efficiency /movement / space in the guest house as well as a larger dining area to allow also public serving on a small scale (maximum 20 seats, including lodgers) to optimize the existing infrastructure and to ensure sustainability.

With Terrence Hill Guest House as the only guest house in Ashton, and no places to dine publicly, the proposals are much needed for the community of Ashton.

The proposed changes will have small impact on the environment with minor adjustments on existing structures and a new cottage (no land use approval needed if smaller than 60m²).

Parking and the majority of movement will be faced towards Fullard Street and dining will be done inside the house.

The proposals are therefore both needed and desirable from a land use point of view.

BYLAE 3

Besware

Beswar 1

Myrna Staal

From: san-mari hanekom <sanmarihanekom@gmail.com>
Sent: Monday, 22 August 2022 17:08
To: Myrna Staal
Cc: Langeberg Municipality; Fanie
Subject: Fwd: PROPOSED CONSENT USE AND DEPARTURE: ERF 420 ASHTON
Attachments: Erf 420 Ashton_Hanekom.pdf

Good day

I, SM Hanekom living at Hoogstraat 9, strongly oppose to the consent made by Terrace Hill erf 420 Fullard street 10, to open a Restaurant. This is directly next to our private home. We have children and do not see this as appropriate to their safe space and environment. I also tutor kids after school and this will not be a quiet learning environment for them. We do not give our consent in this matter.

----- Forwarded message -----

From: Fanie Hanekom <faniehanekom@gmail.com>
Date: Mon, 22 Aug 2022, 16:20
Subject: Fwd: PROPOSED CONSENT USE AND DEPARTURE: ERF 420 ASHTON
To: san-mari hanekom <sanmarihanekom@gmail.com>

----- Forwarded Message -----

Subject: PROPOSED CONSENT USE AND DEPARTURE: ERF 420 ASHTON
Date: Mon, 22 Aug 2022 13:42:11 +0000
From: Myrna Staal <mstaal@langeberg.gov.za>
To: faniehanekom@gmail.com <faniehanekom@gmail.com>
CC: Langeberg Municipality <admin@langeberg.gov.za>

Good day

Please find herewith attached an application for your attention and comments.

Kind regards

22/08/2022

Good day

To whom it may concern:

Erf 420 Fullard Str 10 Proposed consent to change of development parameters.

I, Bev Thompson living at Hoogstraat 11, strongly appose to the consent made by Terrace Hill erf 420 Fullard street 10, to open a Restaurant. I am an elderly person and the noise and activities border to my house will be a bid disturbance. I do not give my consent in this matter.

Regards



Bev Thompson

Ref: 15/4/1/5&9

M Le Roux
Fullardstraat 14
ASHTON
6715

Die Bestuurder
Stadsbeplanning
Langeberg Munisipaliteit
ASHTON
6715

INSAKE: VOORGESTELDE VERGUNNINGSGEBRUIK EN AFWYKING: ERF 420, FULLARDSTRAAT 10, ASHTON

Hiermee wil ons graag ons misnoeë uitspreek teen die beplande ontwikkeling te bogenoemde adres.

Die beplande/voorgestelde besigheid is binne 'n residentiële area wat as volg negatiewe impak sal hê:

- Daar is nie voldoende parkeerarea vir 'n restaurant nie en dit sal die omliggende inwoners verontref asook die inwoners direk agter die ontwikkeling.
- 'n Restaurant met dranklisensie sal 'n gevaar wees vir kinders en inwoners in die area veral oor naweke.
- Hierdie ontwikkeling is naby die skool asook die NG Kerk.
- Fullardstraat is die deurloop vir alle leerlinge van Ashton Laerskool.
- Die bogenoemde ontwikkeling is nie veilig vir ons kinders nie en gevolglik is ons as inwoners baie bekommerd oor so 'n bedryf.
- Gaste van die gastehuis parkeer reeds huidiglik die inwoners van Fullardstraat vas sodat daar nie in of uit hul opritte kan beweeg nie.

- *Opmerk: Dit is 'n groot probleem om naweke insondering*
Sien asseblief aangeheg 'n petisie saamgestel deur die inwoners van omliggende area.

Baie dankie

M LE ROUX

Naam	Kontak nommer	Adres	Teken
AC VAN HUY	0834078125	23 Fullard St	
C Joubert	011 270 6582	23 Fullard St	
C Jansen	0789356489	17 Fullard street	
Cassidy	011 082 9205	4 De Willem Street	
M le Roux	078 919 8333	14 Fullard street	
JH le Roux	016 9355499	14 Fullard street	
L. de Wel	0636848141	21 A Fullard str	
Ryno Ewau	072 886 4145	21 A Fullard str.	
M. Willems	0836866558	21 D Fullard str	
H. Kitshoff	072 777 3818	16 Fullard str.	
Christelle Kitshoff-Groenewald	052 303 9037	12 Fullard str	
FRANCIS GROENWALD	081 2111600	12 Fullard str	
M. Kitshoff	0825523624	16 Fullard str	
P. Kitshoff	072 9375738	16 Fullard str.	
K Theron	0762375061	18 Fullard str.	
V. Nel	0728795883	19 Fullard str	
Van der Zijl	062 9767385	21 Fullard str	
SVAN ZYL	0726713288	21 Fullard str	
M. Skyn	078 189 7820	16 Faure str	
S. Little	052 447 8211	22 Hoogstr. 1	
S. Little	052 884 1134	22 Hoogstr. 1	
SM. Hanekom	074 494 5300	Hoogstr. 1	
SJ. Hanekom	080 054 3715	Hoogstr. 9	

BYLAE 4

Aansoeker se reaksie op besware

27 September 2022

Municipal Manager
Langeberg Municipality
Private Bag X 2
ASHTON
6715

For attention: Jack van Zyl

ERF 420 ASHTON: APPLICATION FOR CONSENT USE AND DEPARTURES

The objections on the above-mentioned application refer:

- Fanie Hanekom: Object to restaurant.
- Bev Thompson: Object to a restaurant.
- M le Roux and petition:
 - Not adequate parking for restaurant;
 - Restaurant with liquor licence will be a danger to children and residents, especially during weekends;
 - Close to school and church;
 - Fullard Street is the walking way for school children;
 - Already parking in street by guest house residents; and
 - Noise at swimming pool over weekends in summer time.

The application does not include a restaurant per se, but merely the providing of ten additional seats in the existing, approved dining room of the Terrance Hill Guest House.

Guest houses make provision for the serving of meals and alcoholic beverages to resident guests for consumption on the premises.

Approval was obtained for five guest bedrooms many years ago, therefore ten residents are allowed to dine and drink alcohol at present on this site.

Guest houses are not seen as land uses with a negative impact on schools or churches as the primary function is guest accommodation, with dining and the use of alcohol with the food as an ancillary and supporting use.

The current proposal requests one additional bedroom, therefore two more guests that may also eat and drink alcohol with their food in the dining room, a total of 12 guests.

25

In addition, due to the large demand for an eating (with accompanying alcohol) facility in Ashton, the owner proposed that an additional eight guests be accommodated in the dining room to eat and drink alcohol with the food.

It is therefore not a new restaurant that is applied for.

The proposal will ensure the optimal use of an existing facility with minimal costs to both the owner and the Municipality.

Most of the meals will be served during breakfast (after 8h00 when the school has already started) and in the evenings when the school is not open.

The existing garden will be adjusted to make provision for improved parking. The existing situation will therefore be approved.

Fullard Street is very wide and cars can easily park there without causing any obstruction.

Noises at swimming pools over weekends in summer time are a general activity that occurs in residential areas with families and children.

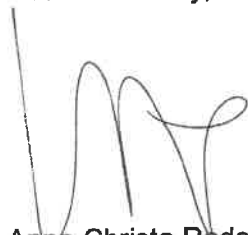
As this is an existing, approved guest house, this objection cannot be considered, especially since new brick walls to mitigate visual and most noise impacts have already been constructed (see attached photos).

It is the opinion that the wrong image of the application was communicated to the people that signed the petition. The application is for one additional guest bedroom and five additional tables / ten additional seats in the existing dining area of the existing approved guest house to cater for a big demand in Ashton.

With no similar facility in Ashton, and small scale and minimal impact as part of an existing facility, this facility will improve the overall attractiveness of Ashton that is the main administrative hub of the Langeberg municipal area.

For your consideration please.

Yours sincerely,



Anna-Christa Redelinghuys

Pr.Pln A/1076/1998

