

Applicant's response to the objections, dated 02 October 2023 and 23 October 2023

2 October 2023

Municipal Manager
Langeberg Municipality
Private Bag X 2
ASHTON
6715

For attention: Jack van Zyl

R/ERF 390 ROBERTSON: APPLICATION FOR CONSENT USES (GUEST HOUSE & SECOND DWELLING OF 150m²)

The objection received from your offices on 20 September 2023 refers.

Reply on the comments are as follows:

Boundary pegs have been re-instated on the property by Muhl and Theron (see letter attached), and the location of the second dwelling on site was surveyed and incorporated by Howard Jacobs on the building plans attached.

The survey showed that the second dwelling was wrongfully built within the side boundary, and therefore a departure application of the 1,5m side building line needs to be added to the existing application.

One of the two existing windows in the garage/store facing Erf 394 Robertson will be removed to adhere to the building regulations.

The height of the roof ridge is 7,488m (max 8,5m), which adhere to the building regulations. Attached is the engineering drawing of the roof (AJ Louw).

The owners of Erf 390 Robertson have been accommodating and co-operative with the neighbour on Erf 394 and agreed, among other things, to plant trees along the common boundary to lower the impact. In spite of these prior communication and gestures to ensure a healthy relationship and minimum impact, the neighbour still objected to the application.

The patio as referred to is the open roof space on top of the proposed laundry/bathroom between the garage/store and the double storey second dwelling.

A flower box was placed on the "patio". A steel balustrade has been manufactured and positioned on top of the flower box to ensure privacy for both owners. See photo attached.

The 2,5m stoep in front is indicated on the plan and faces the small pool and garden area.

Application for amending the application before approval

In terms of Section 52(1)(b) of the Langeberg Municipal Land Use Planning Bylaw 2015, application is made to amend the application as a result of an objection during the notice process.

The amendment includes a departure of the side building line from 1,5m to a minimum of 1,068 (existing garage) on the common boundary with Erf 394 Robertson.

As it was assumed that the existing garage was built correctly on the 1,5m building line, this line was incorrectly extended as the outer edge of the second dwelling.

This line is not parallel with the erf boundary, and therefore the distance to the erf boundary increases to 1,221m from the erf boundary at the most northern corner of the building.

The difference in distance from the boundary is therefore 0,153m from the south to the north of the building.

Draft building plans from Howard Jacobs for the proposed second dwelling are attached (including the height of the roof of the second dwelling and distances from the common boundary with Erf 394). These will be submitted after land use approval.

The amended Site Development Plan is attached.

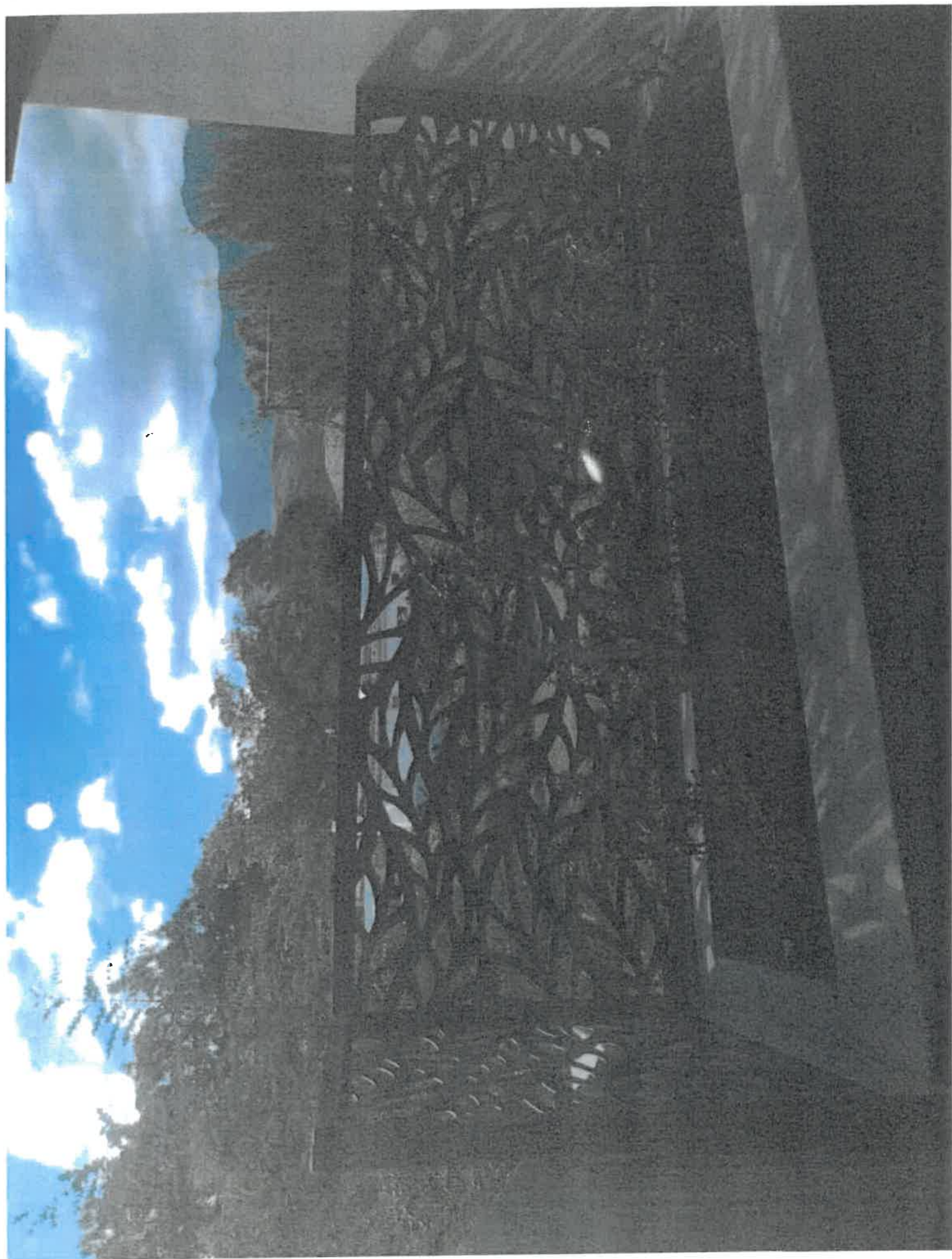
For your consideration please.

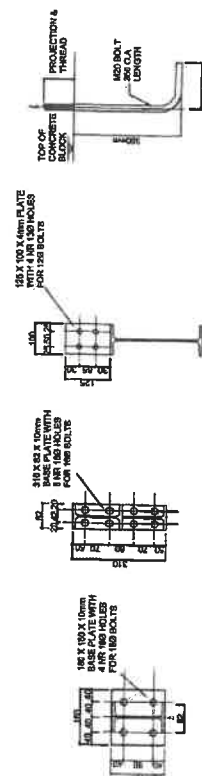
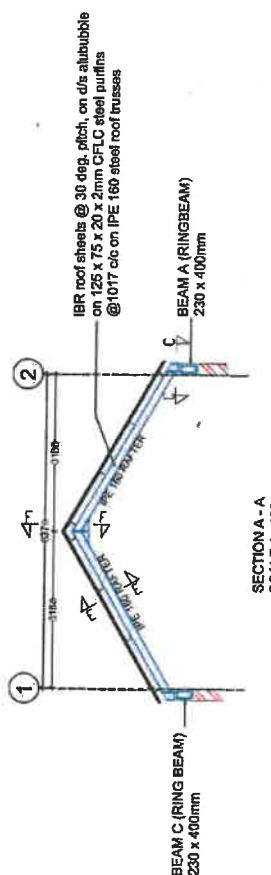
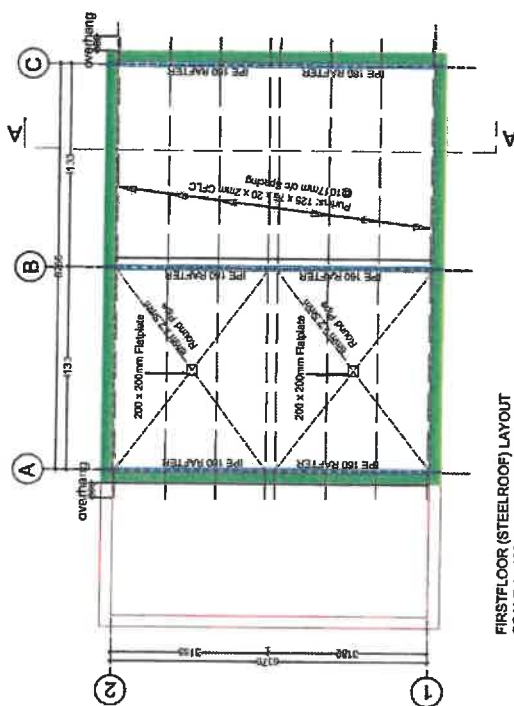
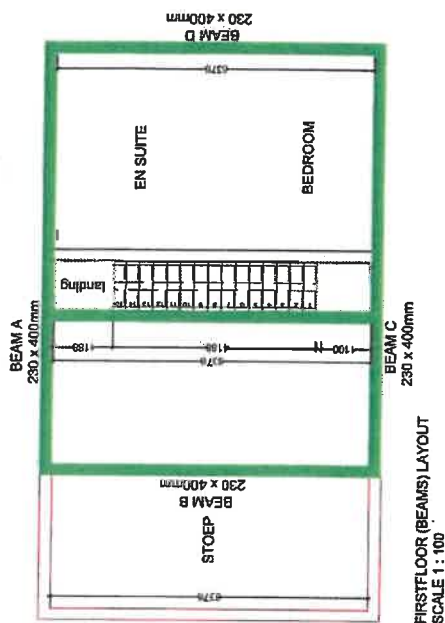
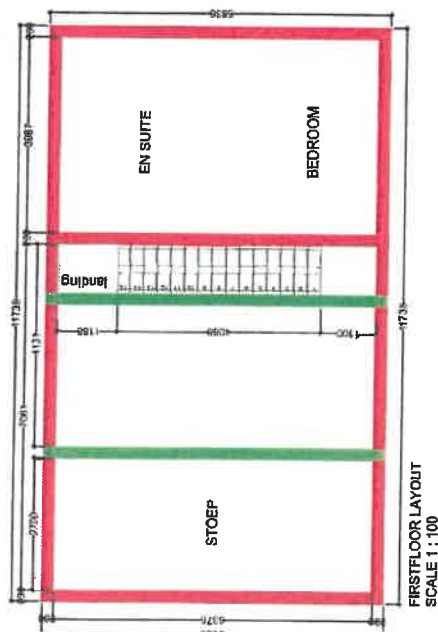
Yours sincerely,



Anna-Christa Redelinghuys

Pr.Pln A/1076/1998





Bending Schedule Beams STAR FOCUS PTY LTD																
No.	Exec	Part	Beam No	Support	Shape Code	A	B	C	D	W/F	MAX CUTLENGTH	MAX WEIGHT	BEAM NO	W/F	MAX CUTLENGTH	MAX WEIGHT
1	5	1/16	BEAM A	5	B650	38	100	6650	100		6450	43129	1.578	68.75	1008 118	0.215
2	28	1/16	STRUT A	36	1040	60	320	310	150	50	1640	33836	0.615		1008 118	0.215
1	5	1/16	BEAM B	5	6700	38	100	6700	100		6900	33850	1.578	92.89		25.77
2	28	1/16	STRUT B	28	1040	60	320	310	150	50	1640	28817	0.615			37.28
1	5	1/16	BEAM C	5	8150	38	100	8850	100		8910	43356	1.578	93.75		23.77
2	28	1/16	STRUT C	36	1040	60	310	310		90	1640	33874	0.615			
1	5	1/16	BEAM D	5	6900	38	100	6900	100		6900	33500	1.578	92.86		
2	28	1/16	STRUT D	28	1040	60	285	350		50	1640	28817	0.615			17.70
													FINISH BEAM HOUSE TYPICAL ENF 300			
													ROBERTSON TWS			
E-mail: info@atlow.com.au Call on: 07 377 8266																
AT LOW CONCRETE CHAIR ENDS																

Legend:



existing trees



double storey: 1st floor:
en-suite bedroom & study

Development Parameters:

Guest house: 4 guest bedrooms

Size: 2nd dwelling: 150m²

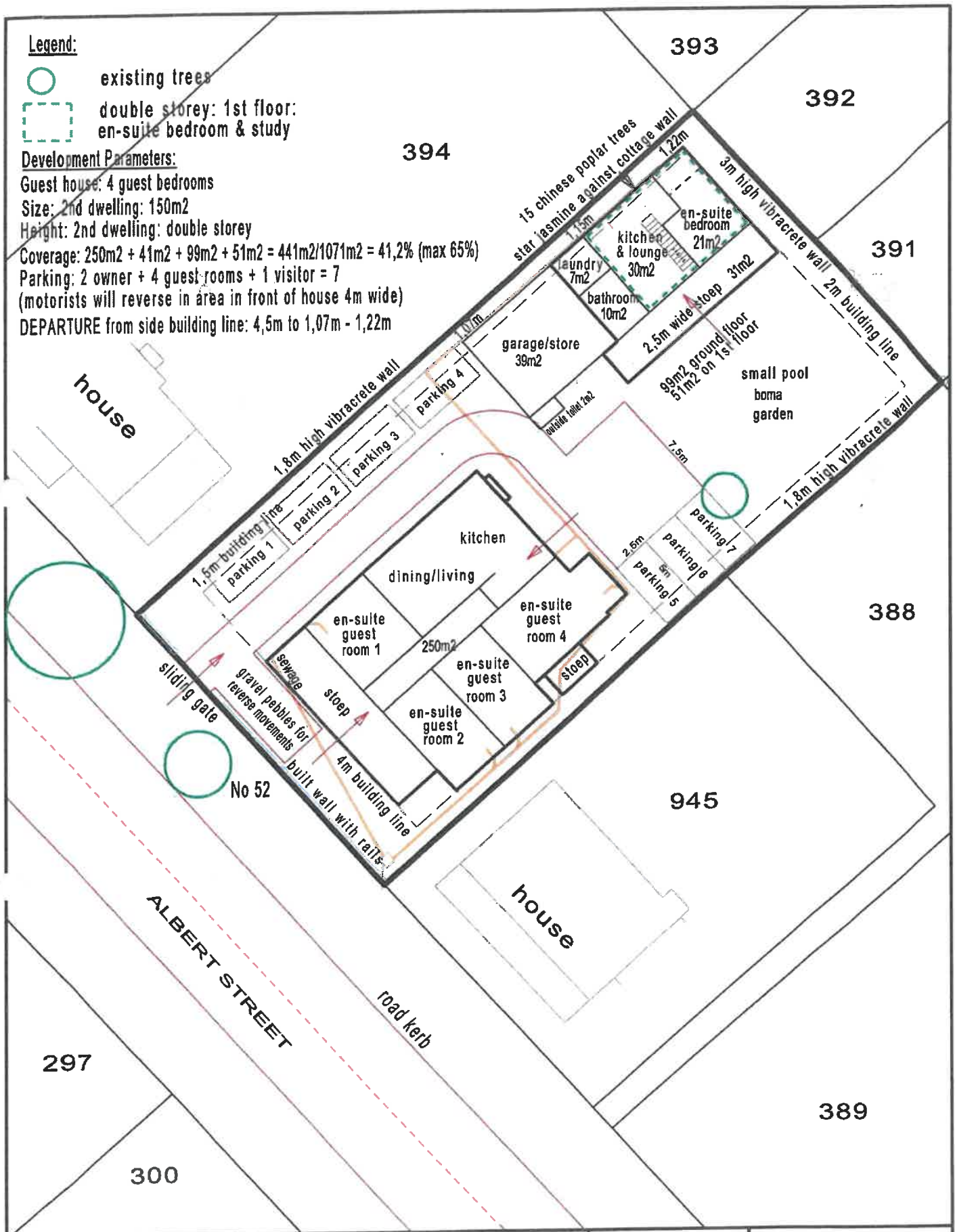
Height: 2nd dwelling: double storey

Coverage: 250m² + 41m² + 99m² + 51m² = 441m²/1071m² = 41,2% (max 65%)

Parking: 2 owner + 4 guest rooms + 1 visitor = 7

(motorists will reverse in area in front of house 4m wide)

DEPARTURE from side building line: 4,5m to 1,07m - 1,22m



**R/ERF 390 ROBERTSON: PROPOSED GUEST HOUSE
IN EXISTING HOUSE & 2ND DWELLING FOR OWNER**

2oct2023



scale 1:300

UMSIZA
PLANNING
Town and Regional Planner

plan: Howard Jacobs



MUHL & THERON

PROFESSIONELE LANDMETERS / PROFESSIONAL LAND SURVEYORS

Muhl&Theron (RF) INC 2016/390163/21

265 BeyersNaude Drive Rustenburg 0300

9 Voortrekker Ave Robertson 6705

Tel: 014 5921015

Etienne de Villiers 0726006221 Arnold Theron 0828742094

e-mail: muhlitheron@gmail.com

T A Theron (B. Land Survey (Pret); MBL (Unisa))

6 September 2023

Our reference: ERF 390 Robertson

To whom it may concern:

ERF 390 Robertson

Herewith confirmation that our offices were appointed to relocate or replace the boundary beacons of **Erf 390 Robertson**.

The boundary beacons were replaced and pointed out to the owner.

Kind regards

T.A. THERON
PROFESSIONELE LANDMETER
Registrasie no. PLS 0874

23 October 2023

Municipal Manager
Langeberg Municipality
Private Bag X 2
ASHTON
6715

For attention: Janelle Vermeulen

R/ERF 390 ROBERTSON: APPLICATION FOR CONSENT USES (GUEST HOUSE & SECOND DWELLING OF 150m²)

The email with objection from Sally Munro and Jean van der Merwe received from your offices on 18 October 2023 refers.

Reply on the remarks are as follows, same numbered:

1. The initial motivation said "double storey" as part of the development parameters of the zone, no mentioning was made of 6,5m.
The reply letter mentioned a maximum of 8,5m that was derived from the architect.

Definition of storey in the bylaw:

"storey" means that portion of a building between the surface of any floor and the surface of the next floor above; or, if there is no floor above the ceiling, then up to the ceiling; provided that, unless the contrary appears clearly from the provisions of this By-law—

- (a) a basement does not constitute a storey;
- (b) a roof, or dome forming part of a roof, does not constitute a separate storey unless the space within the roof or dome is designed for, or used for, human occupation or other living or entertainment purposes, in which case it is deemed to be a storey;
- (c) the utilisation of an open roof area does not constitute a separate storey; however, should any means of coverage or fixtures such as a Jacuzzi, swimming pool or built-in braai be added to the roof of a building in a single residential zone, the area is regarded as an additional storey;
- (d) any storey greater than 4 metres, measured from the finished floor level to the finished floor level of the storey above, or to the ceiling in the case of a top storey, but equal to or less than 6 metres in height is, for the purpose of the height measurement, regarded as two storeys,

and every additional 4 metres in height or portion thereof, is regarded as an additional storey; and

- (e) in counting the number of storeys of a building, the ground floor is the first storey and the next floor above is the second storey;

The draft building plans shows the following:

- First storey of second dwelling is 2,720m high;
- Second storey of second dwelling is 2,550m high;
- Pitch roof is 2,218m high (no storey)
- HEIGHT IN TOTAL: 7,488m high

The above adheres to the development parameters and NO relaxation was or is applied for.

2. The area between the garage and the first floor of the second dwelling is a patio that is accessed through glass doors from the second dwelling.
A flower box was constructed and a balustrade was put on top for privacy to and from the objecting neighbour. This does, however, not meet the approval of the neighbour and the owners will replace this feature by a built $\pm 1,75\text{m}$ high wall on the side of the patio to block out all visuals to Erf 394.
3. The building plan referred to was for the second dwelling (60m^2), as stated in the report.
A second dwelling up to 60m^2 , similar to a dwelling house, does not need approval from the neighbours or is subject to public participation as it is a primary use.
It is also not subject to Heritage's approval.
However, the second dwelling was mistakenly built closer than $1,5\text{m}$ from the boundary.
When the building line is encroach, consent from the neighbour is requested. This mistake was only identified during the public participation of the second application for guest house and second dwelling larger than 60m^2 .
4. The height of the building was built according to the engineer's drawings and specifications. This is correct and was inspected by the building officer of the Langeberg Municipality on 19 Oct 2023.
5. The owners will plant Star Jasmine creeper against the side wall of the second dwelling, as agreed upon.
They are also willing to plant 4 X 50 liter bag Water Pears (4-5m high) OR 3 X 100 liter bag Water Pears (5-7m high).
6. The windows of the first storey of the second dwelling are tinted glass. The bulbs of the lights are warm white.

According to our opinion, the view from the house on the front portion of Erf 394 to the second dwelling on the back portion of Erf 390 are restricted due to existing trees along the common fence as well as the large distance (30m) apart. Double storey dwellings are allowed in Single Residential Zone I areas and the height of the second dwelling on Erf 309 adheres to the development parameters of the scheme. See photos below showing the view from and to the patio.

[The window of the second dwelling facing Erf 394 was also replaced with a very narrow window to ensure minimum impact – see below.]

Photo taken by objector from the back of the garden. The Water Pears will be planted in the gap between the existing trees.



Photo taken from the patio towards the house on Erf 394, showing the limited view.



Photo taken by objector showing the limit view to the patio. The view to the lights within the second dwelling will soon be hidden by the existing trees. [The view from the bedrooms will be much less.]



Above: towards Erf 394
Below: towards Erf 388



For your consideration please.

Yours sincerely,

Anna-Christa Redelinghuys
Pr.Pln A/1076/1998