

EVALUERINGSVERSLAG

Ingevolge Artikels 56, 65 & 66 van die Langeberg Munisipaliteit: Verordening op Grondgebruikbeplanning (PK 264/2015, 30 Julie 2015)

AANSOEK: ERF 4393, COGMANSSLOT 7, MONTAGU: VERGUNNING VIR TUISSORGFASILITEIT

Verwysingsnommerr	15/2/13/5-MON4393	Aansoekdatum	20/03/2026	Verslagdatum:	7/10/2026
Keerderdatum vir kommentaar / Laaste kommentaar of inligting ontvang					6/10/2026

DEEL A: SKRYWER BESONDERHEDE

Naam	Jack van Zyl
Postitel	Senior Stadsbeplanner
SACPLAN registrasienommerr	A/1170/2000

DEEL B: BESONDERHEDE VAN EIENDOM

Eiendomsbeskrywing (volgens Titellakte)	Erf 4393				
Fisiese adres	Cogmansslot 7		Dorp	Montagu	
Huidige sonering	Enkelresidensiële sone I	Grootte	1003m ²	Is daar bestaande geboue op die eiendom?	JA NEE
Toepaslike soneringskema	Langeberg Munisipaliteit Geïntegreerde Soneringskema, 2018				
Huidige grondgebruik	Woonhuis		Titellaktenommer en -datum	T376/2026	
Enige beperkende titelvoorwaardes van toepassing?	JA	NEE	Indien JA, lys voorwaarde nommer(s)		
Enige 3de party voorwaardes van toepassing?	JA	NEE	Indien JA, beskryf.		
Enige ongemagtigde grondgebruik / bouwerk?	JA	NEE	Indien JA, verduidelik		

DEEL C: BESKRYWING VAN AANSOEK

Aansoek ingevolge Artikel 15 van die Langeberg Munisipaliteit: Verordening op Grondgebruikbeplanning, 2015 vir 'n vergunningsgebruik vir Tuisversorgingsfasiliteit (Home care facility) op erf 4393, Montagu.

DEEL D: AGTERGROND & OPSOMMING VAN AANSOEKER SE MOTIVERING

Die liggings- en terreinuitlegplanne van die aansoekperseel word aangeheg in Bylae 1. Die aansoeker se motiveringsverslag, wat ook die agtergrond en besonderhede van die voorstel uiteensit, is aangeheg in Bylae 2.

Die voorstel is om die bestaande 4 slaapkamer woonhuis (met totale vloeroppervlakte van $\pm 320\text{m}^2$, stoep en motorhuis ingesluit) te gebruik vir die huisvesting en versorging van tot 6 bejaarde persone wat ondersteunende gesondheidsorg benodig. Die eienaar sal die fasiliteit self bedryf en sal een van die en-suite slaapkamers gebruik as slaapkamer/kantoor. Die eienaar se twee bejaarde ouers wat beide aan Demensie ly, is tans ook daar woonagtig. Oor die langer duur beoog die eienaar om 'n Tweede woning op die erf op te rig as wooneenheid vir haar en haar gade. Die slaapkamer/kantoor sal dan gebruik word om haar ouers te huisves as deel van die normale familiegebruik van die huis. Die beskikbare 6 geleenthede sal dan vir die (kommersiële) tuissorgfasiliteit beskikbaar wees.

Die doel van die fasiliteit sal wees om 'n veilige en gemaklike woonomgewing te skep waar verswakte bejaardes gepaste ondersteuning kan kry met liggamlike- en persoonlike versorging, voorsiening van gebalanseerde etes, beheer van medisyne, huisskoonmaakdiens en sosiale interaksie. Die aansoeker beoog om voldoende gekwalifiseerde personeel aan te stel om gepaste professionele sorg te verseker. Daar sal na verwagting 'n maksimum van 3 personeellede per dag teenwoordig wees.

Die perseel is op die hoek van twee doodloopstrate – met reserwewydtes van 12m en 10m – geleë. Die toegangspad, Cogmanslot, sluit na noordekant by die hoofpadnetwerk aan via Bloupuntlaan (13m reserwe) en Swanepoelstraat (17.8m reserwe), tot in Van Riebeeckstraat en verder.

Motortoegang word vanaf die 12m (suidelike) been van Cogmanslot verkry na 'n dubbelmotorhuis, wat deur die eienaar gebruik gaan word, asook een oop parkeerplek langs die motorhuis, wat vir besoekers beskikbaar gaan wees. Die aansoeker is tans besig om nog 'n dubbeling van die 10m (westelike) been van Cogmansolt in te rig, wat toegang sal gee na nog twee oop parkeerplekke vir besoekers. Daar is 'n voetgangertoegang in die middel van die straatfront aan die noordekant.

Buiten vir die gedeelte van die oprit voor die motorhuis en 1 parkeerplek, is die erf reg rondom omhein met 'n palisade-heining tussen geboude pilare.

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

- Die fasiliteit sal inpas by die residensiële karakter van die omliggende omgewing, omdat:
 - Die bestaande woonhuis onveranderd gelaat sal word
 - Die besetting sal beperk wees tot die 3 kamers / 6 inwoners, wat vergelykbaar is met die besetting van 'n groot gesinswoning.
 - Geen addisionele geboue word beplan nie.
 - Die woonhuis sal steeds bly funksioneer as die eienaar se primêre woning.
 - Die voorgestelde gebruik en verwante dag-tot-dag aktiwiteite is stil en residensiël van aard
- Die bestaande gebou leen dit by uitstek tot die beoogde gebruik.
- Die gebruik sal 'n minimale impak op verkeer hê, gebaseer op die bewese praktyk van lae besoekergetalle by soortgelyke fasiliteite elders. Daarby word voldoende op-perseel parkering wel voorsien.
- Aangesien dit op dieselfde skaal as 'n groot huishouding bedryf sal word, sal die voorgestelde fasiliteit nie addisionele vraag na munisipale dienste skep nie.

DEEL E: OPSOMMING VAN OPENBARE DEELNAME

Word openbare deelname ingevolge Artikels 45- 49 van die verordening vereis?

JA

NEE

Waar deelname vereis word, noem manier van advertering,

Pers

Kennisgewings

Wyksraadslede

Ander

DEEL F: OPSOMMING VAN KOMMENTAAR ONTVANG GEDURENDE OPENBARE DEELNAME (indien van toepassing)

Daar is 4 besware teen die aansoek ontvang, van die eienaars van nabygeleë eiendomme, naamlik:

Erfnr.	Adres	Beswaarmaker
1. 4386	Cogmanslot 14	PH & LP Ferreira
2. 4399	Cogmanslot 1	O & L Wiggins
3. 4398	Cogmanslot 2	MM du Plessis
4. 4397	Cogmanslot 3	D Steel

Die besware word aangeheg in Bylae 3. Dit is gebaseer op die volgende:

- Nie versoenbaar met karakter van betrokke woonbuurt agv ander gebruik (as besigheid), verhoging van residensiële digtheid, skepping van parkeerplekke, wat estiese kwaliteit van omgewing sal skaad. [Besware 1, 2, 3, 4]
- Geraas en verlies van residensiële aantreklikheid (*amenity*), veral as gevolg van aktiwiteite na-ure. [Besware 2, 4]
- Toename in verkeersvolume en -tye, agv besoekers, personeel, diensvoertuie en noodvoertuie, wat impak gaan hê op padveiligheid vir motoriste, fietsryers en voetgangers, rus en vrede van inwoners. [Besware 1, 2, 3, 4]
- Verkeersbelemmering en versperring (veral van noodvoertuie) agv straatparkering in smal strate. [Besware 2,4]
- Eiendomswaardes kan negatief geraak word. (Besware 1, 2, 4)
- Fasiliteit voldoen nie aan toepaslike wetgewing nie (Ouer Persone Wet 13 van 2006, soos gewysig 2025). [Besware 1, 2, 3, 4]
- Risiko van wanbestuur agv nie-registrasie en ondervinding van persoon wat dit bedryf. [Besware 1, 2, 3]
- Dra nie werklik by om in plaaslike behoefte te voorsien nie. [Besware 1, 3]
- Skep van onaanvaarbare presedent. [Besware 2, 4].



Die aansoeker se reaksie op die besware word aangeheg in Bylae 4. Dit is kortliks as volg:

Residensiële karakter:

- Eiendom sal steeds as residensiële omgewing funksioneer
- Inwoners sal soos 'n huishouding funksioneer
- Skaal bly soos 'n tipiese woonhuis
- Gebruik is spesifiek toelaatbaar as vergunningsgebruik in die soneringskema omdat dit as versoenbare sekondêre gebruik beskou word.
- Bewoningsreg word foutiewelik aanvaar as 'n enkele familie-eenheid. Volgens soneringskema mag 'n woonhuis wetlik uitgebreide gesinne, 'n groep onverwante persone en loseerders akkomodeer.
- Daar is reeds ander lae-impakgebruike soos gaste-akkomodasie en tuisondernemings in die omgewing, wat binne die residensiële karakter funksioneer.

Verkeer:

- Die 5-6 personeellede wat in diens geneem gaan word, sal in skofte werk, sodat slegs 'n beperkte getal op enige tydstip teenwoordig sal wees.
- Operasionele model is lae-intensiteit en gefokus op versorging, nie besoekergedrewe nie.
- Beweging van huis- en tuinwerkers is reeds deel van die bestaande verkeersvloeie in die buurt.
- Voldoende parkering sal op die perseel voorsien word, sodat daar nie 'n behoefte aan straatparkering sal wees nie.
- Die getal inwoners is beperk, terwyl inwoners nie self voertuie sal besit en gebruik nie, maar slegs besoekers.
- Daar sal geen kommersiële aktiwiteit wees wat voetgangerverkeer veroorsaak nie.

Eiendomswaardes

- Daar is geen ondersteunende bewyse dat eiendomswaardes affekteer sal word nie.

- Besteding aan die koop en opgradering van die eiendom beloop sowat R5.3m, wat bevestig dat die aansoeker verbind is tot die toevoeging van waarde en investering in die area.
- Die voorkoms van die woonhuis bly onveranderd, sodat daar geen opsigtelike onderskeid met ander eiendomme in die omgewing is nie en dus enige persepsie-gebaseerde kommer oor eiendomswaardes elimineer.

Wettigheid / registrasie

- Beswaar blyk gebaseer te wees op 'n wanbegrip van die onderskeid tussen verskillende kategorieë van versorgingsfasiliteite.
- Daar is met Dept Maatskaplike Ontwikkeling uitgeklaar dat die beoogde tipe fasiliteit en skaal nie registrasie vereis nie.
- Die aansoek is vir die beoogde grondgebruik en die operasionele nakoming van toepaslike wetgewing is 'n aparte aangeleentheid, wat aangespreek kan word soos vereis.

Wanbestuur

- Besware is spekulatief van aard en is nie relevant tot die grondgebruikaansoek nie.

Voldoening aan plaaslike behoefte

- Geen inligting word verskaf oor wat plaaslike behoefte is en hoe die voorgestelde gebruik nie daarmee in lyn is nie.
- Die bewering is nie tersaaklik vir die meriete van die grondgebruikaansoek nie.

DEEL G: OPSOMMING VAN KOMMENTAAR VANAF STAATSINSTELLINGS EN/OF MUNISIPALE DEPARTEMENTE (indien van toepassing)

Elektriese Ingenieursdienste

Geen kommentaar gevra, aangesien aard van gebruik residensiël bly, binne omvang van bestaande woonhuis. Daar sal geen verandering aan elektriese aansluiting gemaak word nie.

Siviele Ingenieursdienste

Geen kommentaar gevra, aangesien aard van gebruik residensiël bly, binne omvang van bestaande woonhuis. Daar sal geen verandering aan siviele dienste-aansluitings gemaak word nie.

Brand- en rampbestuur

No objection. Fire safety measures and systems must meet or exceed the standards set by the NBR to ensure safety of occupants.

Verkeersdienste

No objection

Boubeheer

1. Any new structures or changes to existing structures must undergo thorough inspections to ensure compliance with structural integrity and safety requirements.
2. Proposed changes must align with the accessibility requirements outlined in the NBR, ensuring equitable access for all as necessary.
3. Fire safety measures and systems must meet or exceed the standards set by the NBR to ensure safety of occupants.
4. Before any commencement of building work, alterations to existing buildings and/or usage change of existing buildings, building plans must be submitted to and approved by Langeberg Municipality's Building Control Section, prior to construction as applicable. Any illegal structures will need to be retrofitted to comply with the requirements of the NBR or be demolished. This recommendation does not endorse any illegal structures on the property.

The above includes both proposed new building work and "as-built" building work and where the use of a building is changed.

Kaapse Wynland Distriksmunisipaliteit

Support the application, subject to:

1. Sanitation: No sewage system may be placed below any flood line or nearer than 100m from any river, stream or other water systems.
2. Waste management: Waste removal must be done consistently with the size of the premises and rate of waste generation.
3. Provision of drinking water: Buildings must be provided with drinking water, which complies with the provisions of SANS241. Water quality management system must be in place and assessment records must be filed.
4. Smoking: The owner must design and enforce an onsite smoking policy with reference to the Tobacco Control Act (Act 83 of 1993).

5. Health nuisance / Risk: The owner must supervise compliance with Cape Winelands District Municipality Health By-laws, Gazette of 16 February 2010 and ensure that any activity performed on the premises does not constitute any health nuisance to the surrounding community.
6. General: CWDM reserves the right to call for additional requirements if deemed necessary at any later stage.

Wyksraadslid (Wyk 11)

Ek het geen beswaar teen die aansoek nie en is van mening dat die aansoek meriete bevat.

DEEL H: MUNISIPALE BEPLANNINGSEVALUERING (Verwys na Riglyne vir Tersaaklike Oorwegings)

Die beplanningsevaluasie van die aansoek is gegrond op die tersaaklike oorwegings ("relevant considerations") soos uiteengesit in the Wes-Kaapse Departement van Omgewingsake en Ontwikkelingsbeplanning se riglyndokument. 'n Verkorte weergawe van die verduideliking van die begrip "relevant considerations" word aangeheg in Bylae 5.

Dit word bevestig dat die tersaaklike oorwegings in ag geneem is in hierdie evaluasie en dat die voorstel:

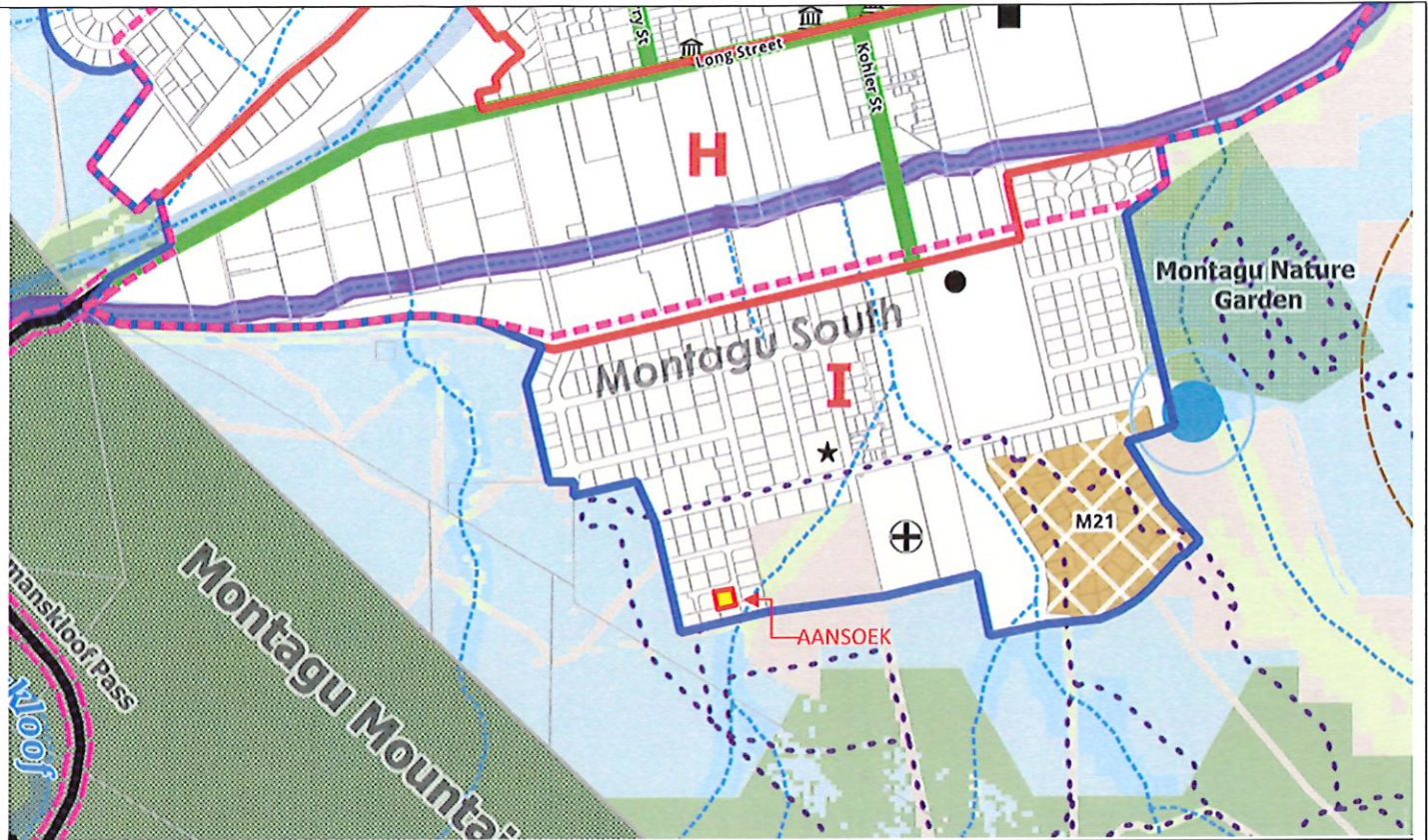
1. in lyn is met die ontwikkelingsbeginsels van SPLUMA and LUPA;
2. voldoen aan norme en standaarde, toepaslike nasionale en provinsiale regeringsbeleide, provinsiale ruimtelike ontwikkelingsraamwerk (PSDF) en die munisipale ruimtelike ontwikkelingsraamwerk (SDF) soos verduidelik in meer detail hieronder;
3. nie bestaande regte en verpligtinge negatief sal beïnvloed nie;
4. nie sal afbreuk doen aan die grondwetlike transformasievereistes nie;
5. akkomodeer kan word binne die bestaande ingenieursdienste, maatskaplike infrastruktuur en oopruimtes;
6. nie enige ondersoeke ingevolge ander wetgewing vereis of behels nie,
7. in lyn sal wees met die toepaslike bepalings van die soneringskema,
8. nie die omgewing in so 'n mate sal beïnvloed dat dit goedkeuring ingevolge omgewingswetgewing vereis nie;
9. as wenslik beskou word op die volgende gronde

WENSLIKHEID

Versoenbaarheid met ruimtelike planne en beleid

Langeberg Ruimtelike Ontwikkelingsraamwerk, (LSDF), 2025 maak nie spesifieke voorstelle vir ontwikkeling van die betrokke perseel of omliggende buurt nie. Die LSDF baken wel buurte (precincts) met gemeenskaplike karaktereienskappe in elke dorp af, waarvoor voorstelle vir toelaatbare grondgebruike gemaak word, as riglyn. Die aansoekperseel lê binne Precinct I (Montagu-Suid), waarvoor die LSDF voorstel dat "Inrigtings" toegelaat kan word (sien onderstaande uittreksels uit die SDF tabel en - kaart).

LAND USE PRECINCT PROPOSALS FOR MONTAGU														
MONTAGU LAND USE PRECINCT		Low Density Residential Uses	Medium Density Residential Uses	High Density & Informal Residential Uses	Secondary Educational Uses	Place of instruction	Professional Use	Business Uses	Secondary Business Uses	Place of worship	Institution	Guest houses/self-catering	Authority	Sport/Recreational Facilities
I		Precinct I can be identified as a low-density residential area which includes a hospital, place of instruction and an approved proposed housing development.												
(1) Along activity street		X	X		X	X	X			X	X	X	X	X
(2) Only Service trades														
(3) At identified Nodes														
(4) Existing uses														
		Business Uses e.g. Shop, supermarket and service station. Place of instruction e.g. Schools, Universities, Colleges. Professional Uses e.g. Doctors, dentists, architects. Secondary Business Uses allows for neighbourhood business e.g. Café, house shops, small shop & offices and home occupation. House taverns only to be allowed along activity streets in residential areas. Secondary Educational Uses e.g. Crèches/day care.												



Die voorstel is dus ten volle versoenbaar met die LSDF.

Die Langeberg Munisipaliteit Geïntegreerde Soneringskemaverordening, 2018 (LIZS) maak voorsiening vir tuisversorgingsfasiliteite binne woonhuise of tweede wonings as vergunningsgebruik, onderhewig aan sekere beperkings. Die voorstel voldoen aan al die vereistes van die LIZS, byvoorbeeld: i) 'n maksimum van 6 persone wat versorg word, ii) die woning word steeds as permanente woonplek vir die persoon wat die fasiliteit gaan bedryf (die eienaar) gebruik en iii) die vereiste getal op-perseel parkeerplekke (5) word voorsien.

Die potensiële bewoningskapasiteit van die perseel volgens die bestaande gebruiksreg (woonhuis) en toepassing van die Nasionale Bouregulasies word bereken op 8 persone in die 4-slaapkamer woonhuis, plus 2 persone in 'n potensiële klein (60m²) 1-slaapkamer tweede woning. Die voorgestelde okkupasie in hierdie aansoek is binne hierdie beperking.

Ekonomiese impak

Die Tuisversorgingsfasiliteit kan 'n positiewe ekonomiese impak op die onmiddellike omgewing en die dorp in die algemeen hê, deur middel van die kapitale investering in die opknapping van die woonhuis, asook skepping van werksgeleenthede vir personeel en onderhoudspersoneel.

Versoenbaarheid met omliggende gebruike en karakter van omgewing

Die Tuisversorgingsfasiliteit se klein skaal en wesenlik residensiële aard, wat bedryf sal word binne 'n onveranderde bestaande woonhuis, sal meebring dat dit na verwagting nie 'n negatiewe impak op die karakter van die omgewing of visuele impak sal hê nie en versoenbaar sal wees met die omliggende residensiële grondgebruike.

Impak op eksterne ingenieursdienste

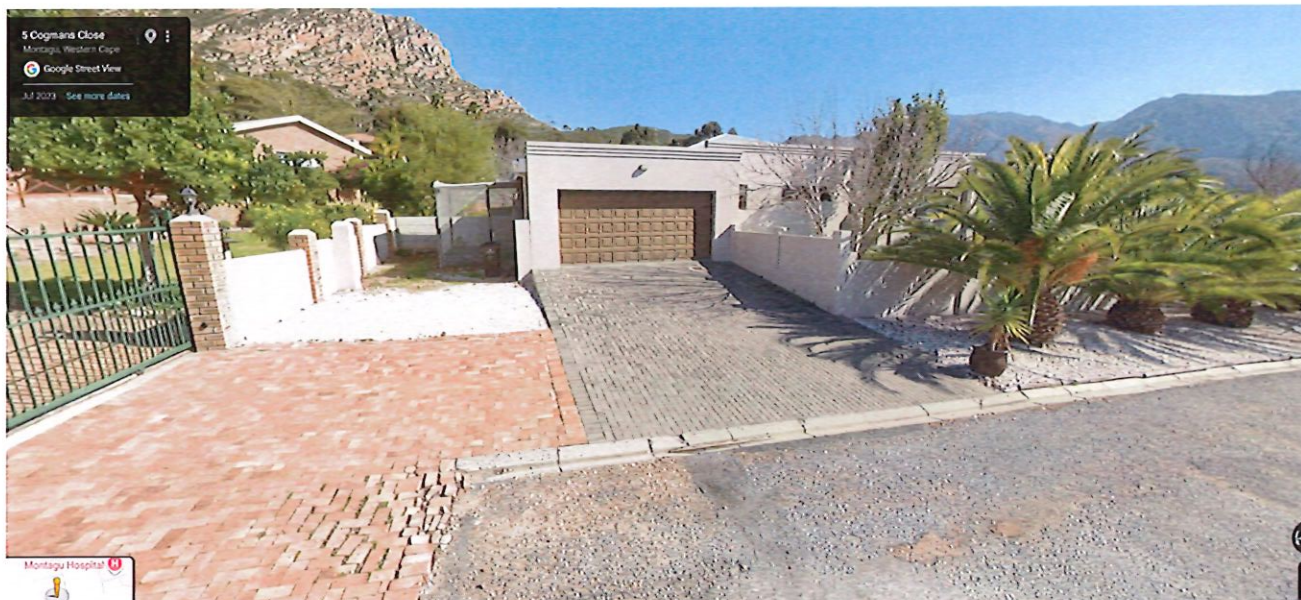
Die voorstel kan binne die bestaande kapasiteit van eksterne ingenieursdienste akkomodeer word. Die bewoningskapasiteit bly binne die skaal van 'n ten volle bewoonde 4 slaapkamer woonhuis.

Impak op erfenis

Die aansoekperseel is binne 'n jonger uitbreiding van die dorp, wat eers in die laat vroeë 2000's begin ontwikkel. Geen gerfenishulpbronne of erfenisgebiede word deur die voorgestelde gebruik geraak nie.

Verkeersimpak, parkering, toegang en ander vervoerverwante oorwegings

Die soneringskema vereis vir op-perseel parkering is 3 parkeerplekke vir die Tuisversorgingsfasiliteit (@ 1plek / 2 beddens) plus 2 parkeerplekke vir die Woonhuis. Die vereiste 5 parkeerplekke sal wel voorsien word, soos aangedui op die terreinplan aangeheg in Bylae 1. Daar is 'n straattoegang vanaf die oostekant na 'n bestaande dubbelmotorhuis en een parkeerplek langs, terwyl die aansoeker reeds besig is om 'n tweede toegang vanaf die noordekant te maak na twee nuwe parkeerplekke langs die huis. Daar is ook genoeg ruimte op die oprit voor die motorhuis vir nog drie motors ($\pm 8\text{m}$ tussen gebou en randsteen beskikbaar, waarvan 4.5m op perseel is). Dié area is ook geskik vir noodvoertuie en taxis om stil te hou en om te draai sonder om enige verkeersbelemmering te veroorsaak. Die oprit is in 'n kort doodloopstraat geleë, wat slegs toegang tot die aansoekende eiendom en drie ander eiendomme gee (waarvan net twee dit tans gebruik). Die waarskynlikheid van straatparkering is dus min en indien dit gebeur, sal dit na verwagting in die kort doodloopstraat wees, waar dit 'n minimum impak op verkeersvloei sal hê.



Impak op die lewenskwaliteit van die inwoners in die onmiddellike omgewing

Aangesien die bestaande woonhuis onveranderd gelaat word en die gebruik wesenlik residensiëel van aard is teen 'n skaal wat vergelyk met 'n gewone woonhuis, word verwag dat dit 'n lae impak op die privaatheid, veiligheid, gesondheid en welstand van die omliggende gemeenskap en op die lewensgehalte van inwoners in die onmiddellike omgewing sal hê.

Sommige van die besware verwys na die verpligte registrasie van die fasiliteit ingevolge die Wet op Ouer Persone (Wet 13 van 2006) en indien die fasiliteit nie registreer is of hoef te word nie, soos die aansoeker aanvoer, dit 'n risiko vir wanbestuur en onbekame versorging van die inwoners kan lei. Die aansoeker beweer dat sy met Departement Maatskaplike Ontwikkeling geskakel het en ingelig is dat die beoogde fasiliteit nie registreer hoef te word nie, omdat dit in 'n privaat woonhuis bedryf sal word en slegs 6 persone sal akkomodeer. Geen spesifieke inligting kon egter verskaf word om te bevestig dat die betrokke fasiliteit nie as sg. residensiële fasiliteit ingevolge die bg wet of regulasies beskou word en dus nie hoef te registreer nie. Die registrasie, al dan nie, van die fasiliteit is egter nie 'n tersaaklike oorweging vir beoordeling van die wenslikheid van die grondgebruik as sulks nie. Die goedkeuring van die grondgebruikreg sal nie die eienaar vrystel van enige verpligting volgens die wet om die fasiliteit te registreer nie.

Skepping van 'n presedent / kumulatiewe impak

Die Tuisversorgingsfasiliteit verskil wesenlik van ander besighede en die goedkeuring daarvan kan nie dien as presedent vir die vestiging van besighede wat die buurtkarakter sal benadeel en versteur nie. Alle woonhuise in die buurt beskik in elk geval reeds by wyse van die soneringskema oor sekere beperkte lae intensiteit "besigheidsregte" soos tuisberoepe (ingesluit professionele gebruike en onderrig), B&B's, dagsorg en akkomodasie vir loseerders. Die voorgestelde Tuisversorgingsfasiliteit se impak sal na verwagting laer as die meeste van hierdie inherente gebruiksregte wees en kan dus binne dié konteks nie 'n negatiewe presedent skep nie.

DEEL I: ADDISIONELE BEPLANNINGSEVALUERING VIR OPHEFFING VAN BEPERKINGS (Verwys na OVB riglyne)

NVT

DEEL J: AANBEVELING

Dat die aansoek vir 'n vergunningsgebruik vir 'n Tuisversorgingsfasiliteit op Erf 4393, Montagu ingevolge Artikel 60 van die Langeberg Munisipaliteit: Verordening op Grondgebruikbeplanning, 2015 goedgekeur word, onderhewig aan die volgende voorwaardes opgelê ingevolge Artikel 66 van dieselfde verordening:

VOORWAARDES:

1. Die ontwikkeling en gebruik van die terrein moet geskied volgens die terreinplan gemerk MON4393-LBM-TP.
2. Die omvang en bedryf van die Tuisversorgingsfasiliteit word per definisie in die soneringskema beperk tot die volgende:
 - 2.1 Maksimum 6 persone en 3 slaapkamers (benewens gesinslede/ander persone wat normaalweg in die woonhuis mag woon).
 - 2.2 Die primêre gebruik van die eiendom moet steeds 'n woonplek wees vir die persoon wat die fasiliteit bedryf.
 - 2.3 Die persoon wat die fasiliteit bedryf, moet permanent op die perseel woon.
3. Parkering moet deur die aansoeker voorsien word in ooreenstemming met die terreinplan gemerk MON4393-LBM-TP, moet van 'n geskikte, rybare oppervlak voorsien word en ten alle tye beskikbaar wees vir besoekers aan die fasiliteit.
4. Die volgende vereistes is van toepassing met betrekking tot die nakoming van die Nasionale Bouregulasies:
 - 4.1 Die aansoeker moet bouplanne wat die verandering van okkupasieklasifikasie van die bestaande gebou (vanaf H4 na die geskikte okkupasieklas soos bepaal sal word deur die Boubeheerbeampte) aan die Langeberg Munisipaliteit se Departement Boubeheer voorlê vir goedkeuring voordat die vergunningsgebruik uitgeoefen mag word.
 - 4.2 Voorgestelde veranderings moet voldoen aan die toeganklikheidsvereistes soos uiteengesit in die Nasionale Bouregulasies.
 - 4.3 Brandveiligheidsmaatreëls en -stelsels moet voldoen aan - of die standaard oortref wat deur die Nasionale Bouregulasies gestel is om die veiligheid van bewoners te verseker.
5. Die fasiliteit moet voldoen aan die vereistes van die Wet op Ouer Persone, 2006 (Wet 13 van 2006) ten opsigte van die registrasie van residensiële fasiliteite by die Departement van Maatskaplike Ontwikkeling, soos toepaslik.

REDES VIR DIE BESLUIT:

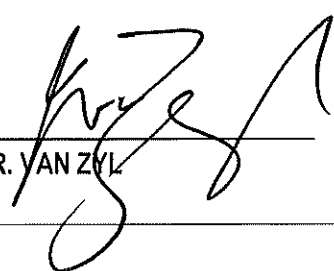
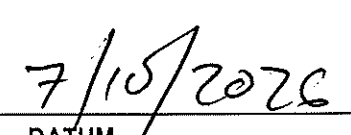
Die voorgestelde gebruik word op grond van die volgende aspekte as wenslik beskou:

- a) Versoenbaarheid met ruimtelike beplanningsbeleid en -beginsels.
- b) Positiewe ekonomiese en maatskaplike impak.
- c) Aanvaarbare impak op verkeer, gegewe verwagte lae verkeersopwekking en voorsiening van voldoende parkering op die terrein.
- d) Aangesien die bestaande woonhuis onveranderd gelaat word en die gebruik wesenlik residensiël van aard is teen 'n skaal wat vergelyk met 'n gewone woonhuis, word dit as versoenbaar met die omliggende grondgebruik en die buurtkarakter beskou en word verwag dat dit 'n lae impak op die veiligheid, gesondheid en welstand van die omliggende gemeenskap en op die lewensgehalte van inwoners in die onmiddellike omgewing sal hê.

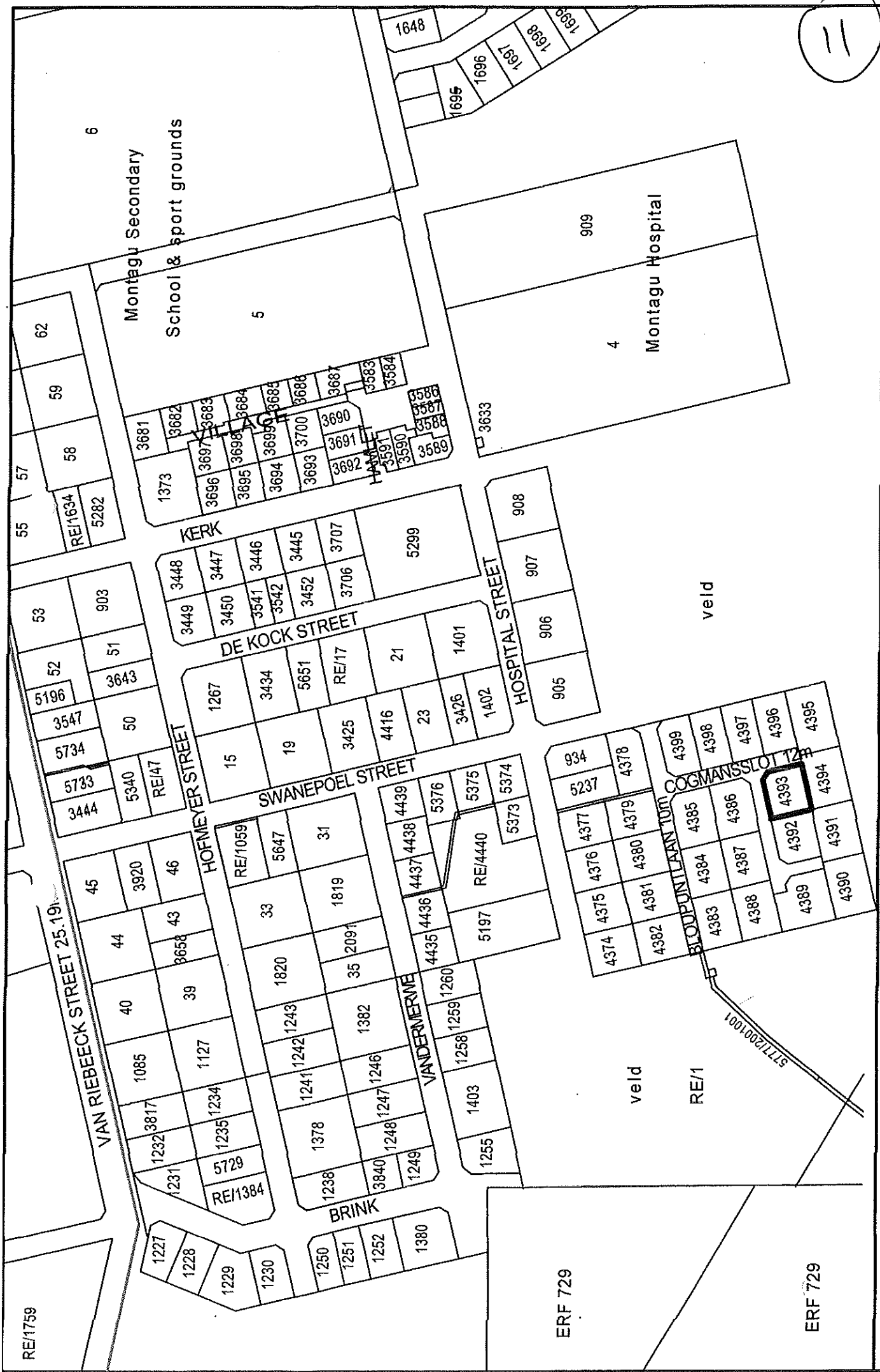
DEEL K: BYLAES

- | | |
|----------|---|
| Bylae 1: | Liggings- en terreinplanne |
| Bylae 2: | Aansoeker se motiveringsverslag |
| Bylae 3: | Besware |
| Bylae 4: | Aansoeker se reaksie op die besware |
| Bylae 5: | Opsomming van "tersaaklike oorwegings". |

DEEL L: SKRYWER HANDTEKENING


J. le R. VAN ZYL
DATUM

Liggings- en terreinplanne



11

4386

cul-de-sac

COGMANSSLOT 10m

fence

fence replaced by gate

garden and palm trees

4.7m

COGMANSSLOT 12m

fence

Amsterdam

cul-de-sac

4392

4394

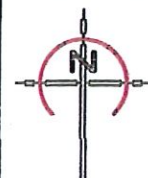
4391

MON 4393 - LBM - TP

Notes: Existing building with approved building plans
No structural changes
Parking: 2 for dwelling and 3 for 6 beds

SDP: ERF 4393 MONTAGU: PROPOSED CONSENT USE:

HOME CARE FACILITY: 3 ROOMS



feb 2026

UMSIZA
PLANNING
Town and Regional Planner

SCALE 1:250

Bylae 2**Aansoeker se motiveringsverslag**

MOTIVATIONAL REPORT

ERF 4393 MONTAGU: APPLICATION FOR CONSENT USE: HOME CARE FACILITY (3 ROOMS / 6 PERSONS)

1. PURPOSE OF APPLICATION

The purpose of this application is to request approval for the use of the existing dwelling house on Erf 4393 Montagu for the accommodation and care of elderly persons who require supportive health care.

The concept for this facility arose from the applicant's personal experience in caring for her own parents, as well as from the recognised shortage of suitable, high-quality care facilities in the area, particularly for individuals living with dementia.

A dedicated care home would provide trained carers who are able to offer continuous support, both day and night. This level of care is essential as dementia progresses and needs become increasingly complex.

2. LOCALITY AND ACCESS TO ERF

Erf 4393, Montagu (No. 7 Cogmans Close) is situated in the southernmost single residential suburb of Montagu, approximately 300 metres directly west of Montagu Hospital.

The property is positioned on the corner of two of the three legs of Cogmans Close, which is a cul-de-sac accessed from Bloupunt Avenue.

Vehicular access to the property is provided via a double garage located on the southern side of the dwelling, which serves as the main entrance and parking area for the house.

3. CHARACTERISTICS OF SITE

Erf 4393 Montagu is 1003m² in extent and belongs to Realett Taljaard according to Deed of Transfer T376/2026.

The property contains a well-maintained dwelling house featuring a large stoep with steps on the northern side. The property is secured by a palisade fence with a pedestrian gate facing north.

The site is further characterised by large palm trees located along both the northern and eastern boundaries, following the two adjoining legs of Cogmans Close.



4. APPLICABLE LEGISLATION

In terms of Section 15(1) of the Langeberg Municipal Land Use Planning By-Law, 2015, no person may commence with land development without the approval of the Municipality. Section 15(2) further provides that the owner of land may apply to the Municipality for, *inter alia*, consent uses contemplated in the zoning scheme.

According to the Langeberg Integrated Zoning Scheme (IZS) By-Law (P.N. 71/2018), Erf 4393, Montagu is zoned **Single Residential I**, with a **dwelling house** as the primary use.

A dwelling house is defined as a building containing only one dwelling unit, together with such outbuildings as are ordinarily used in conjunction with a dwelling house, including:

- (a) a storeroom and garaging;
- (b) a second dwelling or additional dwelling with a floor area not exceeding 60 m², provided that an application for consent use must be submitted if the second or additional dwelling exceeds 60 m²;
- (c) a braai room;
- (d) renewable energy structures for household purposes;
- (e) a home occupation;
- (f) the letting of rooms to lodgers for long-term rentals;
- (g) a bed and breakfast establishment;
- (h) home child care; and
- (i) a crèche.

The existing dwelling house on Erf 4393, Montagu has approved building plans and complies with all applicable development parameters.

The Integrated Zoning Scheme further provides for certain **consent uses** within this zoning category, including a **home care facility**, which is defined as the use of a dwelling house, second dwelling, or a portion thereof, to provide permanent or temporary accommodation and care for retired or elderly persons in need of frail care, or persons requiring health care to recuperate from a medical condition or procedure, provided that:

- (a) the scale of the dwelling house or second dwelling does not exceed that of a normal dwelling unit which would ordinarily accommodate one family;
- (b) the primary use of the property remains a residence for the operator;
- (c) no more than six persons and three bedrooms are used for such facility; and
- (d) the operator of the enterprise permanently resides on the property.

5. APPLICATION

Application is hereby made in terms of Section 15(2)(o) of the Langeberg Municipal Land Use for a **consent use** to establish a **Home Care Facility** accommodating three bedrooms and a maximum of six persons within the existing dwelling house on Erf 4393 Montagu.

No departures from the development parameters are required.

6. DESCRIPTION OF FACILITY

The existing house contains the following:

- one en-suite bedroom,
- one en-suite bedroom / office
- *two bedrooms sharing a bathroom,*
- an open living area and kitchen,
- a large stoep,
- an open courtyard, and
- a double garage.

The owner will occupy one of the en-suite bedrooms.

The proposed facility will therefore utilise the remaining three bedrooms, each accommodating a maximum of two residents.

The dwelling will serve as a small-scale residential care facility for up to six elderly persons, providing a supportive environment where residents can be cared for in a dignified and compassionate manner.

The facility will offer a safe and comfortable residential environment that balances independence with appropriate assistance. Residents will benefit from support services and personal care, including assistance with daily activities such as balanced meals, medication management, dressing, cleaning, social interaction, housekeeping, and general living support. The large stoep, with its scenic view towards Bloupunt, will allow residents opportunity for movement, sunlight, fresh air, and outdoor relaxation.

Although registration with the Department of Health is only required when a facility accommodates nine or more residents, the proposed facility will nevertheless be

operated in accordance with the standards and expectations of the relevant health authorities.

Qualified personnel will be appointed to ensure that the elderly residents receive appropriate and professional care.

Adequate parking is available on site for visitors and staff, in accordance with the standards of the Integrated Zoning Scheme. The property includes a double garage and three additional parking bays, which will adequately accommodate occasional visitors and staff members.

One open parking bay will be provided adjacent to the garage, while the remaining two bays will be located on the opposite side of the house and accessed through a proposed secure gate in the existing fence.

7. MOTIVATION

7.1 NEED

The demand for appropriate accommodation and care for elderly persons continues to increase as the population ages and life expectancy rises.

Many individuals, often over the age of 75, experience functional, physical, or cognitive decline that requires continuous supervision and medical care. These individuals may require 24-hour nursing supervision, assistance with activities of daily living (ADL), or specialised care associated with frailty, dementia, or Alzheimer's disease.

In South Africa, such services are typically provided by retirement villages, specialised care homes, or assisted living facilities that offer varying levels of care, ranging from independent assisted living to comprehensive frail care.

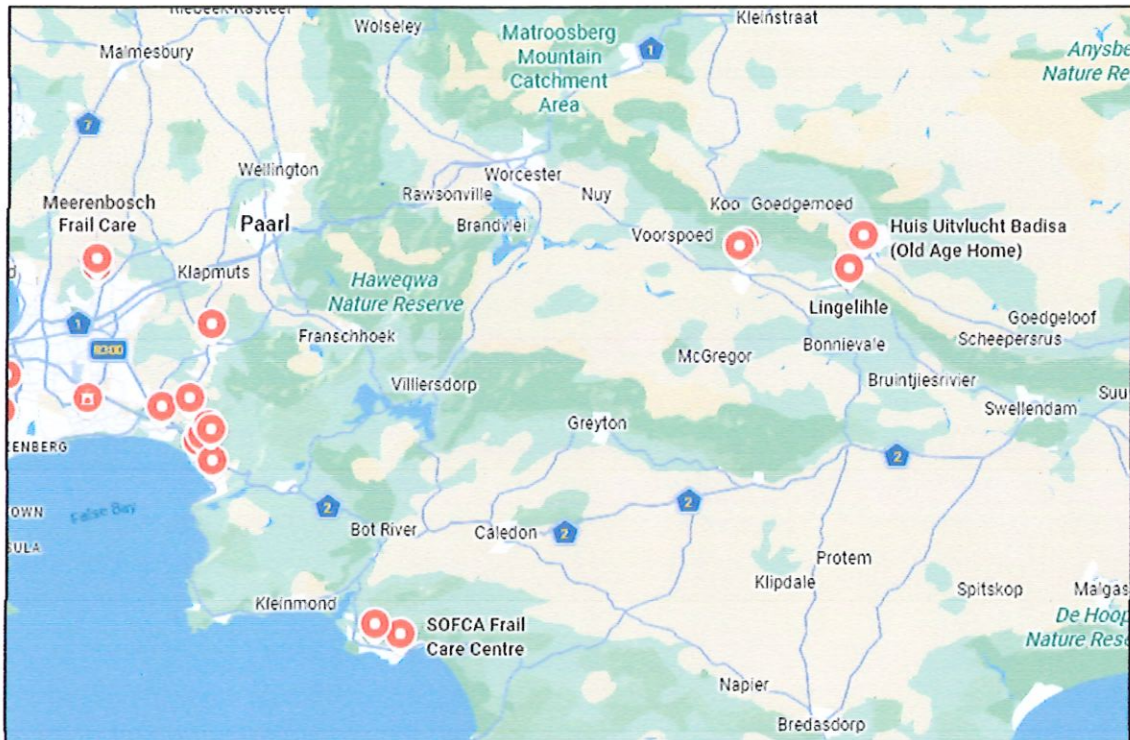
However, within the Langeberg municipal area the availability of such facilities remains limited – refer to Plan on next page.

Existing facilities in the broader area include:

- Robertson: ACCV Huis le Roux Retirement Home; Breede Care
- Ashton: Bram Care
- Montagu: Huis Uitvlucht
- Bonnievale: Herfsvreugde; Huis Martha Jonker; Bergsig House
- Swellendam: Huis Tomlinson

Most of these facilities operate at full capacity and often maintain long waiting lists.

Furthermore, some of these facilities are specialised or may not be suitable for individuals with specific care needs.



The demand for smaller, house-type care facilities has increased significantly in recent years. Small-scale residential care homes are widely recognised for their ability to foster community integration, allowing residents to maintain meaningful social interaction and experience a more familiar, homelike environment compared to larger institutional facilities.

Such facilities often promote a greater sense of dignity, belonging, and personal well-being for residents. In contrast to traditional institutional settings, smaller residential care environments enable more personalised care and encourage social engagement within a supportive community context.

Policy frameworks and funding initiatives increasingly recognise the importance of supporting smaller, community-based accommodation options for individuals with physical and/or mental health conditions.

Internationally, there has been a continued movement towards the deinstitutionalisation of care that involves transitioning patients from hospital-based institutional settings to community-based care environments.

According to the World Health Organization (2022), this shift aims to improve quality of life and support the integration of individuals into their communities.

Research further indicates that community-based care settings contribute to improved outcomes, including enhanced social functioning, greater independence in daily living skills, improved community reintegration, and better overall mental health outcomes (Harrison et al., 2020). Small-scale residential care facilities therefore form an important component of modern health and social care systems.

The proposed small-scale home care facility would therefore contribute meaningfully to addressing the shortage of appropriate care options within the greater Langeberg area.

7.2 DESIRABILITY

Compatibility with the Surrounding Area

The application site is located in a quiet / tranquil area with an existing house that is ideal structured for such a facility.

The proposed home care facility will operate within the existing dwelling house and will remain consistent with the residential character of the surrounding neighbourhood. The scale of the facility is limited to three bedrooms accommodating a maximum of six residents, which is comparable to the occupancy of a large family dwelling. The three bedrooms are located on the western side with the open living area/kitchen in the center that separate the owner's bedroom on the eastern side of the house.

No additional buildings or structural alterations are required to accommodate the proposed use, and the property will continue to function primarily as a residence occupied by the owner. As such, the proposed use remains in line with the intent of the Integrated Zoning Scheme, which specifically provides for home care facilities as a consent use within the Single Residential I zoning category.

The nature of the proposed use is quiet and residential in character. The day-to-day activities associated with the care of elderly residents are similar to those of a normal household and do not generate excessive noise, traffic, or disturbance. The facility will

therefore integrate naturally with the surrounding residential environment without altering the character of the area.

Furthermore, the property is well suited for this purpose due to its open layout, large stoep, and quiet location within a cul-de-sac.

These characteristics provide a safe and comfortable environment for elderly residents while maintaining the established residential atmosphere of the neighbourhood.

Impact on Traffic, Parking and Services

The proposed development will have a minimal impact on traffic and parking within the surrounding area. The facility will accommodate a maximum of six residents, and the level of activity associated with the operation of the facility will be limited.

Visitors are expected to arrive only occasionally and generally on an individual basis. In addition, only a small number of staff members will be present at any given time. As a result, traffic generation will remain comparable to that of a normal residential household.

The proposed small-scale facility will have a minimal impact on the surrounding area:

- no noise as it will be 6 elderly people living mostly inside the house, mostly in their bedrooms, no children playing outside, no parties after hours, no social gatherings on the stoep
- no smell – residential use
- no visual impact – existing structures
- Adequate parkings on site are provided.

Visitor patterns at senior care facilities are shifting toward personalized and flexible patterns. According to the internet:

While there is no universal rule, common patterns observed in assisted living and nursing homes include:

- *High-frequency visits (every other day or 2 - 4 times per week) are common during the first month to help seniors settle into their new environment.*
- *Residents staying between 1 and 1,9 years typically receive the highest frequency of family visits as routines stabilize.*
- *Visitation often significantly drops after two years of residence due to "visitor burnout," changes in family dynamics, or increased trust in the facility's care.*
- *Nearby families often aim for 1–2 visits per week, while distant relatives trend toward monthly visits of longer duration.*

The facility will therefore cause minimal periodic traffic towards the application site, mostly by between one to three workers/staff per day.

The number of parking bays are adequate, also for the workers/staff.
The existing double garage and three additional parking bays will comfortably accommodate staff and visitors without placing pressure on on-street parking *within Cogmans Close*.

[This has an insignificant impact if compared to a dwelling house with a normal household, where home occupation with a maximum of three employees and a bed and breakfast establishment with maximum two rooms are allowed as primary uses, with no land use approval.]

The proposed use will place minimal additional demand on municipal services such as water, electricity, and refuse removal.

The scale of the facility remains small and is comparable to that of a large household, ensuring that existing municipal infrastructure will be able to accommodate the proposed use without difficulty.

7.3 DEVELOPMENT PRINCIPLES

The development principles contained 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), are considered in the assessment of this application:

• Spatial Justice

The proposed facility responds to an identified and growing need within the community for appropriate accommodation and care for elderly persons requiring support.

The facility will provide a safe, supportive, and caring residential environment for up to six elderly residents who require daily assistance and supervision.

• Spatial Sustainability

The proposal promotes sustainable land use by utilising an existing dwelling house for the provision of care services. The house will be shared between the owner, her parents, and four additional elderly residents requiring support, thereby making effective use of existing residential infrastructure.

• Efficiency

The proposal represents an efficient use of land and services, as the existing dwelling and municipal services infrastructure will be utilised without the need for additional

development. The property will therefore be used optimally while remaining within the scale and character of a residential property.

• **Spatial Resilience**

The proposed home care facility will contribute to social resilience within the community by providing a supportive living environment for elderly residents who require care.

The small scale and residential nature of the facility will ensure that it operates harmoniously within the surrounding neighbourhood without creating adverse impacts.

• **Good Administration**

The preparation of this application has taken into consideration the applicable legislation, policies, and planning guidelines. The application will be assessed by the Langeberg Municipality in accordance with the relevant statutory processes and with input from all relevant stakeholders and role players.

8. PLANNING CONCLUSION

The proposed home care facility will provide an important and much-needed community service within the Langeberg area.

The facility will operate at a small residential scale within an existing dwelling house and will not result in any significant impact on the surrounding neighbourhood or municipal service infrastructure.

From a land use planning perspective, the proposed home care facility is both desirable and appropriate, as it responds to a proven community need while remaining compatible with the existing residential character of the area.

The application is therefore supported from a planning perspective.

Bylae 3

Besware

BESWAAR 1

25

4 May 2026

The Manager
Town Planning Montagu
Langeberg Municipality
3 Piet Retief Street
Montagu
6720

Attention: Ms T. L Brunings (tbrunings@langeberg.gov.za)

**OBJECTION TO THE APPLICATION FOR THE USE OF 7 COGMANS CLOSE,
MONTAGU SOUTH, ERF: 4393 AS A HOME CARE FACILITY (3 ROOMS / 6
PERSONS)**

Dear Madam,

Please find our objection to the application for the use of no 7 Cogmans Close, Montagu, 6720 as a Home Care Facility. We do not approve the application on the grounds summarised below.

- 1. Undesirable change of character to single-family neighbourhood**
- 2. Increased traffic and activity related to business operations**
- 3. Potential negative effect on property values**
- 4. Illegal residential facility as per Older Persons Act of 2006**
- 5. Risk of mismanagement**
- 6. Inadequate/inappropriate solution for local need**

We wish to elaborate on the summarised grounds as follows.

1. Undesirable change of character to single-family neighbourhood

This type of Home Care Facility (as a business) would be a fundamentally undesirable deviation from the single-family residential character of Cogmans Close neighbourhood.

2. Increased traffic and activity related to business operations

A 24/7 business of this nature with significant levels of required logistical and social activity is inconsistent with the general activity of this neighbourhood.

- Increased traffic and activity are inevitable with 24/7 care and staff movement; deliveries of all kinds; medical care visits by professionals; visitors (family and friends) for each resident; probable late-night disturbances and medical emergencies; and other unforeseen business activities.

3. Potential negative effect on property values

Property values may be negatively affected by a business of this nature.

4. Illegal residential facility as per Older Persons Act of 2006

According to the Older Persons Act of 2006 (national legislation) this "Home Care Facility" is considered a "Residential Facility" and must therefore be inspected and approved and subsequently registered by the Department of Social Development in order to operate legally.

- A "Residential Facility" is one that provides accommodation and 24-hour support for any number of non-family older persons (60 years

plus) resident in an independent living, assisted living or frail care context as a business arrangement.

- Refer Older Persons Act of 2006 and amendment of 2025.

Act 18 of 2006 (S.18 amended) - Act of Soc. Dev.
Amendment Act 1 of 2025

5. Risk of mismanagement

There is a risk of mismanagement with this business arrangement involving the health and dignity of frail older persons.

- The applicant's personal experience caring for their own parents does not qualify the applicant as a person competent to run a "Home Care Facility" for frail older persons other than for direct family members, especially on a 24/7 basis for those with dementia.
- The risk is greater without the Department of Social Development involvement. Due diligence needs to be followed regarding the registration process.

6. Inadequate/inappropriate solution for local need

The current proposal will not concretely contribute to alleviating any local need.

- There is no municipal mandate for the owners to take in locals as residents, so residents can be drawn from outside the Montagu area.
- Accommodating only 6 older persons that might or might not be existing local residents of the area, does not substantially contribute to solving any local need in the Langeberg area. (2 of the older persons will already be brought in from outside the area).

- As previously stated, there is an increased risk of mismanagement without oversight from the Department of Social Development.

We urge the municipality not to set a precedent by approving such a facility from the outset.

We do not approve nor support the application of 7 Cogmans Close to operate as a Home Care Facility for frail older persons.

We respectfully request that the Town Planning Authority give due consideration to these concerns and decline approval for a business of this nature to operate in Cogmans Close.

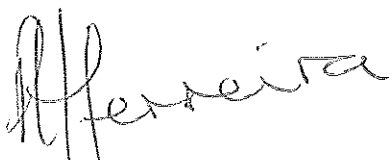
Your sincerely

Mr P H and Mrs L P Ferreira

14 Cogmans Close

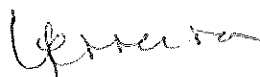
Montagu

6720



Mr P H Ferreira

pete@diffuining.com
0836352359



Mrs L P Ferreira

Linda p f. z a p g mail.com
0833411860

To: The Manager: Town Planning - Langeberg Municipality, 3 Piet Retief Street, Montagu, 6720.

Subject: Formal Objection to Proposed Change of Use – Erf 4393 (7 Cogmans Close), Montagu South

We hereby submit our formal objection to the proposed change of use for the property at Erf 4393 (7 Cogmans Close), located in Montagu South.

Our objection is based on the following planning, safety, and amenity concerns:

1. Incompatibility with Residential Zoning and Character

Montagu South is a quiet, low-density residential area. This was a key attraction that factored in our decision to purchase our property in 2024.

The proposed use as a Home Care Facility represents a significant departure from the established character of the neighbourhood. Such a change undermines the intent of residential zoning and may set an undesirable precedent for similar applications.

Furthermore, it is my understanding that no meaningful engagement or consent has been obtained from affected neighbouring property owners, despite the material impact this proposal would have on the area, our property values and our daily lives.

It is also concerning to see that alterations to the property started prior to the Consent Use Application even being received by us neighbouring residents and are now well under way.

2. Traffic Generation and Road Safety

All vehicular access into this section of the neighbourhood passes directly by our property, which is located on the two corners Swanepoel-Bloupunt and Bloupunt-Cogmans Close. The proposed development will inevitably increase traffic volumes, including staff, visitors, service providers, deliveries and emergency vehicles.

Given the current road layout and usage, this increase raises legitimate concerns regarding road safety for residents, pedestrians, and cyclists in general and, in our specific case, disturbance of peace and quiet.

3. Increased Residential Density

The proposal implies a higher concentration of occupants than is typical for a single residential erf. This increase in density is inconsistent with the surrounding built environment and places additional pressure on local infrastructure and services.

4. Impact on Property Values

The introduction of a non-standard residential use, particularly one with operational and institutional characteristics, may negatively affect property values in the surrounding area. This is a material concern for existing homeowners.

The Consent Use Application references adequate parking facilities. However, three of these will be 'parking bays', meaning that the aesthetics of this area will be negatively altered

toward a heavy traffic / parking zone - looking more commercial than residential. This can only diminish the desirability of living in this part of Montagu South and therefore directly impact existing property values.

5. Parking Constraints and Emergency Vehicle Access

The streets in question are narrow. Additional traffic and inevitable on-street parking demand (given the level of services and activity listed in the Consent Use Application) will likely lead to congestion and obstruction.

Of particular concern is the potential restriction of access for emergency vehicles, which poses a serious risk to both existing residents and any future occupants of the property.

6. Noise and Loss of Residential Amenity

The proposed use is likely to introduce increased activity levels, noise, and general disturbance - which, due to the nature of the proposed residents and the services to be offered / needed, will not be limited to daylight hours. This will erode the peaceful, quiet nature of the neighbourhood, which is a defining characteristic of Montagu South. This defining characteristic played a key role in our decision to purchase our property in 2024. Now, less than two years later, this very character is under threat.

7. Regulatory Compliance and Suitability for Intended Use

The proposed use as a Home Care Facility for elderly individuals, including those living with dementia, raises important regulatory considerations. Such operations are subject to strict health, safety, staffing, and operational requirements.

The applicant states that 'Although registration with the Department of Health is only required when a facility accommodates nine or more residents, the proposed facility will nevertheless be operated in accordance with the standards and expectations of the relevant health authorities.' This however is not accurate. Under the Older Persons Act 13 of 2006, it is illegal to operate a residential facility that provides accommodation and 24-hour services/care to older persons unless it is registered with the Department of Social Development (DSD). This applies irrespective of how many older persons are accommodated.

This misunderstanding of the basic premise on which the proposed Home Care Facility will be established and operate raises significant concerns that the applicants may not fully appreciate or comply with all regulatory obligations. And any failure in this regard could have serious implications for both the residents of the facility and the surrounding community.

In light of the above, we respectfully request that Langeberg Municipality carefully consider this objection and the cumulative impact of the proposed development on existing residents and the surrounding community.

We request that this application be subjected to thorough scrutiny, including proper consultation with affected neighbours and verification of full compliance with all applicable planning and operational regulations.

We further request that this application be refused.

Kindly acknowledge receipt of this objection and confirm that it will be included in the decision-making process.

Yours faithfully,

Owen and Lauren Wiggins

1 Cogmans Close, Montagu South

owenwiggins@me.com

l.wiggins18@me.com

0698885000 / 0698884000

6 May 2026

R

BEERWAAR 3

32

28 May 2026

The Manager
Town Planning Montagu
Langeberg Municipality
3 Piet Retief Street
Montagu
6720

Attention: Ms T. L Brunings (tbrunings@langeberg.gov.za)

**OBJECTION TO THE APPLICATION FOR THE USE OF 7 COGMANS CLOSE,
MONTAGU SOUTH, ERF: 4393 AS A HOME CARE FACILITY (3 ROOMS / 6
PERSONS)**

Dear Madam,

Please find my objection to the application for the use of no 7 Cogmans Close,
Montagu, 6720 as a Home Care Facility.

I respectfully object to the application on the following grounds:

1. Incompatibility with the residential character of the neighbourhood
2. Increased traffic, activity, and operational disturbances
3. Potential adverse impact on surrounding property values
4. Risks associated with operational oversight and management

The basis for these concerns is elaborated below.

1. Incompatibility with the residential character of the neighbourhood

The proposed operation represents a significant departure from the established single-family residential nature of the area. The introduction of a business operating on a continuous care basis may materially alter the character and environment of the neighbourhood.

2. Increased traffic, activity, and operational disturbances

A facility providing 24-hour care is likely to generate substantially increased activity compared to a standard residential property.

This may include:

- increased staff movement and shift changes,
- deliveries and service providers,
- visits by healthcare professionals,
- visitor traffic from residents' families and friends,
- emergency medical responses,
- and other operational activities associated with the running of such a facility.

These activities may result in increased traffic volumes, noise, parking pressure, and disruption inconsistent with the surrounding residential environment.

3. Potential adverse impact on surrounding property values

The operation of a commercial-style care facility within a single-family residential area may negatively affect neighbouring property values and the desirability of the area as a quiet residential neighbourhood.

4. Risks associated with operational oversight and management

The care of frail or elderly persons, particularly where dementia or continuous support is involved, requires appropriate governance, oversight, staffing, and operational controls. Concerns exist regarding the adequacy of oversight and the potential risks to the wellbeing, dignity, and care standards of residents should the facility operate without the necessary regulatory supervision and formal approval processes.

In conclusion, I respectfully request that the Town Planning Authority carefully consider the concerns raised above and decline the application for the operation of the proposed Home Care Facility at 7 COGMANS CLOSE, MONTAGU SOUTH, ERF: 4393.

I further request that consideration be given to the broader precedent that approval of such a facility may create within a single-family residential area.

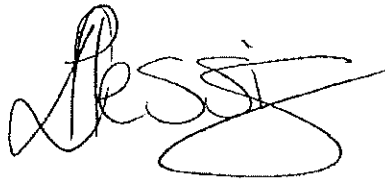
Your sincerely

Mrs MM Du Plessis

2 Cogmans Close

Montagu

6720

A handwritten signature in black ink, appearing to read 'M. Du Plessis', with a large, stylized flourish at the end.

Mrs MM Du Plessis

0845497475

madeleinemyburg3@gmail.com

BESWAAR A

35

01 June 2026

The Manager
Town Planning Montagu
Langeberg Municipality
3 Piet Retief Street
Montagu
6720

Attention: Ms T. L Brunings (tbrunings@langeberg.gov.za)

Subject: Objection to the establishment of a home-care / dementia facility at 7 Cogmans Close in a single-family residential area

Dear Sir/Madam,

I am writing as a concerned resident of Cogmans Close. I wish to formally object to the proposed conversion of the property directly across from my home into a home-care facility for elderly individuals suffering from dementia.

My primary objections are as follows:

1. **Impact on Property Values** The introduction of a commercial care facility in a quiet, established single-family residential neighbourhood is likely to negatively affect property values in the immediate area. Homes in such neighbourhoods derive much of their value from their peaceful, family-oriented character. A facility of this nature could alter the residential ambience and deter future buyers.
2. **Increased Traffic and Parking Issues** A dementia care facility will inevitably generate significantly higher traffic volumes due to daily staff shifts, medical and support personnel, family visits, deliveries, and emergency services. This will place additional pressure on our already narrow residential streets, increase safety risks for children and elderly residents, and create parking problems, all of which are inconsistent with the character of a quiet suburban street.
3. **Setting a Dangerous Precedent** Allowing this facility sets a precedent that could encourage the conversion of other single-family homes into similar businesses. This would gradually erode the residential nature of our neighbourhood and undermine the zoning intent for this area.
4. **Licensing, Compliance and Community Consultation Concerns** To date, residents have not been properly informed or consulted about this development. There are serious questions regarding whether the necessary licences, health and safety certifications, and zoning approvals have been obtained. We request full transparency on the legal structure of the proposed facility, confirmation that it complies with all national and provincial regulations for care facilities, and assurance that proper environmental health and building control approvals are in place.

I am not opposed to care facilities in appropriate locations, but I believe this particular property in a purely residential street is not suitable. I urge the Municipality to protect the character and livability of our neighbourhood.

Thank you for your attention to this matter. I look forward to your response and am available to discuss this further if required.

Yours sincerely,

Mr Duncan Steel
3 Cogmans Close
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6720
Email: duncansteel@pm.me

Bylae 4**Aansoeker se reaksie op die besware**

AANSOEKER SE REAKSIE OP BESWAAR 1 38

Realett Taljaard

7 Cogmans Close

Montagu

6720

Tel: 083 726 5547

To: Langeberg Municipality – Statutory and Town planning Department

Attention: Janelle Vermeulen

Re: Objection to application for consent use: Erf 4393, Montagu

Following the receipt of your letter dated 4 May 2026, we confirm that all the complaints by Mr. PH Ferreira and Mrs. LP Ferreira are noted and subsequently we would like to address each one.

Reason 1 - Undesirable change to the character of a single-family neighbourhood

The proposed use is a small-scale assisted living home operating within a residential dwelling, and not a commercial institution or high-impact facility.

- The property will continue to function as a residential environment
- Residents will live in a shared household setting
- The scale remains consistent with a typical dwelling house
- The proposal constitutes a consent use within a residential zone, which is specifically intended to accommodate compatible secondary uses without undermining neighbourhood character.

The use does not alter the residential character of the area because:

- The activity remains residential in nature, with occupants living on the property as a home
- There is no retail, industrial, or high-traffic commercial activity
- The intensity of use (number of occupants, staff, and visitors) is limited and controlled

Misconception of "single family"

The objection assumes that a residential property must be occupied strictly by a single-family unit; however, zoning schemes typically regulate density, occupancy, and land use not whether occupants are biologically or legally one family or their familial setup.

A residential dwelling can legally accommodate:

- Extended households
- Lodgers
- Shared living arrangements

The area already accommodates a variety of low-impact residential-based uses, such as guest accommodation and home-based enterprises, which coexist with the residential character.

The proposed use will therefore not result in an undesirable change to the character of the neighbourhood, as it remains residential in function, low in intensity, and compatible with surrounding land uses.

Reason 2 - Increased traffic and activity related to business operations

The application is for a small-scale assisted living home within an existing dwelling.

- The property will continue to operate as a residential home environment
- The scale is intentionally limited to maintain compatibility with the surrounding area
- The use does not constitute an institutional facility nor commercial activities

While approximately 5–6 staff members will be employed:

- Staff operate on a shift basis, meaning only a limited number are on-site at any given time
- A night staff member is present, further reducing daytime activity peaks
- The operational model is low-intensity and care-focused, not visitor-driven
- Domestic and garden staff is already part of the traffic flow in this residential area

Parking and Infrastructure:

Provision will be made for 5 on-site parking bays in accordance with guidance received during pre-application consultation, thereby avoiding any overflow impact on the street.

The proposed use remains residential not commercial because:

- Occupants reside on the property as a shared household
- The number of residents is controlled
- Assisted care residents do not have their own vehicles, only their visitors do
- There is no commercial activity generating external foot traffic

Objection 3 - Potential negative effect on property values

Potential impact on property values is generally not considered a determinative planning factor unless it can be clearly demonstrated that the proposed land use will result in a material negative impact on the character or amenity of the area.

No supporting evidence or professional valuation has been provided to substantiate the claim that the proposed use would negatively affect property values.

- Property purchased for over R3.8 million and
- Approximately R1.5 million invested in upgrades

Thus, this number is only significant and mentioned to show the level of investment that has been made into the property, including substantial upgrades, which contribute positively to the overall standard and upkeep of the neighbourhood proving that:

- I am adding value, not extracting it
- I am financially committed to the area

The external appearance of the dwelling remains consistent with that of a typical residential home, (no structural changes were made) with no visual changes that would distinguish it from surrounding properties, eliminating perception-based value concerns

The use is fully reversible, and the property can at any time function as a conventional single dwelling without structural alteration or internal changes.

The scale and nature of the use do not introduce any factors typically associated with value depreciation.

In the absence of substantiated evidence, and given the maintained residential character, investment in the property, and low-impact nature of the proposed use, it is not considered that the development will negatively affect surrounding property values. Small-scale assisted living homes are often integrated into residential areas without measurable impact on property values, particularly where they are well-managed and visually consistent with surrounding dwellings.

Reason 4 - Illegal residential facility as per older persons act 2006.

The concern regarding compliance with the Older Persons Act 13 of 2006 is noted.

The objection appears to be based on a misunderstanding of the distinction between different categories of care services regulated under the Act.

The key legal distinctions under the act are:

- A residential “**facility**” (e.g. frail care centre, old age home)
Requires formal registration with the Department of Social Development

- A small-scale **assisted living / home-based care environment**
May not fall into the same regulatory category, depending on:
 - Level of care provided
 - Scale of operation
 - Nature of services

The proposed use is a small-scale assisted living arrangement within a residential dwelling and does not constitute a high-dependency residential care facility as contemplated in the letter. Further clarity was obtained through direct engagement with social services authorities, who advised that formal registration as a residential facility is typically required only above a certain resident threshold.

Due diligence has been undertaken to ensure compliance, including:

- Consultation of the relevant legislative framework
- Engagement with social services authorities
- Consultation with municipal officials
- Study of the Government Gazette's bill of rights for older people and the amended bill of rights for older people:

It is further noted that the current application relates to land use approval, and that operational compliance with applicable legislation is a separate process that will be addressed as required.

The objection is therefore considered to be based on a misinterpretation of the applicable legislation and does not provide sufficient grounds to conclude that the proposed use would constitute an illegal facility. IF ever the scale of the operation increase beyond this threshold, the necessary registration and inspection processes would be undertaken in compliance with the Older Persons Act 13 of 2006 and municipal by-laws

Reason 5 - Risk of mismanagement

The concern regarding the management of the proposed use and compliance with applicable regulations is noted.

However, these assertions are speculative in nature and are not supported by any evidence relating to the operational framework, management structure, or proposed scale of the development. The assessment of this application must be based on land use impact and planning considerations rather than subjective assumptions regarding operational intent.

As addressed above, the proposed scale of the development does not trigger mandatory registration requirements under the Older Persons Act 13 of 2006, based on guidance obtained from the relevant authorities.

The Older Persons Act 13 of 2006 and associated guidelines to home care, do not prescribe that the owner of a small-scale assisted living home must personally hold specific formal qualifications. This is totally not relevant to the application. No qualifications whatsoever

have been shared or are known to anybody but the applicant, thus, I have to note my surprise at this very personal and unrelated comment.

However, even though there is no prescribed qualification requirement, it does not imply an absence of responsibility. Appropriate care must and will be ensured through:

- The employment of suitable staff
- Practical experience in caring for older persons
- Ongoing adherence to applicable health, safety, and care standards

The Act requires registration with the Department of Social Development if you operate an "residential **facility** for older persons."

That includes:

- Old age homes
- Frail care centres
- Assisted living facilities where care is provided as an institutional service
- Any place that is formally operating as a care institution

Reason 6 – Inadequate / inappropriate solution for local need

The statement regarding "local need" is noted, however it is not supported by any legal evidence or planning framework demonstrating that the proposed low-impact residential use is inconsistent with local development patterns or zoning intent.

The objection also refers to the proposal being "inappropriate or inadequate solution" however, no supporting evidence, policy reference, or objective assessment has been provided to define what constitutes appropriate or adequate local needs and the solutions to it, or how the proposed use fails to align with it.

It must also be noted that the care home will provide much needed jobs.

In light of the above responses, it is respectfully submitted that the objections raised do not present sufficient planning-based grounds to warrant refusal of the application and seems to be largely speculative. The proposed development remains a small-scale, residentially compatible assisted living home with limited impact on surrounding properties.

It is therefore requested that the application be considered on its planning merits in accordance with applicable zoning and land use principles.

Yours faithfully

Realett Taljaard

ANSOKE SE REAKSIE OP STUWANT 2

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Realett Taljaard
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Tel: 083 726 5547

To: Langeberg Municipality – Statutory and Town Planning Department

Attention: Janelle Vermeulen

Re: Response to 2nd letter of Objection - Owen & Lauren Wiggins

I refer to the second objection received regarding my application for consent use of a residential care home at the above property.

Having reviewed the contents thereof, I note that the majority of the objections raised are substantially similar to those contained in the original objection previously submitted and already responded to in detail in my earlier response letter. I therefore respectfully request that my previous response also be read together with this reply, as many of the matters raised have already been addressed comprehensively.

I would, however, like to specifically address the additional concern raised regarding alleged limited access for emergency vehicles.

The statement that emergency vehicle access will be restricted is incorrect. The property will remain a residential dwelling in nature and retains the same access characteristics as the surrounding residential homes in the close. All homes in the close are accessed via the same roadway arrangement, and my property is not uniquely restricted in any manner.

In addition, provision has specifically been made to improve emergency access to the residents of the home. A rear access gate has been installed, allowing emergency personnel and vehicles to gain access to within approximately one metre of two of the bedrooms. Furthermore, all bedrooms have direct sliding-door access to the outside, allowing for immediate entry or evacuation if ever required.

Accordingly, emergency access to the property is not inferior to that of any other residential property in the area and, in certain respects, has been intentionally enhanced to accommodate the intended residential care use.

I further note that the objecting parties reside opposite one another within the close and that all vehicle movement to properties situated further within the close necessarily passes their homes, irrespective of destination. This traffic pattern is therefore inherent to the design of the close and is not unique to my property.

I remain committed to operating a quiet, respectful, well-managed residential care home that integrates harmoniously within the neighbourhood while providing a much-needed service to elderly residents requiring assisted living and care.

I respectfully request that the Municipality consider this response together with my previous submissions when evaluating the objections received.

Yours faithfully

Realett Taljaard

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08/06/2026

To: Langeberg Municipality – Statutory and Town Planning Department

Attention: Janelle Vermeulen

Re: Response to late objections received after expiry of public participation period - Erf 4393, Montagu

Dear Sir/Madam

I refer to your correspondence dated 2 June 2026 advising me of two additional objections received after the expiry of the public participation period in respect of my land use application.

The concerns raised in these objections are substantially the same as those contained in the previous objections, which I have already addressed. I therefore request that my previous responses be read together with this letter.

While several objections have been received, many repeat substantially the same concerns. The relevant consideration is whether the objections raise legitimate land-use planning concerns supported by facts and applicable planning policy. Repetition of unsupported allegations does not increase their evidentiary value.

I respectfully wish to place the following concerns on record and request clarification regarding certain aspects of the process.

Expiry of the Prescribed Comment Period

The public participation period expired on 18 May 2026.

Throughout this process, I have been required to comply strictly with all prescribed procedures and timeframes, which I have done. I have also been reported repeatedly for alleged illegal activities before any care home operations have commenced, and those allegations have not been substantiated. It is therefore concerning that objections submitted after the official closing date appear to have been accepted and considered.

I would appreciate clarification regarding:

- When these objections were received
- What exceptional circumstances justified the acceptance of late submissions; and

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- Whether the same procedural leniency is afforded to all parties involved in this municipal application.

Responsibility for Notification

The explanation provided for the late objections is that the Municipality did not have the relevant residents' email addresses.

I respectfully request clarification as to why alternative methods of notification were not utilised during the prescribed participation period. If email addresses were unavailable, incorrect or outdated, the Municipality was unable to communicate effectively with the affected parties. While residents are generally responsible for ensuring that their contact details remain current, any failure of notification arising from incorrect contact details was beyond the control of the applicant and should not be attributed to the application or the applicant.

Similarity of the Objections

Having reviewed the objections submitted throughout this process, I note that several contain substantially similar wording, headings, structure, concerns and apparent source material. The degree of similarity is such, that it suggests that they may have been drafted by or coordinated through the same source rather than representing independent concerns and objections.

While residents are entitled to seek assistance when preparing submissions, the repetition of substantially identical objections does not raise additional planning concerns and should not be regarded as separate issues requiring independent consideration.

Clarification Regarding the Proposed Use

Several objections repeatedly refer to the proposed operation as an "illegal facility".

This description does not accurately reflect the application before the Municipality. Prior to submitting the application, I consulted with the relevant municipal officials and appropriate authorities regarding the intended use of the property. A distinction was recognised between a residential care home operating within a dwelling environment and other forms of institutional care.

At no stage was I advised that the proposed use was unlawful, nor would I have invested significant time and expense in pursuing the application had this been the case. The application should therefore be assessed on its planning and land-use merits. The repeated reference to an "illegal facility" is unsupported and does not accurately describe the proposed use.

Request for Disclosure of Complainants

As part of ensuring a complete and accurate record of this matter, I respectfully request confirmation as to whether the complaints that resulted in previous municipal inspections

or investigations originated from any of the objectors involved in the current application process. I also want hard copies of the previous false claims lodged, to the extent that disclosure is permitted by law.

While municipal officials visited the property in response to complaints, no formal complaint documentation was provided to me. Given that these complaints resulted in municipal investigations directed at me and my property, I respectfully seek clarity regarding the nature of the allegations, when they were made, and whether they originated from one or more of the current objectors.

The allegations though false, relating directly to me and my property must have carried considerable weight and seriousness to result in municipal visits, which I, consider to be very relevant to this ongoing process.

While I am not upset by the objections to the application themselves, I must confess the allegations resulting in municipal visits was not appreciated. Whilst do not mind the municipal officials coming to have a look, I do mind the false allegations and what gave rise to these allegations. We are not even operational yet. I have done nothing to incur these allegations.

I believe it is important that the record reflects that the proposed care home has not yet commenced operation, yet serious allegations of unlawful conduct and municipal investigations have already occurred and have been refuted. I therefore consider it necessary to place these facts and clarifications on record to ensure transparency, procedural fairness, and an accurate record of the application process.

I would like to thank the Municipality for the time and effort invested in considering this application. I have received valuable guidance and assistance throughout the process, which is sincerely appreciated. I trust that an objective and balanced decision will be made based on the merits of the application and the relevant land use and planning considerations.

Yours faithfully

Realette Taljaard

Bylae 5**Opsomming van “tersaaklike oorwegings”**

Summary of “Relevant Considerations”

Section 33 of the Constitution requires that organs of state make decisions which are **lawful, reasonable and procedurally fair**. It further provides that national legislation must be enacted which provides that those whose rights have been adversely affected by administrative action, are given an opportunity to have the administrative action reviewed in a court of law (or, where appropriate, an independent and impartial tribunal).

In order to give effect to section 33 of the Constitution, the Promotion of Administrative Justice Act (3 of 2000) (“PAJA”) was promulgated. Section 6(2) of PAJA sets out the reasons why an administrative decision may be reviewed. Section **6(2)(e)(iii) of PAJA** provides that an administrative decision may be reviewed if ***irrelevant considerations were taken into account*** or if ***relevant considerations were not considered by the decision maker***.

When assessing a land use application, there are certain general development principles contained in the Spatial Planning and Land Use Management Act, No 16 of 2013 (SPLUMA) and the Western Cape Land Use Planning Act, No 3 of 2014 (LUPA) that must be taken into account, and which are regarded as relevant considerations for the purpose of PAJA.

Furthermore, section 2(2)(d) of LUPA states that **a municipality must regulate the criteria for deciding on land use applications**. These are determined in the Langeberg Municipal Land Use Planning Bylaw, 2015 (the bylaw). Chapter V, Section 65 (1) (a) to (s) of the bylaw sets out the general criteria that must be considered when deciding on a land use application.

In terms of the above, in **considering and deciding on an application**, a Municipal Planning Tribunal / Authorised official / Appeal Authority / Official **must** be guided by

- (a) The **development principles of SPLUMA and LUPA**;
- (b) The prescribed **procedure to be followed** in processing the application; (**Bylaw S65(1)(b)**)
- (c) The **comments received in response** to the notice of the application and the **comments received from organs of state and internal departments of the municipality**. (**Bylaw Section 65(1)(d)**)
- (d) The **response by the applicant** to the **comments** referred to above. (**Bylaw Section 65(1)(e)**)

and, when considering land use applications, must take into account the following key aspects, as drawn from various sections of SPLUMA, LUPA and the Langeberg Municipal Land Use Planning Bylaw:

- (a) Must make a **decision which is consistent with**:
 - (i) norms and standards
 - (ii) measures designed to protect and promote the sustainable use of agricultural land
 - (iii) national and provincial
 - (iv) government policies
 - (v) the municipal spatial development **framework (SPLUMA S42(1)(b))**
- (b) May not make a decision which is **inconsistent** with a municipal spatial development framework (**SPLUMA S22(1)**)
- (c) May depart from the provisions of the Municipal Spatial Development Framework in **site specific circumstances (SPLUMA S22(2))**
- (d) Must ensure **alignment** with any relevant structure plans, the PSDF and any applicable Regional SDFs; (**Bylaw, S65(1)(l)(n)(o)**)
- (e) Must take into account **public interest (SPLUMA 42(1)(c)(i))**
- (f) Must have regard to at least **any guidelines issued by the Provincial Minister** regarding proposed land uses; (**LUPA 49(e)**)
- (g) Must take into account **any applicable national or provincial policies** that guide decision making; (**Bylaw, 65 (1) (p)**)

- (h) Must take into account the **impact on existing rights and obligations; (SPLUMA 42(c)(iv))**
- (i) Must take into account the **constitutional transformation imperatives; (SPLUMA, S42(1)(c)(i))**
- (j) Must take into account the **state and impact of engineering services, social infrastructure and open space requirements; (SPLUMA S42(1)(c)(v))**
- (k) Must consider any factor that may be prescribed, including timeframes, for making decisions; **(SPLUMA, S42 (1)(c)(**
- (l) Must take into account **investigations carried out in terms of other laws** which are relevant to the consideration of the application; **(Bylaw 65(1)(f))**
- (m) Must take into account the **relevant provisions of the zoning scheme; (Bylaw 65(1)(s))**
- (n) When considering an application affecting the environment, **ensure compliance with environmental legislation; (SPLUMA, 42 (2))**
- (o) Must consider the desirability of the proposed land use **(LUPA, section 49(d) and Bylaw S65(1)(c))**