

EVALUERINGSVERSLAG

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

AANSOEK: ONDERVERDELING EN KONSOLIDASIE: ERF 398/RE & 820, H/V PLEIN – EN LANGSTRAAT, MCGREGOR

Verwysingsnommerr	15/2/15/2 (McG398&820)	Aansoekdatum	23-02-2026	Verslagdatum:	30-9-2026
Keerdatum vir kommentaar / Laaste kommentaar of inligting ontvang					18-9-2026
DEEL A: SKRYWER BESONDERHEDE					
Naam	Jack van Zyl				
Postitel	Senior Stadsbeplanner				
SACPLAN registrasienommerr	A/1170/2000				
DEEL B: BESONDERHEDE VAN EIENDOM					
Eiendomsbeskrywing (volgens Titelakte)	Restant van Erf 398 en Erf 820				
Fisiese adres	H/V Pleinstraat en Langstraat		Dorp	McGregor	
Huidige sonering	Enkelresidensiële sone I	Grootte	Erf 398 =1891m ² Erf 820 =1884m ²	Is daar bestaande geboue op die eiendom?	JA NEE
Toepaslike soneringskema	Langeberg Munisipaliteit Geïntegreerde Soneringskema, 2018				
Huidige grondgebruik	Woonhuise op beide erwe en tweede woning op Erf 398		Titelaktenommer en -datum	Erf 398: T43754/2024 Erf 820: T14097/2023	

Enige beperkende titelvoorwaardes van toepassing?	JA	NEE	Indien JA, lys voorwaarde nommer(s)	Daar was 'n 25m x 25m serwituut vir die dam oor erf 398 registreer, wat volgens die aansoeker onlangs gekanselleer is.
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:

- onderverdeling van erf 398/R, McGregor in twee dele, naamlik Gedeelte A (891m²) en Restant (1000m²);
- onderverdeling van erf 820, McGregor in twee dele, naamlik Gedeelte B (110m²) en Restant (1774m²); en
- konsolidasie van Gedeeltes A en B.

DEEL D: AGTERGROND & OPSOMMING VAN AANSOEKER SE MOTIVERING

Restant Erf 398 is geleë op die hoek van Lang- en Pleinstrate in McGregor (sien die liggingsplan en voorgestelde onderverdeling- en konsolidaplan aangeheg in Bylae 1). Die erf is 1891m² groot. Die suidoostelike helfte van die erf is bebou met 'n woonhuis (133m²), 'n tweede woning (historiese eenslaapkamer kothuis van 36m²) en 'n dubbelmotorhuis (36m²) met toegang vanaf Pleinstraat. Daar is 'n vervalte sementdam op die noordwestelike helfte van die erf. Daar was 'n 25m x 25m serwituut vir die dam oor erf 398 registreer, wat volgens die aansoeker onlangs gekanselleer is.

Erf 820 is langs erf 398 geleë in Langstraat, is 1884m² groot en is bebou met 'n 290m² woonhuis, dubbelmotorhuis en swembad.

Die eienaar van erf 398 wil die ongebruikte noordwestelike gedeelte van die erf (Ged A) afsny en aan die eienaar van erf 820 verkoop. Volgens die aansoeker is daar nie onmiddellike planne om die nuwe erf te ontwikkel nie, maar in die toekoms 'n woning daar op te rig.

Die aansoeker motiveer die voorstel aan die hand van die volgende (sien volledige motiveringsverslag in Bylae 2):

- Daar is 'n behoefte aan addisionele lae digtheid residensiële erwe in McGregor
- Voorstel voldoen aan munisipaliteit se onderverdelingsbeleid
- Straatfrontwydte en erf groottes van nuwe erwe sal soortgelyk wees aan baie ander woonerwe in Pleinstraat, veral tussen Meul- en Voortrekkerstrate.
- Die damserwituut (625m²) wat voor op die erf was, is gekanselleer, wat voldoende ruimte op Gedeelte A laat om 'n woning op te rig wat aanpas by die karakter van die omliggende area.
- Daar is bestaande bome rondom wat sal bydra tot privaatheid.
- Nuwe woonhuis op Gedeelte A sal voldoen aan die ontwikkelingsparameters van die soneringskema en aan alle erfenisriglyne.
- Munisipale dienste is beskikbaar.

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)

Die volgende besware is ontvang (aangeheg in Bylae 3):

	Beswaarmaker	Opsomming van beswaar
1 & 2	JC van Zijl (Erf 473) & A van Zijl (Erf 473)	Inconsistent with Langeberg SDF, which emphasizes protection of low density rural village character, preservation of sense of place and maintenance of spatial openness and landscape continuity. Will impact negatively on sense of place and rural character by creating a continuous built edge, a suburbanization effect and loss of visual and spatial relief. Overdevelopment and inappropriate density due to smaller erven and increased occupation density. Will be inconsistent with existing grain and rhythm of development and create a precedent for densification, with cumulative negative impact. Negative impact on amenity: Loss of privacy, increased bulk and scale (double storey), visual intrusion (closely spaced double garages), creation of hard boundary wall that will be inconsistent with the area. Traffic, access and infrastructure impact. Will set precedent and have cumulative impact that will erode the rural character of McGregor, undermine municipality's planning policies and lead to incremental but irreversible change.
3	Murby & Trim (Erf 819)	In conflict with SDF in terms of its emphasis on protection of the village character of lower density development with strong rural character. Incompatible with existing spatial pattern of the affected neighbourhood, of larger residential erven with generous garden spaces. Cumulative impact / planning precedent that could lead to gradual process of incremental densification and fragmentation of larger residential properties, which will fundamentally alter the character of the neighbourhood. Negative visual and spatial impact of further development (of double storey dwelling on the highest point along Plein St, as indicated by the owners). Insufficient planning justification based on "need". Proposal will not address the need for housing option in the village. Proposal does not satisfy the planning criteria such as compatibility with surrounding land uses, consistency with spatial policy, impact on neighbourhood character and sense of place, cumulative impacts and precedent, the broader public interest. Surrounding owners have legitimate planning expectations that SDF policies to protect the character and development pattern of the area be upheld. Proposal will not provide any broader benefit to the community, but will rather contribute to incremental erosion of the spatial qualities that define the village. Long term public interest in protecting the rural village character outweighs the private benefit of the proposed subdivision. [Request to address the LMPT]
4	T Wege & M Redelinghuys Langstraat 99 (Erf 368)	Misalignment with spatial character and planning framework – Erf will be notably smaller than those in the surrounding area, disrupting the prevailing development pattern and will be contrary to the intentions of the SDF

		Erosion of established rural character – Smaller erf will fragment character of spacious erven, ample gardens and an open, rural streetscape. Creation of unfavourable planning precedent for progressive fragmentation and densification of larger properties. Topographical constraints and visual impact – Intention to build double storey house on highest point will form a visually prominent and continuous built edge along the ridge, that would be inconsistent with the existing dispersed settlement pattern and visual openness. Insufficient justification of “need” Adverse impact on neighbouring amenity – Diminished privacy, increased bulk and scale and visual intrusion. Falls within the heritage overlay zone – Neighbouring cottages are two of the oldest in McGregor, so that proposed double storey house will disrupt the historical landscape.
5	B Swart (Erf 103)	Incompatible with the established character and spatial pattern of this part of the village, characterized by modest building scale, generous space between buildings, mature gardens and vegetation and an overall sense of openness and tranquility. Concerns are: Loss of privacy and environmental damage – Removal of vegetation has had a negative impact on the environmental character and the amenity of objector's property. Unauthorised and inappropriate boundary structures that have been erected already. Raises concern about compliance with municipal regulations, respect for the planning process and willingness to adhere to future development controls. Intimidation and indications of overdevelopment – prospective buyers have made verbal and written threats and stated intention to erect a double storey house close to the boundary with erf 103. This will dominate neighbouring properties, overlook adjacent homes and severely impact privacy. Disruption of existing spatial patterns – increased density ; creating a precedent for further subdivisions, that could gradually erode the village character. Impact on community character and wellbeing – McGregor is a small community with a distinctive way of life, that many residents have deliberately chosen to protect. The past behaviour of the prospective buyers raises concerns about whether the intended development will contribute positively to the community.
6	G Knight (Petition – 7 names) — WA de Wet (Erf 1228) — S Wildish — M. Poole (Erf 700) — K Poole (Erf 700) — R Bartlett — P Middleton — J Bennett	In support of the individual objections. Concerns relate primarily to: — Potential erosion of the low density rural character of the affected part of the village — Introduction of erf sizes that are inconsistent with surrounding properties — Precedent that such subdivision could set for further fragmentation of larger erven.

Ligging van beswaarmakers (1-5) en persone wat petisie onderteken het (X) se eiendomme.



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

1. Daar is 'n geskiedenis van konflik tussen die voornemende kopers van Gedeelte A, wat ook die eienaars van Erf 820 is, en beswaarmakers 3 en 5 sowel as beswaarmaker 3 se huurder (wat die petisie – beswaar 6 – organiseer het).
2. Die voornemende koper van Gedeelte A het reeds 'n plantskerm opgerig op die grens met Erf 103 (beswaar 5) en 'n sekuriteitskamera installeer om beswaarmaker 5 se kommer oor haar privaatheid en veiligheid aan te spreek.
3. Die werk wat reeds op Gedeelte A gedoen is deur die voornemende koper, was hoofsaaklik om 'n bestaande bamboesbos te herstel en indringer plantegroei te verwyder, asook om hope ou tuinvullis weg te neem. Die moontlike gebruik van die perseel sluit in om die bestaande sementdam te rehabiliteer en as khoi-dam te gebruik, en/of om die dam te verwyder en 'n nuwe enkelverdieping woonhuis op te rig. Die bewering van beswaarmakers dat daar beplan word om 'n dubbelverdieping huis op te rig, is nie korrek nie. Die oprig van 'n woonhuis volgens die McGregor karakter, sal 'n positiewe impak op die buurt hê.
4. Erffrontwydte van erwe is die beste maatstaf van hoe goed die nuwe erwe sal inpas by die omliggende omgewing, aangesien erfagrootte en – diepte nie geredelik vanaf straatvlak waarneembaar is nie. Die erffronte van die voorgestelde nuwe erwe voldoen heeltemal aan die munisipaliteit se onderverdelingsbeleid en sal nie 'n onwenslike presedent skep nie. Daar is ook verskeie erwe in die omgewing wat om en by dieselfde grootte (1000m²) is.
5. Die vorige damserwituut oor Gedeelte A is met 'n heining afgebaken en vertoon reeds soos 'n aparte erf.
6. Gedeelte A is laer liggend as die huis op erf 398 en aansienlik laer as beswaarmakers 1, 2 en 4 se eiendomme (erwe 368 en 473). 'n Nuwe woonhuis sal dus nie visueel inbreuk maak nie.
7. Alhoewel 'n nuwe woonhuis op Gedeelte A Erf 103 se privaatheid mag beïnvloed, sal sodanige impak vergelykbaar wees met dié van enige aangrensende erwe op enige plek in McGregor.

8. Die woonhuis sal binne die voorgeskrewe boulyne en volgens die toepaslike bouregulasies opgerig word. Voornemende kopers se bereidwilligheid om die impak op Erf 103 se privaatheid te versag, is reeds demonstreer met die oprigting van 'n skerm en aanplantings langs die gemeenskaplike grens,
9. Een addisionele huis sal nie 'n las plaas op munisipale dienste, verkeer, veiligheid of die karakter van die buurt nie.

Addisionele ontleding van besware

Aard van besware:	Kommentaar:
Besware teen ontwerp, hoogte, onvanpaste massa en skaal, asook impak op privaatheid van geboue op Gedeelte A.	Nie tersaaklik, want dit het betrekking op toekomstige gebouvorm en nie op die onderverdeling op sigself nie. Die onderliggende aannames is feitlik ongegrond.
Besware rakende die grensmure en afbreuk wat dit op die straattoneel sal hê.	Nie tersaaklik. Die besware is spekulatief en sonder enige bewys van sodanige voorstelle. Dit spruit nie uit die onderverdelingsaansoek opsigself nie.
Bewerings van onwettige en voortydige ontwikkeling	Nie tersaaklik. Alle aktiwiteite op die perseel was wettige landskapering en beskou as terreinbestuur en – verbetering.
Bewerings van onregmatige optrede en kwaadwilligheid	Dit is nie relevante beplanningsoorwegings nie en word nie deur objektiewe ondersteun nie. Gedokumenteerde gedrag toon skakeling met bure, reaksie op bure se bekommernisse en voldoening aan vereistes.
Besware rakende die identiteit van die voornemende koper, hulle motiewe of vorige dispute	Dit is nie tersaaklik vir die meriete van die aansoek nie.
Besware teen versagende maatreëls (skerms, plante, strukture).	Nie tersaaklik. Die maatreëls was in reaksie op bure se bekommernisse en bedoel om privaatheid te bevorder en visuele impak te versag. Besware daarteen is inherent onkonsekwent met die bure se bekommernisse wat voorheen opgehaal is.
Besware dat die onderverdeling erfgrroottes skep wat nie pas by die ruimtelike ontwikkelingspatroon van die area nie.	Voorgestelde erfgrroottes voldoen aan minimum grroottes in die munisipale beleid en is dieselfde as sommige van die bestaande erwe in die omgewing. Die besware verteenwoordig dus nie 'n duidelike afwyking van die beleid nie.
Besware rakende die skep van 'n slegte presedent vir verdigting	Word weerlê deurdat die onderverdeling in lyn is met bestaande beplanningsparameters en daar erwe met vergelykbare grootte in die omgewing bestaan. Geen nuwe beplanningsbeginsel word hiermee gevestig nie.
Besware oor visuele impak, impak op ruimtelike karakter bv. verlies aan oopheid, landelike karakter en ruimtelike verligting.	Besware dra minder gewig omdat die perseel histories versteur was en gebruik is vir infrastruktuur, reeds visueel as aparte erf vertoon en in die gemeenskap ervaar word.
Besware oor omgewings- en ekologiese impak a.g.v. verlies aan plantegroei en ekologiese waarde	Word verswak deurdat die perseel nie ongerep was nie, net indringer spesies plante verwyder is en dat werk wat gedoen is bestempel kan word as rehabilitasie eerder as degradasie.
Besware dat daar geen regverdiging vir onderverdeling is en die voorstel slegs private belang dien.	Word verswak deurdat dit gebaseer is op aannames en nie op beplanningskriteria. Onderverdelingsgoedkeuring is nie afhanklik van "behoefte" soos aangevoer word nie.
Besware oor algemene versoenbaarheid met beplanningsbeleid (SDF) – impak op landelike karakter, lae digtheid ontwikkeling en ruimtelike patroon.	Gewig van beswaar word verminder omdat daar voldoen word aan minimum erfgrroottes (onderverdelingsbeleid), daar soortgelyke grootte erwe bestaan en die perseel reeds 'n "onderverdeelde" karakter het.
Besware oor afbreuk aan algemene aantreklikheid ("amenity") van die omgewing	Net van toepassing insoverre dit nie verbind word aan spesifieke aannames oor watter geboue opgerig gaan word en gebaseer word op ongegronde stellings wat as feitlik voorgelê word nie.

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

McGregor Heritage Society	No objection, for the following reasons: 1. The new erf is not less than 1000m² 2. The remaining erven are 1000m² or larger 3. The new erf has a sufficiently wide street frontage, similar to properties in Plein Street 4. None of the erven are accessed via a pan-handle 5. The zoning remains Single Residential zone 1, and any new building must adhere to the development rules pertaining to this, and to the building guidelines of the McGregor Aesthetics Committee.
Dept Siviele Ingenieursdienste	1. Ontwikkelingsheffing vir een ekstra geleentheid betaalbaar. 2. Die nuwe erf (Gedeele A) moet van 'n eie wateraansluiting en motortoegang voorsien word, op aansoek en koste van die aansoeker. 3. Die McGregor watersuiweringswerke se kapasiteit word tans oorskry en geen nuwe wateraansluitings kan toegelaat word voordat dit opgradeer is nie, tensy die aansoeker voldoende waterbesparingsmaatreëls kan voorstel en implementeer om te verseker dat die aanvraag vir munisipale water nie meer sal wees na onderverdeling as tans nie. Die wateraansluitings na Gedeelte A kan dus net voorsien word nadat die Senior Bestuurder Siviele Ingenieursdienste bevestig het dat daar wel voldoende kapasiteit is, na aanleiding van die waterbesparingsplan of voltooiing van opgardering van die watersuiweringswerke.. 4. Gedeelte A erf moet van 'n rioolsuigtenk voorsien word, volgens die Departement Siviele Ingenieursdienste se onderstaande vereistes, voordat 'n woonhuis daarop opgerig en okkupeer mag word. Die riooltank moet aan die volgende vereistes voldoen: – Minimum grootte 5000L. – Verseëlde eenheid. – Suigpunt moet op die straat erfgrens voorsien word, waar daar ongehinderde toegang is. – Geen stormwater of grondwater mag in die tank kan invloei nie. 5. Daar sal geen leiwater aan enige van die nuwe erwe voorsien word nie.
Dept Elektriese Ingenieursdienste	No objection, subject to the following: 1. Any existing electrical supply from existing Erf 820 to proposed Erf A/20, and existing Erf 398 to proposed Erf A/398 to be removed. 2. Erven RE/820 and RE/398 will retain their respective existing electrical connections. 3. Newly proposed Erf A/380+B/398 to apply for its own electrical connection and will be subject to availability of electrical capacity. Owner responsible for all cost. 4. Local and national legislation prohibits DC and AC electricity to be transmitted across erf boundaries without a distribution licence. 5. Local legislation requires all alternative electrical installations (solar PV, static battery back-up, LV standby generators) to be applied for and obtain permission prior to installation.
Boubeheerafdeling	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.
Dept Verkeersdienste	Na bevestiging van waar die nuwe motoringang na Gedeelte A beplan word, is daar geen beswaar teen die voorstel nie.
Dept Brand- en Rampbestuur	No comment received
Wyksraadslid	I have no objection

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

1. Wetlike Raamwerk

Ingevolge Artikel 65 van die Langeberg Munisipale Verordening op Grondgebruikbeplanning, PK 264/2015 van 30 Julie 2015, word daar vereis dat 'n aansoek aan die hand van die volgende beoordeel word:

- wenslikheid van die voorgestelde gebruik (met verwysing na die Provinsie se "Riglyn vir Tersaaklike Oorwegings"),
- voldoening aan tersaaklike planne (Geïntegreerde Ontwikkelingsplan [GOP], Ruimtelike Ontwikkelingsraamwerk [ROR], Provinsiale Ruimtelike Ontwikkelingsraamwerk [PROR]): Die voorstel moet strook met die vooruitbeplanningsvisie vir die aansoekgebied. Afwyking van hierdie beleide en/of planne behoort slegs in uitsonderlike omstandighede oorweeg te word.
- voldoening aan tersaaklike beleide en beginsels,
- voldoening aan die beginsels waarna verwys word in Hoofstuk VI van die Wet op Grondgebruikbeplanning, 2014 (Wet 3 van 2014) [LUPA]: Ingevolge artikel 49 van LUPA moet oorweging geskenk word aan toepaslike ruimtelike ontwikkelingsraamwerke en struktuurplanne, en die wenslikheid van die voorstel moet bepaal word. Daarbenewens moet die voorstel strook met die grondgebruikbeplanningsbeginsels waarna in artikel 59 verwys word (ruimtelike geregtigheid, ruimtelike volhoubaarheid, doeltreffendheid en goeie administrasie), en
- voldoening aan die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 van 2013) [SPLUMA]: Die voorstel moet strook met die beginsels van ruimtelike geregtigheid, ruimtelike volhoubaarheid, doeltreffendheid, ruimtelike veerkragtigheid en goeie administrasie. Openbare belang, grondwetlike transformasie-imperatiewe, feite en omstandighede van die aansoek, regte en verpligtinge van diegene wat geraak word, asook die impak op ingenieursdienste/maatskaplike infrastruktuur/oopruimtevereistes moet onder andere oorweeg word.

2. Wetgewing/beleid/riglyne van toepassing op die aansoek

2.1 Langeberg Munisipale Verordening op Grondgebruikbeplanning, 2015:

Die grondontwikkelingsaansoek is ingedien en geprosesseer in ooreenstemming met die voorskrifte van die genoemde Verordening.

2.2 Ontwikkelingsbeginsels ingevolge artikel 7 van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur (SPLUMA), 2013 (Wet 16 van 2013) & artikel 59 van die Wet op Grondgebruikbeplanning (LUPA), 2014 (Wet 3 van 2014):

- Ruimtelike Geregtigheid: Die aansoek opper nie kwessies van ruimtelike regstelling nie en is dus neutraal ten opsigte van hierdie beginsel.

- Ruimtelike Volhoubaarheid: Die aansoekiendom is binne die afgebakende stedelike grens van McGregor geleë en word reeds deur bestaande munisipale infrastruktuur bedien. Die voorstel optimaliseer 'n groot residensiële erf en bevorder meer doeltreffende gebruik van bestaande grond en dienste.
- Doeltreffendheid: Die voorstel maak optimale gebruik van bestaande hulpbronne, insluitend grond en infrastruktuur.
- Goeie administrasie: Die aansoek is in ooreenstemming met die vereiste munisipale prosedures geprosesseer, insluitend verspreiding na interne departemente en voldoening aan openbare deelnamevereistes.

2.3 Langeberg Munisipale Ruimtelike Ontwikkelingsraamwerk (LSDF), 2025

- Die voorstel strook met die volgende algemene LSDF-beginsels:
 - Die LSDF bevorder in die algemeen 'n kompakte stedelike vorm om ruimtelike volhoubaarheid te ondersteun.
 - Die voorstel om groot residensiële eiendomme te onderverdeel, strook met die kernbeplanningsbeginsel van verantwoordelike stedelike verdigting.
 - Die LSDF moedig die optimalisering van bestaande hulpbronne en gepaardgaande infrastruktuur aan. Deur 'n addisionele grondeenheid op gedienste stedelike grond te skep, maak die aansoek doeltreffend gebruik van bestaande infrastruktuur sonder om tot stedelike uitbreiding (urban sprawl) by te dra.
 - Algemene voorstel G44 ondersteun spesifiek verdigting deur onderverdeling en invulling (*infill development*).
 - Algemene voorstel G59 ondersteun sensitiewe verdigting deur invulling en onderverdeling, met die voorbehoud dat die historiese karakter en konteks, asook sin-van-plek beskerm moet word.
 - Algemene voorstel G58 bevorder die beskerming van die tradisionele ruituitlegpatroon.
- Versoenbaarheid met spesifieke voorstelle vir McGregor:
 - Die LSDF (spesifieke voorstelle Mc33, Mc34, Mc36, Mc37 en Mc38 – sien aanhaling hieronder) bevorder 'n kompakte stedelike vorm vir die dorp, maar vereis terselfdertyd dat McGregor se landelike, lae digtheid residensiële karakter en gevoel van ruimte beskerm word. Die aansoek spreek dit aan deur erfgrottes / erffrontlengtes voor te stel wat vergelykbaar is met die erfgrottes in die omliggende area en voldoen aan die toepaslike onderverdelingsbeleid vir McGregor.

Mc33	Residential	<i>Protect compact, yet sparse village character with a limited CBD along Voortrekker Street and community institutions (primary school, proposed high school and youth and community centre) located on the eastern periphery of village.</i>
Mc34	Residential	<i>Protect rural residential character whilst promoting dwellings also being used as accommodation enhancing agri- & ecotourism.</i>
Mc36	Residential	<i>Support compact form of McGregor with medium and higher intensity development along higher order roads and activity streets.</i>
Mc37	Residential	<i>Protect and maintain village character of lower density residential development with strong rural character.</i>
Mc38	Residential	<i>Accommodate growth and develop a subdivision policy (including an erf size limit) to protect sensitive viewsheds between houses and keeping the feeling of spaciousness and ruralness intact.</i>

- Die aansoekiendom is binne Buurt B (*Precinct B*) geleë, wat 'n lae- tot medium-digtheid residensiële karakter met geleenthede vir invul-ontwikkeling het. Voorgestelde toelaatbare gebruike sluit lae- en medium digtheid residensiële ontwikkeling in.

In die lig van bogenoemde word die voorgestelde onderverdeling beskou as versoenbaar met die Langeberg Ruimtelike Ontwikkelingsraamwerk.

2.4 Langeberg Geïntegreerde Soneringskema-voorordening, 2018 (LIZS)

- Die betrokke eiendom is gesoneer as Enkelresidensiële Sone I (SR1). Die soneringskema laat die onderverdeling van residensiële grond toe, mits elke nuwe erf aan die toepaslike ontwikkelingsparameters kan voldoen en onafhanklik gediens kan word.
- Die LIZS skryf nie 'n ontwikkelingsdigtheid of minimum erfgrrootte vir SR1-eiendomme voor nie, en onderverdeling word dus op meriete beoordeel met verwysing na die buurtkarakter, ingenieursdienste en die tersaaklike munisipale beleid. Die voorgestelde erfgrroottes van 1001m², 1000m² en 1174m² is versoenbaar met die grroottes van die omliggende residensiële erwe en is konsekwent met die heersende ontwikkelingspatroon in McGregor (sioos meer breedvoerig bespreek is paragrawe 2.5 en 5 hieronder). Die onderverdeling affekteer nie die bestaande ontwikkeling op die twee restantgedeeltes ten opsigte van die voorgeskrewe ontwikkelingsparameters nie, terwyl die nuwe vakante erf ook voldoende ruimte sal hê om 'n woonhuis te akkommodeer in ooreenstemming met dekking-, hoogte- en boulynvereistes.

2.5 Onderverdelingsbeleid:

Die Raad se Onderverdelingsbeleid bepaal ondermeer die ontwikkelingspatroon, minimum erfgrroottes en minimum straatfrontlengtes waaraan erwe moet voldoen in die geval van 'n enkelresidensiële onderverdeling. Die beleid stel 'n algemene minimum erfgrrootte van 400m², minimum straatfront van 16m en minimum erfdiepte van 20m vas. Ten einde te verseker dat die onderverdeling versoenbaar is met die betrokke omgewing waarbinne dit geskied, bevat die beleid ook bykomende plekspesifieke bepalinge, naamlik:

- Geen erf in die onderverdeling mag kleiner as 75% van die gemiddelde erfgrrootte in die omliggende omgewing (minstens 20 erwe) wees nie, OF, geen erf in die onderverdeling mag minder as 75% van die gemiddelde erffrontlengte in die onmiddellike omgewing wees nie.
- Geen erf in die onderverdeling se grrootte en straatfrontlengte mag minder as die kleinste erf en kortste straatfront in die omliggende omgewing wees nie.

Die Onderverdelingsbeleid bepaal verder dat "waar die betrokke Ruimtelike Ontwikkelingsraamwerk goedgekeurde soneringskema-regulasies, struktuurplanne en/of ander beleidsdokumente, spesifieke voorstelle maak, of waar die Raad 'n spesifieke onderverdelingsbeleid vir 'n bepaalde woonbuurt aanvaar het, sal so 'n beleid voorrang geniet bo hierdie algemene beleid en sal hierdie algemene beleid aanvullend tot die spesifieke beleid wees waar toepaslik". In hierdie geval is daar 'n lankstaande beleid vir McGregor van toepassing, wat bepaal dat nuwe erwe in die betrokke area nie kleiner as 1000m² moet wees nie. Dit spruit uit die voorstelle van 'n bewaringsstudie wat in die 1990's gedoen is en 'n daaropvolgende raadsbesluit deur die voormalige McGregor Munisipaliteit dat die minimum erfgrrootte in nuwe onderverdelings 1000m² moet wees. Dié beleid is bevestig in die Langeberg Ruimtelike Ontwikkelingsraamwerk, (LSDF), 2015, wat 'n onderverdeling-oorlegsone vir die betrokke area voorgestel het (beskryf as "Most of the village west of a line along Long street from the entrance to the town cutting back midblock between Kantoor and Tindall streets through to Church street"), waarbinne erwe nie kleiner as 1000m² onderverdeel mag word nie.

'n Berekening van die gemiddelde erfgrroottes en -straatfrontlengtes en toepassing van die onderverdelingsbeleid word aangeheg in Bylae 5. (Die aansoeker se berekening van straatfrontlengtes in die motiveringsverslag is nie korrek nie, omdat dit 5 kleiner ongeregistreerde erwe op munisipale grond insluit, wat nie ontwikkel kan en gaan word nie). Daarvolgens voldoen die voorstel aan die onderverdelingsbeleid, ingesluit die minimum grrootte van 1000m² soos hierbo verduidelik.

3. Ingenieursdienste en Infrastruktuurkapasiteit

3.1 Siviele Ingenieursdienste:

- Die nuwe gekonsolideerde erf (AB) sal gemaklik 'n nuwe toegang vanaf Pleinstraat verkry, terwyl beide restante sal kan voortgaan om die bestaande toegangspunte vanaf onderskeidelik Plein- en Langstrate Meulstraat te gebruik.
- Die McGregor watersuiweringswerke se kapasiteit word tans oorskry en geen nuwe wateraansluitings word toegelaat voordat dit opgradeer is nie, wat na verwagting teen Junie 2028 gefinaliseer sal wees. Volgens Dept Siviele Ingenieursdienste kan enkele aansluitings wel intussen toegelaat word indien die betrokke aansoeker voldoende waterbesparingsmaatreëls kan voorstel en implementeer om te verseker dat die aanvraag vir munisipale water nie meer sal wees na onderverdeling as tans nie. Gedeelte AB kan dus wel van voldoende munisipale water voorsien word, hetsy nadat die watersuiweringswerke opgradeer is of vroeër aan die hand van voldoende waterbesparingsmaatreëls wat geïmplementeer sal word.

- Die betrokke gedeelte van die dorp beskik nie oor 'n munisipale gravitasierioolstelsel nie en daar sal dus 'n nuwe rioolstigting op Erf AB installeer moet word. Daar is voldoende ruimte op die perseel om die tenk volgens munisipale vereistes te installeer.

3.2 Elektriese Ingenieursdienste

- Die een addisionele erf kan akkomodeer word binne die bestaande elektriese netwerk en aansluiting sal onderhewig wees aan betaling van die toepaslike grootmaatheffing.

4. Ekonomiese impak en kapitale investering

- Die vestiging van 'n addisionele eiendom binne die dorp sal 'n positiewe ekonomiese impak hê deur nuwe kapitale investering en die werksgeleenthede wat tydens die konstruksie van die woning geskep word.

5. Verseoenbaarheid met omliggende area en impak op karakter van die omgewing

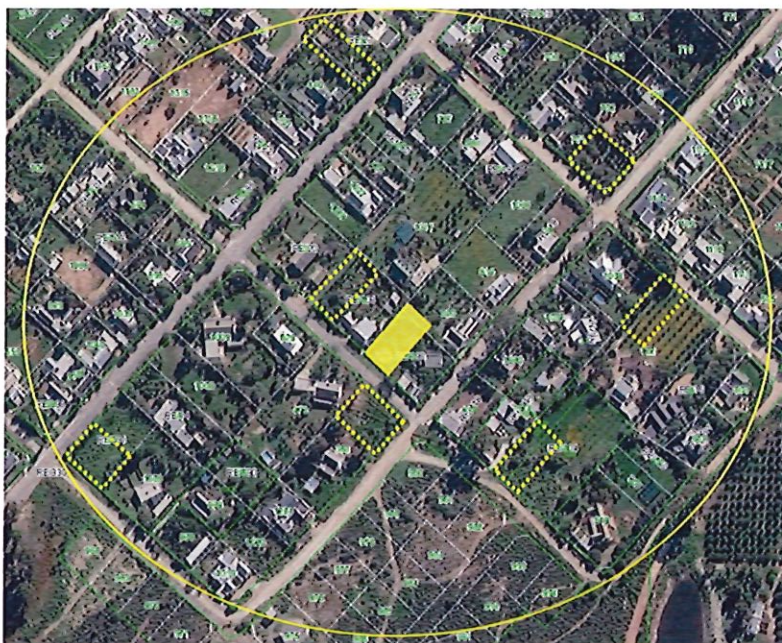
- Die eiendom is geleë binne 'n residensiële buurt wat gekenmerk word deur 'n reeks erfgrottes, waarvan die kleinste 998m² en die grootste 4 077m² is (Bylae 5 toon die area wat in berekening gebring is en die uiteensetting van die erfgrottes). Ongeveer die helfte van die erwe in die omgewing se grottes wissel tussen 998m² en 1100m². Die erfgrottes wat na die onderverdeling en konsolidasie sal bestaan, asook die erfafmetings is dus vergelykbaar met die meerderheid van die erwe in die nabye omgewing.
- Die voorgestelde onderverdeling sal inpas by die historiese ruituitleg soos waarneembaar vanaf straatvlak.
- Die oprigting van 'n woonhuis op die nuwe erf, sal onderhewig wees aan die normale boulyne, maksimum toelaatbare dekking en hoogtebeperkings wat in die soneringskema voorgeskryf word, net soos vir al die omliggende persele. Daarbenewens sal die riglyne vir McGregor wat deur die McGregor Estetiese komitee toegepas word, ook gehandhaaf word. Dié maatreëls word as voldoende beskou om te verseker dat die toekomstige ontwikkeling wat deur hierdie onderverdeling en konsolidasie moontlik gemaak word, steeds sal inpas by die karakter van die omliggende omgewing.

6. Verkeersimpak, parking, toegang en ander vervoerverwante oorwegings

Geen negatiewe verkeersimpakte word verwag nie. Toegange na die restante bly dieselfde, terwyl slegs een nuwe toegang in Pleinstraat vir nuwe Erf AB gemaak moet word.

7. Kumulatiewe impak

Daar is beperkte geleenthede om onderverdelings in die betrokke area te doen wat sal voldoen aan die onderverdelingsbeleid en minimum erfgrottes soos hierbo evalueer. 'n Vlugtige ondersoek van die omliggende area toon dat daar slegs sowat 7 sulke onderverdelings moontlik sal wees uit 'n totaal van 75 erwe rondom die aansoekperseel, soos uitgebeeld op die satellietbeeld langsaan (waarvan twee tans aan die beswaarmakers behoort). Dit sal die ontwikkelingsdigtheid in die bogenoemde area slegs vanaf 4.6 eenhede per hektaar tot 5 eenhede per hektaar laat toeneem. Indien die betrokke aansoek dus as presedent dien word vir verdere onderverdeling, sal die potensiële kumulatiewe impak daarvan in so 'n mate beperk wees dat dit nie 'n negatiewe impak op die ontwikkelingsdigtheid en karakter van die omliggende area sal hê nie.



Voorgestelde Erf AB



Potensiële onderverdelings volgens beleid



DEEL I: ADDISIONELE BEPLANNINGSEVALUERING VIR OPHEFFING VAN BEPERKINGS (Verwys na OVB riglyne)**NVT****DEEL J: AANBEVELING**

Dat die volgende ingevolge Artikel 60 van die Langeberg Munisipaliteit: Verordening op Grondgebruikbeplanning, 2015 goedgekeur word:

- onderverdeling van erf 398/R, McGregor in twee dele, naamlik Gedeelte A (891m²) en Restant (1000m²);
- onderverdeling van erf 820, McGregor in twee dele, naamlik Gedeelte B (110m²) en Restant (1774m²); en
- konsolidasie van Gedeeltes A en B.

onderhewig aan die volgende voorwaardes opgelê ingevolge Artikel 66 van dieselfde verordening:

VOORWAARDES:**Wetlike en aministratiewe reëlings**

1. Die onderverdeling en konsolidasie moet uitgevoer word in ooreenstemming met die onderverdeling- en konsolidasieplan gemerk MCG398&820-LBM-OP.
2. Die konsolidasie moet gelyktydig met die onderverdelings van erwe 398 en 820 geskied, sodat Gedeelte A of B nie as aparte erf mag bestaan nie.
3. Ingevolge Artikels 22(1) en 32(1) van die Langeberg Munisipale Verordening op Grondgebruikbeplanning, 2015 moet die nuwe gekonsolideerde erf binne 5 jaar na die datum van hierdie goedkeuring in die Aktekantoor geregistreer word, by gebreke waarvan die goedkeuring sal verval, ongeag of 'n erfdiagram deur die Landmeter-generaal goedgekeur is of nie.
4. Ter uitvoering van Artikel 20(5)(c) en Artikel 31(2)(c) van die Langeberg Munisipale Verordening op Grondgebruikbeplanning, 2015 moet die aansoeker die konsep LG diagramme by die Langeberg Munisipaliteit Departement Stadsbeplanning indien vir endossering as goedgekeurde onderverdeling- en konsolidasieplan ingevolge Artikel 60. Die diagram(me) sal slegs endosseer word nadat:
 - 4.1 die aansoeker hierdie voorwaardes skriftelik aanvaar het deur middel van die standaardooreenoms (Skedule 1, aangeheg). Waar daar enige onsekerheid oor die voorwaardes is, moet die Departement Stadsbeplanning gekontak word.
 - 4.2 'n afskrif van die registrasie van die damserwituut-kansellasië oor erf 398 voorsien is en dit so op die konsepdiagram weerspieël word.
5. Daar moet aan voorwaarde 8.1 van hierdie goedkeuring voldoen word en dit moet op Skedule 2 (aangeheg) afgeteken wees voordat 'n Sertifikaat ingevolge Artikels 20(6) en 28 van die Verordening uitgereik mag word. Hierdie sertifikaat moet saam met die oordragdokumente ingedien word voordat die onderverdelings in die Aktekantoor geregistreer word.
6. Daar moet aan voorwaardes 8.2, 8.4 en 9 van hierdie goedkeuring voldoen word voordat 'n woonhuis op die nuwe gekonsolideerde erf opgerig mag word

Boubeheer & grondgebruikbeheer

7. Benewens die voorgeskrewe ontwikkelingsparameters in die toepaslike soneringskema, moet die ontwikkeling van die nuwe gekonsolideerde erf voldoen aan die "McGregor Bou-riglyne" soos saamgestel en geadministreer deur die McGregor Estetiese Komitee en die Langeberg Munisipaliteit.

Voorsiening van Siviele Ingenieursdienste

8. Die volgende voorwaardes geld ten opsigte van voorsiening van Siviele Ingenieursdienste:

- 8.1 'n Ontwikkelingsbydrae ten opsigte van grootmaat siviele ingenieursdienste – gelykstaande aan "een geleentheid" – is betaalbaar vir die nuwe gekonsolideerde erf, teen die begrote tarief van toepassing op die tydstop van betaling, voordat dit apart registreer mag word.
- 8.2 Die nuwe gekonsolideerde erf moet van 'n eie wateraansluiting en motortoegang voorsien word, op aansoek en koste van die aansoeker, voordat 'n woonhuis daarop opgerig mag word. Die twee restante behou hulle bestaande aansluitings en toegange.
- 8.3 Die McGregor watersuiweringswerke se kapasiteit word tans oorskry en geen nuwe wateraansluitings kan toegelaat word voordat dit opgradeer is nie, tensy die aansoeker voldoende waterbesparingsmaatreëls kan voorstel en implementeer om te verseker dat die aanvraag vir munisipale water nie meer sal wees ná onderverdeling as tans nie. Die wateraansluiting na Gedeelte AB kan dus net voorsien word nadat die Senior Bestuurder Siviele Ingenieursdienste bevestig het dat daar wel voldoende kapasiteit is, na aanleiding van die aanvaarde waterbesparingsplan of nadat watersuiweringswerke opgradeer is.
- 8.4. Die nuwe gekonsolideerde erf moet van 'n rioolsuigtenk voorsien word, volgens die Departement Siviele Ingenieursdienste se onderstaande vereistes, voordat 'n woonhuis daarop opgerig en okkupeer mag word. Die riooltank moet aan die volgende vereistes voldoen:
 - a) Minimum volume = 5000L
 - b) Die tank moet 'n verseëlde eenheid wees.
 - c) Moet op die straatgrens van die erf voorsien word.
 - d) Die suigpunt mag nie bo 'n leiwaterkanaal geleë wees nie en moet so ontwerp wees dat dit enige waterbesoedeling voorkom.
 - e) Toegang tot die suigpunt moet te alle tye beskikbaar wees.
 - f) Geen stormwater of grondwater mag in die tank invloei nie.
- 8.5 Daar sal geen leiwater aan enige van die nuwe erwe voorsien word nie.

Voorsiening van Elektriese Ingenieursdienste

9. Die nuwe gekonsolideerde erf moet voorsien word van 'n aparte munisipale elektriese aansluiting, voordat daar 'n woning op daardie erf opgerig mag word, onderhewig aan die volgende:
 - 9.1 Enige bestaande elektriese toevoer vanaf erwe 820 en 398 na die voorgestelde nuwe gekonsolideerde erf AB moet verwyder word voordat die nuwe aansluiting gemaak word.
 - 9.2 Die restante van erwe 820 en 398 behou hul onderskeie bestaande elektriese aansluitings.
 - 9.3 Die eienaar sal verantwoordelik wees vir die nodige aansoek vir 'n nuwe elektriese aansluiting by die munisipaliteit, asook vir die gepaardgaande koste, ingesluit toepaslike grootmaatheffings.
 - 9.4 Die voorsiening van 'n elektriese aansluiting is onderhewig aan die beskikbaarheid van voldoende elektriese kapasiteit, soos bepaal sal word deur die Bestuurder Elektriese Ingenieursdienste ten tyde van die aansoek.
 - 9.5 Skriftelike toestemming moet by die Langeberg Munisipaliteit gekry word voor installasie van enige alternatiewe elektriese installasies (noodkragbronne/UPS, sonkrag, FV/fotovoltaïese stelsels, LS-bystandopwekker).

Straatadresse

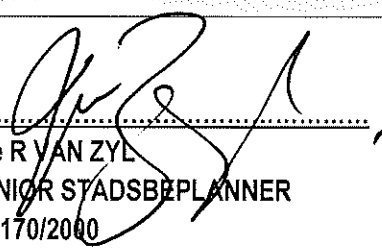
10. Die straatadresse van die twee restante (Erwe 398 en 820) sal bly soos dit tans (Langstraat 97 en 95) en die nuwe gekonsolideerde erf (Gedeeltes A + B) se adres sal wees: Pleinstraat 18

REDES VIR BESLUIT:

- i. Die voorstel word beskou as versoenbaar met die Langeberg Munisipale Ruimtelike Ontwikkelingsraamwerk (LSDF), 2025, omdat dit strook met die beide die algemene ontwikkelingsvoorstelle vir die streek en die spesifieke voorstelle vir McGregor rakende skepping van 'n kompakte stedelike vorm, sensitiewe verdigting deur onderverdeling en invulling, behoud van die tradisionele ruituitleg in dorpe en beskerming van McGregor se landelike, lae digtheid residensiële karakter.
- ii. Die voorgestelde erfuitleg, erfoppervlaktes en erfafmetings in die onderverdeling en konsolidasie is vergelykbaar met die meerderheid van die erwe in die omliggende area.
- iii. Die voorstel voldoen aan die Raad se Onderverdelingsbeleid.
- iv. Gegewe die beskikbare beheermaatreëls oor toekomstige geboue op die voorgestelde nuwe gekonsolideerde erf, is daar geen aanduiding dat die voorgestelde onderverdeling 'n negatiewe impak op die straatbeeld of die karakter van die area sal hê nie.
- v. Daar is slegs beperkte geleenthede om soortgelyke onderverdelings in die betrokke area te doen, wat sal voldoen aan die onderverdelingsbeleid, met 'n gevolglike relatief lae verwagte kumulatiewe impak op die ontwikkelingsdigtheid en karakter van die omliggende area.

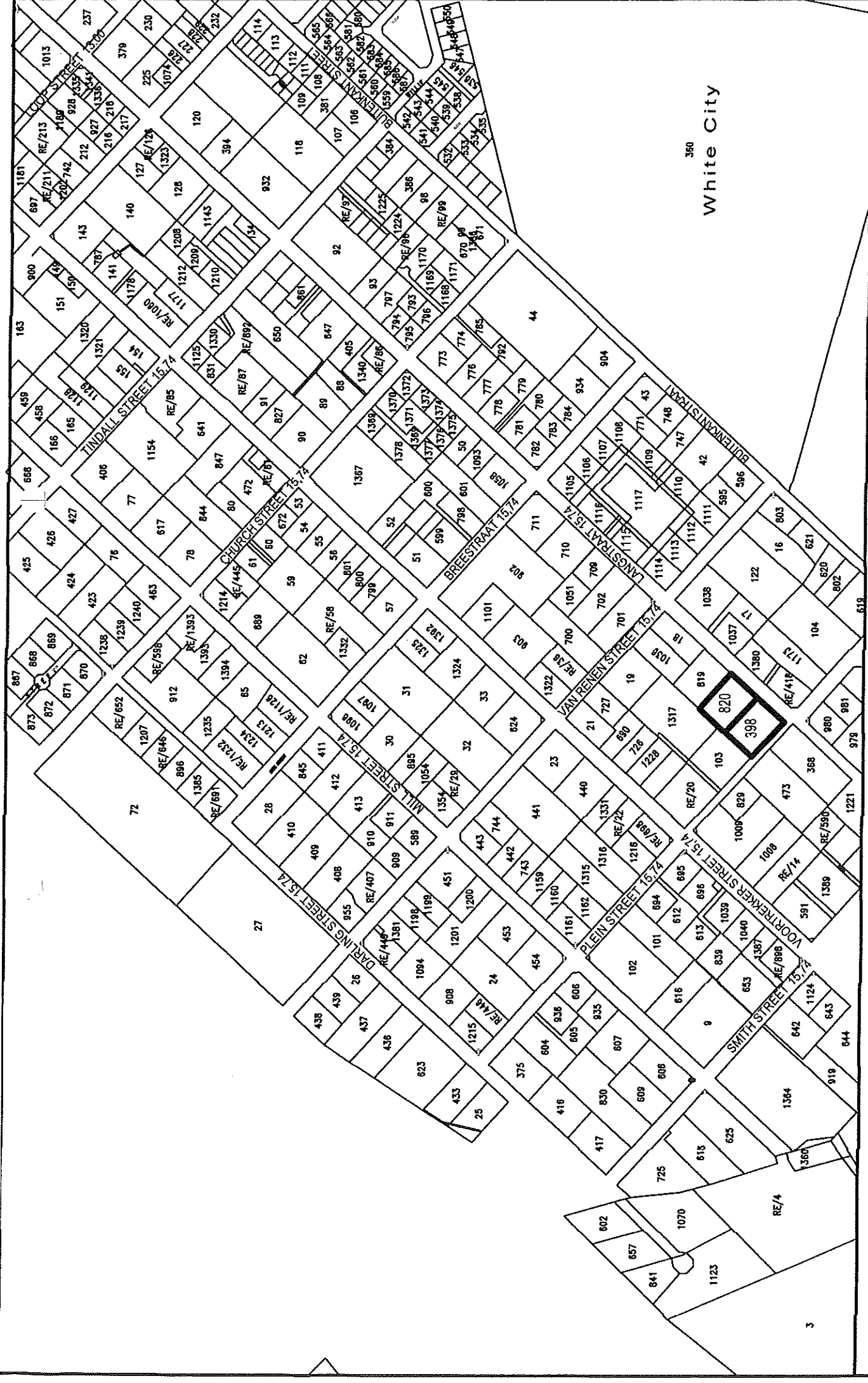
DEEL K: BYLAES

- Bylae 1: Ligging- en onderverdelin/konsolidasieplan
 Bylae 2: Aansoeker se motiveringsverslag
 Bylae 3: Besware
 Bylae 4: Aansoeker se reaksie op die beswaar
 Bylae 5: Berekening vir toepassing van onderverdelingsbeleid

DEEL L: SKRYWER HANDTEKENING


J le R VAN ZYL
 SENIOR STADSBEPLANNER
 A/1170/2000

Bylae 1**Liggings- en onderverdeling/konsolidasieplan**



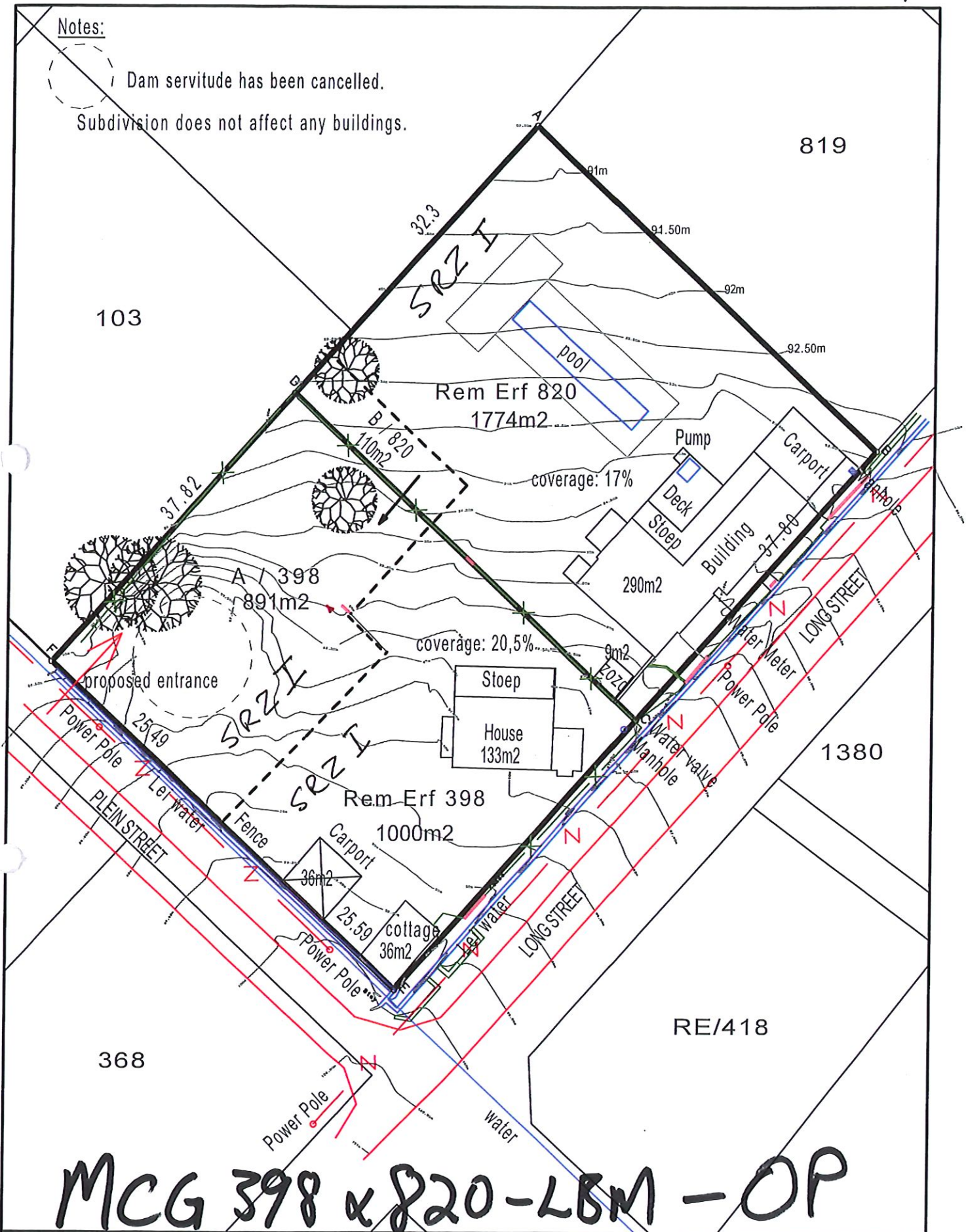
LOCATION PLAN: ERVEN R/398 & 820 MCGREGOR



SCALE 1: 5000

Dam servitude has been cancelled.

~~Subdivision~~ does not affect any buildings.



SUBDIVISION OF ERF 820 AND R/398 MCGREGOR
CONSOLIDATION OF B/820 WITH A/398



UMSIZA
PLANNING
Town and Regional Planner

feb 2026

Bylae 2**Aansoeker se motiveringsverslag**

MOTIVATIONAL REPORT

ERVEN R/398 AND 820 MCGREGOR: APPLICATION for SUBDIVISION & CONSOLIDATION

1. PURPOSE OF APPLICATION

According to Section 15(1) of the Langeberg Municipal Land Use Planning Bylaw of 2015, no person may commence land development without the approval of the Municipality. According to Section 15(2) the owner of land may apply to the Municipality for, *inter alia*, subdivisions and consolidations.

2. LOCALITY AND ACCESS TO ERF

Erven R/398 and 820 McGregor are located near the southern end of the town on the corner of Plein Street and Long Street in McGregor.

R/398 gets access from Plein Street, while entrance to Erf 820 is obtained from Long Street.

3. CHARACTERISTICS OF SITES AND SURROUNDING AREA

Remainder Erf 398 McGregor is 1891m² in extent and belongs to Russell Grinker and Fiona Mary Adams according to Deed of Transfer T43754/2024.

The property contains a dwelling house along Long Street, a one bedroom heritage cottage on the corner of the two streets as well as a carport on Plein Street. All these structures are located in the south-eastern half of the property.

Except for the dam that has not been used in many years, the north-western half of the property is vacant (proposed Portion A/398).

Erf 820 McGregor is 1884m² in extent and belongs to Stephen Mark Rich according to Deed of Transfer T 14097/2023.

The property consist of a dwelling house along Long Street, a zozo outbuilding on the common bounadry with R/Erg 398 and a swimming pool in the large back garden. Proposed Portion B/820 (to be subdivided) is vacant.

The surrounding area consist of properties with a mixture of sizes and forms and developments. The area to the south is still undeveloped.

4. LEGISLATION AND GUIDELINES APPLICABLE

4.1 Langeberg Integrated Zoning Scheme Bylaw, 2018

According to the Langeberg Integrated Zoning Scheme Bylaw (IZS), P.N. 71/2018, the application sites are zoned for **Single Residential Zone I** with dwelling house as primary use.

4.2 Langeberg Municipality Spatial Development Framework (SDF), 2024-2029

The application sites are both located in Precinct B, the historic village with a low to medium density residential character with opportunities for infill development. The town has a grid layout with different forms and size erven within the blocks.

According to the SDF, the village character of lower density residential development with strong rural character needs to be protected and maintained.

It also states that a subdivision policy (including erf size limit) needs to be developed to accommodate growth. Sensitive viewsheds between houses need to be protected together with the feeling of spaciousness and ruralness.

Both erven are Grade III heritage sites with existing dwelling houses. The additional proposed erf will also be subject to all applicable heritage requirements.

4.3 Policy for the Subdivision of Land in the Langeberg Municipal Area, 2001

This policy includes general guidelines such as:

- Minimum erf size of 400m²;
- Minimum street frontage of 16m;
- Minimum erf depth of 20m;
- All erven must have direct street access;
- Erf forms must concur with existing development pattern of area;
- No panhandles in grid pattern areas or historic town centers; and

- No access by means of servitudes or private roads to single erf.

Place specific guidelines include:

- *New erf size may not be smaller than smallest erf or 75% of average size in immediate environment;*
OR
- Street frontage of new erf may not be less than shortest street front or 75% of average of street fronts in immediate environment.

4.4 Council Decision 1990's

A minimum size of 1000m² was determined by Council during the 1990s and implemented in the former spatial frameworks.

Although this requirement has not been duplicated in the latest SDF (2025), it is still regarded as a general guideline for subdivisions in McGregor and will be implemented until a more place-specific policy is adopted.

5. APPLICATION

Application is made for the following:

In terms of

Section 15(2)(d)

- Subdivision of R/Erf 398 McGregor in Rem Erf 398 (1000m²) and Portion A/398 (891m²); and
- *Subdivision of Erf 820 McGregor in Rem Erf 820 (1774m²) and Portion B/820 (110m²).*

Section 15(2)(e)

- Consolidation of A/398 (891m²) and B/820 (110m²), total of 1001m².

The proposed subdivision line does not affect any existing buildings within the building lines.

6. MOTIVATION

6.1 Need

McGregor has become more and more popular as a residential destination with the *subsequent need for additional low density residential properties in character with the town.*

6.2 Desirability (incl. services)

The proposed subdivision of R/Erf 398 and the re-alignment of the common boundary *between R/398 and Erf 820 McGregor adhere to the subdivision policy as well as the council decision for the minimum size of residential erven in McGregor.*

The proposed subdivision of Erf 820 and the consolidation of Portion B/820 with Portion A/398 are required to meet the minimum size of 1000m² as required by Council Decision.

The street fronts of both Rem Erf 398 and A/398 are longer than the required 75% (22,9m) of the average of the surrounding 28 erven.

The street width (and size) will be similar and in character to many other residential erven in Plein Street, especially between Mill Street and Voortrekker Street.

The minimum size of 1000m² is possible for A/398 due to the addition of a small area from Erf 820 adjacent.

Erf 820 is one of the larger erven in the area with a large back garden and the 110m² can easily be subdivided without a substantial impact on the spaciousness or sense of place.

Although the proposed subdivision line is not strictly drawn according to the internal grid pattern, it is a small departure as part of a common boundary line with no impact on any neighbour or the surrounding area. The overall external grid pattern of the block remains.

[Similar off-grid patterns are also found within most of the other residential blocks in McGregor.]

The servitude for the former dam on proposed A/398 has been cancelled.

A new dwelling house can therefore be constructed in this already disturbed area close to Plein Street and in character with the surrounding area.

This area is surrounded by existing trees that will contribute to privacy and exclusiveness.

The new dwelling house will adhere to all development parameters of Single Residential Zone I of the IZS and will adhere to all heritage guidelines.

Electricity and water connections will be possible within Plein Street.

A new conservancy tank will be required for A/398.

6.3 Development Principles

The desirability of the application is also described through the development principles that are being referred to in Section 42 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA) and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA):

- Spatial Justice

The application will provide another opportunity to create an additional residential erf to accommodate growth in line with the requirements of the SDF.

- Spatial Sustainability and Efficiency and Spatial Resilience

An additional dwelling house along Plein Street will not impede the feeling of spaciousness and ruralness as it will replace an existing man-made structure (unused dam) and will be in character with the surrounding area.

Examples of similar street front widths and similar character and viewsheds can be found on Erven 1215, 2030, 454, 1161, 1162, 1315, 1316, 1218, 698, 418, 1173 McGregor.

- Good administration

An integrated approach between the role players will be followed in evaluating this application that is guided by policies and legislation.

7. CLOSURE

The proposed subdivision of R/Erf 398 (and Erf 820) adhere to all policies and guidelines applicable to McGregor and can be considered as needed and desirable from a land use point of view.

Street frontage Plan & Calculations

Street front calculations

25



No	street front
1	26,5
2	33
3	37,5
4	39,7
5	35,9
6	45,4
7	19,8
8	19,8
9	19,8
10	17,7
11	26,5
12	24,6
13	50,5
14	26,2
15	23
16	37,8
17	37,8
18	46,5
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	855,7 22,92054
	75%
	30,56071429 average
	61,12142857 X2

Proof of cancellation of dam servitude

Anna-Christa Redelinghuys

From: Fiona Adams <fionaadams50@gmail.com>
Sent: Thursday, 29 January 2026 08:25
To: Anna-Christa Redelinghuys
Subject: Fwd: Registration of Cancellation of Servitude

Kind regards
Fiona Adams
fionaadams50@gmail.com
+27 083 4195105

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

From: Carla Brink <info@mbdlaw.co.za>
Date: Thu, 15 Jan 2026 at 10:09
Subject: Registration of Cancellation of Servitude
To: Fiona Adams <fionaadams50@gmail.com>
Cc: Russell <russy1951@gmail.com>

Dear Fiona & Russell

I am very happy to inform you that the cancellation of the servitude has been registered at the Deeds Office this morning.

Kind regards,

Carla Brink

MULLER BAARD DU TOIT

Bylae 3

Besware

Per collaborator 214126

BESWAR 1.

30

1214524

J.C van Zijl
Objector

FORMAL OBJECTION TO PROPOSED SUBDIVISION: ERF 398, McGREGOR

To: Municipal Manager
Langeberg Municipality

Erf 473

john.vanzijl@cllemvondt

Collab no:

File no:

15/4/6/2

Action:

Ms T. Buijss

Co:

M. D. Louw

Date: 23 March 2026

**RE: OBJECTION IN TERMS OF APPLICABLE LAND USE PLANNING LEGISLATION -
PROPOSED SUBDIVISION OF ERF 398, McGREGOR**

I, the undersigned, am the joint owner together with Annemarie van Zijl, of Erf 473, 25 Plein Street, McGregor, and hereby lodge a formal objection to the proposed subdivision of Erf 398.

1. INTRODUCTION AND INTEREST

We have owned our property for approximately 27 years and therefore have a long-standing and intimate understanding of the character, development pattern, and planning context of this part of McGregor.

While I appreciate the opportunity to comment, I note with concern that site activity and representations made by the new owners suggested that the subdivision and development were already a fait accompli. This raises concerns regarding procedural fairness and the meaningfulness of public participation.

2. INCONSISTENCY WITH THE SPATIAL DEVELOPMENT FRAMEWORK

The proposal is fundamentally inconsistent with the principles and objectives of the Langeberg Spatial Development Framework, which emphasizes:

Protection of low-density rural village character

Preservation of sense of place

Maintenance of spatial openness and landscape continuity

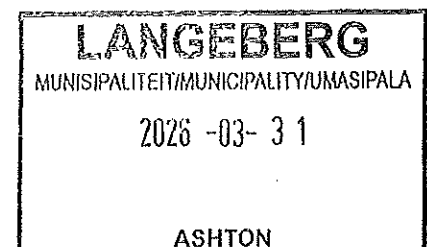
The proposed subdivision introduces a level of density and built form that is entirely at odds with these policy directives.

3. IMPACT ON SENSE OF PLACE AND RURAL CHARACTER

McGregor is widely recognized for its unique rural village character, defined by:

Generous erf sizes

Visual permeability between properties



Informal, low-density spatial patterns

A strong relationship between built form and landscape

The proposed development would result in:

A continuous built edge, including a wall extending from the corner of Long Street to 16 Plein Street

A suburbanisation effect, replacing openness with enclosure

A loss of visual and spatial relief, which is central to the village's identity

This erosion of "sense of place" is a **well-established and valid ground for refusal** decisions in small villages such as ours.

4. OVERDEVELOPMENT AND INAPPROPRIATE DENSITY

The subdivision will result in **smaller erven and increased occupation density**, which:

Is inconsistent with the **existing grain and rhythm of development**

Creates a **precedent** for further densification

Leads to **cumulative negative impacts** on the immediate area

Planning authorities have repeatedly found that **incremental densification in heritage-sensitive rural settlements leads to irreversible character degradation**.

5. NEGATIVE IMPACT ON AMENITY

The proposal will materially and negatively affect the amenity of neighbouring properties, including:

Loss of privacy

Increased bulk and scale, particularly with a proposed double-storey structure

Visual intrusion from closely spaced double garages

Creation of a hard boundary wall inconsistent with the area

The resulting built form is **out of scale and incompatible** with the established development pattern of McGregor.

6. TRAFFIC, ACCESS AND INFRASTRUCTURE IMPACT

Recent clearing activities already demonstrate that:

The local road network is **not designed to accommodate intensified development**

Construction activity places **strain on access and safety**

Further densification will exacerbate:

Traffic congestion

Road degradation

Safety risks in a quiet residential environment

7. PRECEDENT AND CUMULATIVE IMPACT

Approval of this subdivision will set a **dangerous planning precedent**, encouraging similar applications that:

Gradually erode the rural character of McGregor

Undermine the Municipality's own planning policies

Lead to **incremental but irreversible change**

Tribunals and municipal decisions in the Western Cape consistently emphasise that **precedent and cumulative impact are critical considerations**.

8. CONCLUSION

In light of the above, the proposed subdivision:

Conflicts with the Spatial Development Framework

Undermines the established sense of place

Constitutes overdevelopment

Negatively impacts amenity, scale, and character

Sets an undesirable precedent

I therefore respectfully request that the application be refused.

9. RESERVATION OF RIGHTS

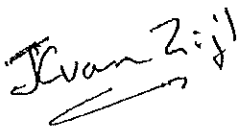
I reserve the right to:

Supplement this objection

Participate in any hearings or tribunal proceedings

Appeal any decision approving the application

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Johan C van Zijl', with a horizontal line underneath.

Johan C van Zijl (Dr)

Per Collaborator 21/4/26

BESWAAR 2

1014502

A van Zijl
Objecter 2

34

**FORMELE BESWAAR TEEN VOORGESTELDE ONDERVERDELING: ERF 398,
McGREGOR**

Aan: Munisipale Bestuurder
Langeberg Munisipaliteit

Datum: 23 Maart 2026

Getuig: an:	
File no:	15/4/6/2
Aanlem:	Mr. J. Binnings
CC:	M. D. Louw

**RE: BESWAAR IN TERME VAN TOEPASLIKE
GRONDGEBRUIKBEPLANNINGSWETGEWING – VOORGESTELDE ONDERVERDELING
VAN ERF 398, McGREGOR**

Ek, die ondergetekende, is die mede-eienaar saam met Johan C van Zijl, van Erf 473, 25 Pleinstraat, McGregor, en dien hiermee 'n formele beswaar in teen die voorgestelde onderverdeling van Erf 398.

1. INLEIDING EN BELANG

Ons besit ons eiendom al vir ongeveer 27 jaar en het dus 'n langdurige en intieme begrip van die karakter, ontwikkelingspatroon en beplanningskonteks van hierdie deel van McGregor.

Alhoewel ons die geleentheid om kommentaar te lewer waardeer, merk ons met kommer op dat terreinaktiwiteit en verstoë deur die nuwe eienaars daarop dui dat die onderverdeling en ontwikkeling reeds 'n voldonge feit is. Dit wek kommer oor die billikheid van die prosedure en die betekenisvolheid van openbare deelname.

2. BOTSING MET DIE RUIMTELIKE ONTWIKKELINGSRAAMWERK

Die voorstel is fundamenteel teenstrydig met die beginsels en doelwitte van die Langeberg Ruimtelike Ontwikkelingsraamwerk, wat die volgende beklemtoon:

Beskerming van die lae-digtheid landelike dorpskarakter

Behoud van die "gevoel van plek"

Handhawing van ruimtelike oopheid en landskapkontinuiteit

Die voorgestelde onderverdeling is op 'n vlak van digtheid en bouvorm wat heeltemal strydig is met hierdie beleidsriglyne.

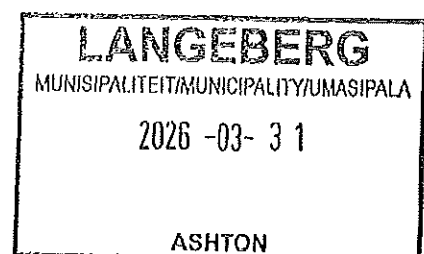
3. IMPAK OP DIE "GEVOEL VAN PLEK" EN LANDELIKE KARAKTER

McGregor word wyd erken vir sy unieke landelike dorpskarakter, gedefinieer deur:

Ruim erfgrouttes

Visuele deurlaatbaarheid tussen eiendomme

Informele, lae-digtheid ruimtelike patrone



'n Sterk verband tussen bouvorm en landskap.

Die voorgestelde ontwikkeling sal lei tot:

'n Deurlopende beboude rand, insluitend 'n muur wat strek vanaf die hoek van Langstraat tot 16 Pleinstraat

'n Digte bewonings-effek, wat oopheid met omheining vervang

'n Verlies aan visuele en ruimtelike oopheid, wat sentraal staan tot die dorp se identiteit.

Hierdie erosie van "gevoel van plek" is 'n gevestigde en geldige grond vir afkeuringsbesluite in klein dorpie soos McGregor.

4. OORONTWIKKELING EN ONVANPASTE DIGTHEID

Die onderverdeling sal lei tot kleiner erwe en verhoogde bewoningsdigtheid, wat: Onversoenbaar is met die bestaande grein en ritme van ontwikkeling

'n Presedent skep vir verdere verdigting

Lei tot kumulatiewe negatiewe Impakte op die nabye terrain.

Van kern belang: Beplanningsowerhede het herhaaldelik bevind dat inkrementele verdigting in erfenis-sensitiewe landelike nedersettings lei tot onomkeerbare karakter aftakeling.

5. NEGATIEWE IMPAK OP AARD VAN DIE OMGEWING

Die voorstel sal die gerief van aangrensende eiendomme wesenlik en negatief beïnvloed, insluitend:

Verlies aan privaatheid

Verhoogde volume en skaal, veral met 'n voorgestelde dubbelverdiepingstruktuur

Visuele indringing van nabygeleë dubbelmotorhuise

Skepping van 'n harde grensmuur wat onversoenbaar is met die gebied

Die gevolglike bouvorm is buite skaal en onversoenbaar met die gevestigde ontwikkelingspatroon van McGregor.

6. IMPAK OP VERKEER, TOEGANG EN INFRASTRUKTUUR

Onlangse aktiwiteite toon reeds dat:

Die plaaslike padnetwerk nie ontwerp is om intensiewe ontwikkeling te akkommodeer nie

Konstruksieaktiwiteite plaas druk op toegang en veiligheid

Verdere verdigting sal die volgende vererger:

Druk op die pad

Veiligheidsrisiko's in 'n stil residensiële omgewing

7. PRESEDENT EN KUMULATIEWE IMPAK

Goedkeuring van hierdie onderverdeling sal 'n negatiewe beplanningspresedent skep, wat soortgelyke aansoeke aanmoedig wat:

Die landelike karakter van McGregor geleidelik erodeer
Die Munisipaliteit se eie beplanningsbeleide ondermyn
Tot inkrementele en onomkeerbare verandering lei

Tribunale en munisipale beslissings in die Wes-Kaap beklemtoon konsekwent dat presedent en kumulatiewe impak kritieke oorwegings is.

8. SLOT

In die lig van bogenoemde, sal die voorgestelde onderverdeling:

Bots met die Ruimtelike Ontwikkelingsraamwerk
Die gevestigde "gevoel van plek" ondermyn
Oorontwikkeling tot gevolg hê
Negatief gerief, skaal en karakter beïnvloed
'n Ongewenste presedent skep

Ek versoek dus met respek dat die aansoek geweier word.

9. VOORBEHOUD VAN REGTE

Ek behou die reg om:

Hierdie beswaar aan te vul
Deel te neem aan enige verhore of tribunaalverrigtinge
Teen enige besluit wat die aansoek goedkeur, te appelleer

Die uwe



Annemarie van Zijl
Pleinstraat 25
McGregor

Per collaborator 214/26

825 WARR 3

37

12 14 501

C. Murby & P. Triin
Objector 3

The Municipal Manager
Town Planning Department
Langeberg Municipality

21st March 2026

murby@lando.co.za

Subject: Formal Objection to the Proposed Subdivision of Erf 398, McGregor,
Western Cape

(Erf 819)

1. Introduction

We refer to the notice of application for the proposed subdivision of Erf 398 in McGregor, Western Cape, together with the accompanying motivation report circulated for public comment.

We are the owners of Erf 819, which is located in close proximity to the subject property and we therefore qualify as interested and affected parties.

We appreciate the opportunity afforded by Langeberg Municipality for public participation in this matter. From the work currently being undertaken on the property, as well as comments previously made by the new owners regarding their intentions for the subdivided portion, we had initially formed the impression that approval had already been granted. It is therefore reassuring that an opportunity has been provided for affected property owners to comment before a final decision is made.

After careful consideration of the application documentation and the planning context, we wish to formally object to the proposed subdivision on the planning grounds set out below.

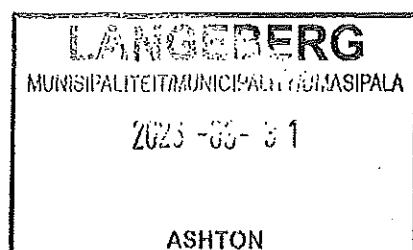
2. Legislative and Policy Context

The application must be assessed within the framework of the following statutory and policy instruments:

Spatial Planning and Land Use Management Act (SPLUMA)

Langeberg Land Use Planning By-law

Langeberg Spatial Development Framework (SDF)



Collab nr:	
File nr:	15/4/6/2
Action:	Ms. J. Brinings
Gc:	M. O. Landa

In terms of Section 7 of SPLUMA, spatial planning and land-use management systems must give effect to the development principles of:

Spatial justice

Spatial sustainability

Spatial efficiency

Spatial resilience

Good administration

In addition, municipal authorities must ensure that land-use decisions promote orderly and contextually appropriate development, and that new development is compatible with the existing spatial character and planning objectives for the area.

3. Conflict with the Spatial Development Framework

The Langeberg Spatial Development Framework recognises the importance of protecting the distinctive rural village character of McGregor.

The SDF specifically emphasises that the village character of lower-density residential development with a strong rural character must be protected and maintained.

The proposed subdivision would introduce a residential erf substantially smaller than the surrounding properties, thereby altering the established spatial pattern of relatively large residential erven that characterise this part of the village.

Such a change represents a departure from the spatial development intentions of the SDF and risks initiating a pattern of incremental subdivision that would gradually erode the low-density rural character that the SDF seeks to preserve.

4. Incompatibility with the Existing Spatial Pattern

One of the fundamental principles of sound land-use planning is that new development should be compatible with the prevailing character and spatial structure of its surroundings.

While McGregor as a whole contains a variety of erf sizes and architectural styles, specific neighbourhoods within the village have a clear and coherent spatial structure. In this particular area, the dominant pattern is one of larger residential

erven with generous garden spaces, contributing to the open and rural character of the streetscape.

Our decision to purchase Erf 819 was influenced significantly by this established pattern of similarly sized properties and the resulting sense of openness.

Introducing a subdivision that creates an erf significantly smaller than neighbouring properties would disrupt this pattern and introduce a level of spatial fragmentation that is inconsistent with the existing character of the area.

5. Cumulative Impact and Planning Precedent

In evaluating land-use applications, municipalities must also consider the precedent effect and cumulative planning impact of approving developments that depart from the established spatial pattern.

Approval of this subdivision would establish a planning precedent for similar subdivisions of larger erven in the surrounding area.

Once such precedent is established, it becomes increasingly difficult for the Municipality to refuse comparable applications in the future. This could lead to a gradual process of incremental densification and fragmentation of larger residential properties, fundamentally altering the character of the neighbourhood.

Such cumulative impacts are a recognised planning concern and should be carefully considered when assessing the long-term implications of the application.

6. Visual and Spatial Impact of Further Development

The owners of the remainder portion of Erf 398 have indicated their intention to construct an additional double storey dwelling on that portion of the property, positioned at the highest point along Plein Street in order to maximise views.

Development in this location has the potential to create a continuous line of built form along the ridge, which would be visually prominent and inconsistent with the existing dispersed development pattern of the area.

This raises concerns relating to:

- Visual intrusion and streetscape impact

- Loss of the open spatial character that contributes to the rural village identity

- Increased building intensity inconsistent with surrounding development

These considerations are relevant when evaluating the compatibility and appropriateness of the proposed subdivision.

7. Insufficient Planning Justification Based on "Need"

The motivational report refers to an alleged need for smaller residential properties within McGregor.

While there may indeed be merit in providing opportunities for smaller homes for residents wishing to downscale while remaining in the village, the current proposal does not meaningfully address that need.

Instead, the proposal effectively increases the size of Erf 820 while enabling the construction of an additional dwelling, rather than creating independent residential opportunities that would genuinely contribute to the diversification of housing options within the village.

The reference to "need" therefore appears unconvincing as a planning justification for the subdivision.

8. Planning Considerations and Decision-Making

In assessing land-use applications, municipalities are required to consider a range of planning criteria, including:

- Compatibility with surrounding land uses

- Consistency with adopted spatial policy

- Impact on neighbourhood character and sense of place

- Cumulative impacts and precedent

- The broader public interest

Based on the considerations outlined above, it is our view that the proposed subdivision does not satisfy these criteria.

9. Protection of Legitimate Planning Expectations

Property owners make long-term decisions based on the existing planning framework and the established spatial character of their neighbourhoods. When purchasing our property (Erf 819), the surrounding pattern of larger erven and relatively low-density development formed an important part of the context within which that decision was made.

The approval of subdivisions that significantly alter this established pattern may undermine the legitimate planning expectations of neighbouring property owners, who reasonably rely on the municipality's spatial planning policies — including the Langeberg Spatial Development Framework — to protect the character and development pattern of the area.

For this reason, it is important that decisions taken by Langeberg Municipality remain consistent with the planning policies and spatial development principles that property owners reasonably rely upon.

10. Consideration of the Public Interest

Land-use planning decisions must ultimately balance private development interests with the broader public interest.

While the proposed subdivision may provide a benefit to the owners of the property concerned, it is not evident that the proposal provides a broader planning benefit to the community of McGregor, Western Cape.

Conversely, the proposal carries the potential to contribute to incremental erosion of the spatial qualities that define the village, particularly if similar subdivisions are approved in the future.

In our submission, the long-term public interest in protecting the rural village character of McGregor outweighs the private benefit associated with the proposed subdivision.

11. Conclusion

In summary, the proposed subdivision:

- Is inconsistent with the objectives of the Langeberg Spatial Development Framework

- Undermines the established rural character of this part of McGregor

- Introduces a subdivision pattern incompatible with surrounding erf sizes

Creates an undesirable planning precedent that could encourage further fragmentation of larger erven

Fails to demonstrate a compelling or legitimate planning need

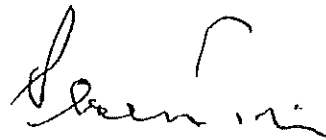
For these reasons, we respectfully request that Langeberg Municipality refuse the application for the subdivision of Erf 398 in McGregor, Western Cape.

We trust that the Municipality will give careful consideration to the long-term spatial planning implications of this proposal and the importance of protecting the distinctive rural village character that defines McGregor.

As an interested and affected party, we respectfully request to be notified of all further processes relating to this application. Should the matter be considered by the Langeberg Municipal Planning Tribunal, we request the opportunity to address the Tribunal in person or virtually in order to present our concerns.

We thank you for the opportunity to submit this objection and request that this submission be recorded as a **formal objection to the application**.

Yours faithfully,



Carole Murby and Paul Trim (Owners of 93 Long Street, McGregor 6708, Erf 819)

Per Collaborator 21/4/24

825WARR 4

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1214453

Erf 368

timwege@gmail.com

To:

The Municipal Manager
Town Planning Department
Langeberg Municipality

Subject: Formal Objection to the Proposed Subdivision of Erf 398, McGregor,
Western Cape

Collection no.	
File no.	15/4/6/2
Applicant	M. U. Nakase
Co.	M. A. Masj

Re: Objection to the Proposed Subdivision and consolidation of Erf 398, McGregor, Western Cape

We refer to the public notice and accompanying motivation report concerning the proposed subdivision of Erf 398 in McGregor.

We are the owners of Erf 368, situated directly opposite the subject property, and are therefore affected parties. We hereby submit our formal objection to the application on the following planning grounds:

1. Misalignment with Spatial Character and Planning Framework The proposed subdivision would create an erf notably smaller than those in the surrounding area, thereby disrupting the prevailing pattern of larger residential plots that define this part of the village. This runs counter to the intentions of the Spatial Development Framework and may encourage further subdivision and densification.

2. Erosion of Established Rural Character This neighbourhood is characterised by spacious erven, ample garden areas, and an open, rural streetscape. The introduction of a substantially smaller erf would fragment this established pattern and detract from the cohesive character of the area.

3. Creation of an Unfavourable Planning Precedent Should the application be approved, it may set a precedent for similar subdivisions in the vicinity. Over time, this could result in the progressive fragmentation and densification of larger properties, fundamentally altering the spatial quality and identity of the neighbourhood.

4. Topographical Constraints and Visual Impact The site is located on a steep slope, and there is an expressed intention to construct a double-storey dwelling at the highest point along Plein Street. This raises concerns about the formation of a visually prominent and continuous built edge along the ridge, potentially including boundary walls. Such development would be inconsistent with the existing dispersed settlement pattern and would reduce the visual openness and relief that are key to the village's character, contributing instead to a more suburban appearance.

5. Insufficient Justification of "Need" While the motivation report refers to a demand for smaller, affordable, residential properties, this assertion seems invalid. The proposal appears primarily aimed at enabling additional development for a single owner, who already owns a substantial neighbouring house, rather than addressing actual need for housing in the village.

6. Adverse Impact on Neighbouring Amenity The proposed subdivision and any subsequent development are likely to negatively affect neighbouring properties in the following ways:

- Diminished privacy
- Increased building bulk and scale, particularly due to a double-storey structure

- Greater visual intrusion resulting from closer building placement and garage structures

7. Heritage Overlay Zone (HOZ)

The property falls within the McGregor HOZ, and its direct neighbours are two of the oldest cottages in McGregor (1862), so the proposed double storey building will completely disrupt the historical landscape of the area.

Conclusion

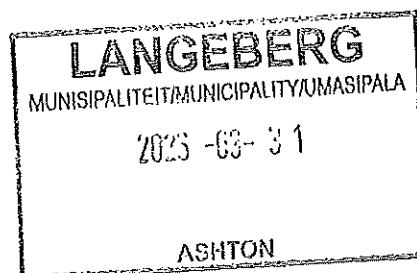
In summary, the proposed subdivision:

- Conflicts with the objectives of the Spatial Development Framework
- Compromises the established rural character of the area
- Introduces an erf pattern that is inconsistent with its surroundings
- Establishes an undesirable planning precedent
- Lacks a convincing or sufficient planning rationale

In light of the above concerns, we respectfully request that the Municipality refuse the application for the subdivision of Erf 398, McGregor.

Regards

Tim Wege and Miki Redelinghuys
99 Long Street
McGregor



Collaborator 1214452

BESWART S 5

45

BRENDA SWART

16 Plein Street,

McGregor, 6708

Swart.brenda@gmail.com

Erf 103

23rd March 2026

Collaborator	
File no	15/4/6/2
Address	M. T. Baringa
Ref	M. D. Loubser

Ref: 15/4/6/2

**RE: FORMAL OBJECTION TO THE PROPOSED SUBDIVISION
OF ERF 398, MCGREGOR**

ATTENTION: MUNICIPAL MANAGER, DP LUBBE

**THE MANAGER TOWN PLANNING, TRACY
BRUNINGS tbrunings@langeberg.gov.za**

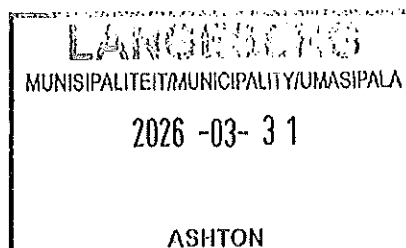
Dear Sir/Madam,

Thank you for the opportunity to submit a formal objection to the proposed subdivision of **Erf 398, McGregor**.

I submit this objection as an immediately affected neighbour living on Erf 103 which is directly adjacent to Erf 398. While I recognise that development and property rights form part of the planning framework, such rights must always be balanced against the protection of neighbourhood character, environmental integrity, and the amenity of existing residents.

In this case, I respectfully submit that the proposed subdivision is **incompatible with the established character and spatial pattern of this part of the village**, and that approving it would set a harmful precedent for the gradual erosion of the rural and heritage qualities that define McGregor.

I therefore request that the Municipality carefully consider the following concerns.



1. Loss of Privacy and Environmental Damage

Prior to even receiving formal approval for the subdivision, vegetation along our shared boundary has already been removed. This included mature bamboo and other vegetation which formed a natural screen between the properties.

This vegetation served several important functions:

It protected the **privacy and security** of neighbouring residents.

It formed part of a small but valuable **urban ecosystem**, providing habitat for birds and small animals.

It contributed to the **green rural character** of the neighbourhood.

Its removal has already had a noticeable negative impact on both the environmental character and the amenity of my property.

2. Unauthorised and Inappropriate Boundary Structures

Large **approximately four-metre-high poles** have already been installed along the boundary, with metal sheeting suspended between them in preparation for the erection of **black shade cloth structures** rising almost to the height of nearby telephone lines.

Such structures are **entirely out of keeping with the established visual character of McGregor**, which is defined by modest scale, open gardens, and visually permeable boundaries.

Furthermore, these works appear to have been undertaken **before the subdivision has even been approved**, and before the purchasers have taken formal ownership of the property. This raises serious concerns regarding:

compliance with **municipal regulations**

respect for the planning process

willingness to adhere to future development controls.

I understand that the building inspector has previously had to intervene on other boundary transgressions with the same owners,

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which further reinforces my concern about their apparent disregard for municipal regulations.

3. Intimidation and Indications of Overdevelopment

I have unfortunately also been subjected to written and verbal threats from the prospective purchasers, who have indicated that once the property is subdivided they will "do whatever they want" and that they "do not need permission for anything."

They have stated their intention to construct **a double garage with a two-bedroom dwelling above it**, very close to my boundary.

Given the **small size of the proposed subdivided portion**, such a structure would likely:

- dominate neighbouring properties,
- overlook adjacent homes,
- and severely impact privacy.

My own cottage is modest in scale. A two-storey structure built close to the boundary would **visually overshadow and dominate the existing dwelling**, fundamentally altering the amenity and character of my property.

4. Incompatibility with the Established Character of McGregor

McGregor is widely valued for its **distinct rural village character**, defined by:

- modest building scale
- generous spacing between dwellings
- mature gardens and vegetation
- an overall sense of openness and tranquility.

The prospective purchasers have explicitly indicated their desire to develop the property in a way that resembles a **suburban estate**

environment similar to developments found in the larger urban areas where they also own property, such as Johannesburg or Clifton.

Such an approach is **fundamentally incompatible with the character and planning intent of this part of the village.**

5. Disruption of the Existing Spatial Pattern

All of the properties on my side of **Plein Street** currently enjoy **generous spacing between houses**, which contributes to the unique rural quality of the area.

Allowing the subdivision of Erf 398 would:

- disrupt this established spatial pattern,

- introduce **increased density inconsistent with surrounding properties**, and

- create a **precedent for further subdivisions**, which could gradually erode the village's character.

Once such precedent is established, it becomes increasingly difficult for the Municipality to resist similar applications in future.

6. Impact on Community Character and Well-Being

McGregor is not simply a collection of individual properties; it is a **small community with a distinctive way of life** that many residents have deliberately chosen to protect.

The behaviour already displayed by the prospective purchasers — including threats, disregard for municipal regulations, and actions taken prior to formal approval — raises serious concerns about whether this development would contribute positively to the community.

I have been told directly by them that **"there will be casualties."** My sincere hope is that one of those casualties does not become the unique character and quality of life that makes McGregor such a special place.

As a woman living alone, the loss of privacy and the intimidation I have experienced are deeply distressing, and the Municipality's planning processes represent one of the few protections available to residents in such circumstances.

CONCLUSION

For the reasons outlined above, I respectfully request that **Langeberg Municipality refuse the application for subdivision of Erf 398, McGregor**, on the grounds that it:

undermines the established **rural and heritage character** of the area

negatively affects **neighbouring amenity and privacy**

risks **overdevelopment of a small parcel of land**

sets an undesirable **precedent for further densification**

and raises serious concerns regarding **compliance with municipal regulations**.

Thank you for considering this objection. I trust that the Municipality will continue to protect the unique character, environmental integrity, and community well-being that make McGregor such a valued place to live.

Yours faithfully



Brenda Swart

Swart.brenda@gmail.com

16 Plein Street, McGregor, 6708

Telephone: 072 241 5542

855WAAR 6

Objector 6

Myrna Staal

From: knight <knight@polka.co.za>
Sent: Sunday, 29 March 2026 10:00
To: Myrna Staal
Subject: Proposed subdivision of Erf 398 McGregor
Attachments: Objection neighbours.pdf

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Good morning Mynra,

I have canvassed some of my neighbours, in the immediate area of the proposed subdivision, to get their opinion on the development.

Attached are their signatures in support of the formal objections to the subdivision.

Can you please confirm that this will be included with the objections, when they are submitted, as an indication of our concern regarding the impact of the subdivision on the character of our area.

Should there be anything else which you require from me, please don't hesitate to let me know.

All the best,
Gordon Knight
082 787 8000

Support for Objection to the Proposed Subdivision of Erf 398 – McGregor

We, the undersigned residents and property owners in the vicinity of Erf 398 in McGregor, Western Cape, wish to record our support for the objections submitted regarding the proposed subdivision of the property.

Our concern relates primarily to:

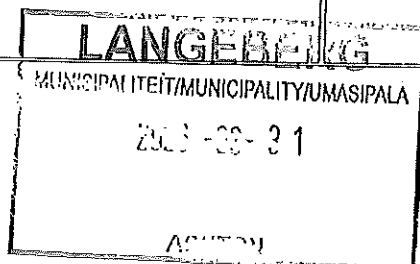
The potential erosion of the low-density rural character of this part of the village

The introduction of erf sizes inconsistent with surrounding properties

The precedent that such a subdivision could set for further fragmentation of larger erven

We respectfully request that Langeberg Municipality take these concerns into account when considering the application.

Name	Address / Erf	Signature
N. A. DE WET	ERF 1228 Voortrekker St	N. A. De Wet
SWINDISH	20A VAN REENEN 35/R McGregor	Swindish
M. POOLE	22 v. Reenen 701	M. Poole
K. POOLE	ERF 700 VAN REENEN	K. Poole
BARTLETT	84 Voortrekker St 726	Bartlett
P. Middleton	80 Voortrekker St 21/R	P. Middleton
J. Bennett	900 Long St 1380	J. Bennett



Collob no: 12114445
 File no: 15/4/6/2
 Action: M. A. Macleod
 By: M. A. Macleod

52

Bylae 4

Aansoeker se reaksie op die beswaar

21 April 2026

Municipal Manager
Langeberg Municipality
Private Bag X 2
ASHTON
6715

For attention: Jack van Zyl / Myrna Staal

**R/398 AND ERF 820 McGREGOR: APPLICATION FOR SUBDIVISION & CONSOLIDATION:
REPLY TO OBJECTIONS RECEIVED**

The objections received refer.

Objections were received from:

- JC van Zijl (english comments)
- A van Zijl (afrikaans version of above)
- Carole Murby and Paul Trim
- Tim Wege
- Brenda Swart (Erf 103)
- Gordon Knight (lessee) with petitioners

Many / most of the wording of the responses are duplications.
Some owners were approached who refused to endorse the objections.

In summary the objections include the following:

- Inconsistent with SDF i.e. low-density rural village character, preservation of sense of place and maintenance of spatial openness and landscape continuity.
- Incompatible with established character and spatial pattern of this part of village. Will create significant smaller erf than those in the surrounding area - Smaller erven will create precedent for further densification.
- Lead to cumulative negative impacts on the immediate area.
- Visual intrusion and incompatible, i.e. proposed double storey structure and garages on highest point, hard boundary wall. Four meter high poles have been installed along common boundary with Erf 103.
- Strain on access and safety and traffic, road degradation.
- Fails to demonstrate need.
- Verbal threats.

Reply to the objections are as follows:

1. Animosity

Unfortunately there is a history of animosity between neighbours:

This has, however, nothing to do with the merits of the subdivision.

History of conflicts between Erven 819 (Murby and Trim) and 820 (proposed buyer of subdivided erf: Stephen Rich) are:

- Murby and Trim have a history of conflict with Erf 820 over access to Erf 820 for building purposes via a portion of Erf 819, permission for which access was granted by their tenant (Gordon Knight) without the owner's knowledge or permission. This is documented.
- Murby and Trim do not live on Erf 819 McGregor. Gordon Knight rents this property. Knight has a history of conflict with Erf 820 over a factually unjustified claim of entitlement to water from their borehole. This history has been documented.
- Erf 820 undertook rehabilitation of the portion of Erf 819 that was damaged by trucks after completion of their building work, through the provision of water from their borehole for six months. At their own expense they installed a tap on Erf 819 for this purpose. "Before" and "after" photographic evidence of rehabilitation is available. However, Knight was still using this tap 18 months later to water his garden, long after the 6-month period was over. He refused to pay the cost of installing a meter to measure electricity to run the pumps from Erf 820, who then terminated access to their borehole water.
- Erf 820 installed screens to hide their new building (pool house) after complaints from the owner of Erf 819. Owner of Erf 819 lodged a complaint with Council about the height of the screens, which were subsequently cut down to the required height.

History of conflicts between Erf 103 and potential buyer of Portion A (Rich):

- Brenda Swart (Erf 103) objected to the removal of overgrown vegetation on Erf 398 side of the boundary. This portion of the property had been neglected by a previous owner and was filled with dense and partially dead vegetation, piles of dead garden refuse, and thickets of Categories 1, 2 and 3 alien invasive vegetation.
- On two occasions Rich invited her to come and discuss remedial planting he was planning to replace the invasive alien and dead vegetation he had removed. She came, and agreed that the invasive alien vegetation pointed out to her should be removed, but complained after that was done.
- She agreed that the trellis should be installed, at Rich's expense, so that creepers could be grown up it to restore her privacy. But she later objected to its height and nature on the common boundary, despite Rich's invitation to her to engage on this before the screen was installed.

Rich and the applicant have a very good relationship and are co-operative neighbours e.g. Rich provided borehole water during the drought, installed new fencing at their cost, installed a gate for the applicant's access to the swimming pool on Erf 819, installed a security camera, etc.

2. Privacy and security

At his own expense, Rich installed tall poles and a supporting mesh on the common boundary with Erf 103 to grow creepers to create a new vegetation screen to ensure continuous privacy.

He has since reduced the height of the screen to approximately 2m.

This will maintain the privacy and mitigate possible impacts.

Rich also installed a camera on the reservoir site at his own expense, to allay Swart's fears of her security being impacted by the removal of some of the vegetation.

In a further bid to allay her fears, he left vegetation nearest the road in place until such time as the subdivision issue is resolved.

3. Cleaning and potential use of Portion A

The dam servitude was cancelled due to its loss of functionality– the dam leaked under Brenda Swart's house on Erf 103 and had not been functional for about 10 years. The structure has no practical function and will continue to deteriorate over time.

The dam is not a visually attractive structure within a residential neighbourhood.

The buyer of the proposed R/398 is the owner of Erf 820. His husband, Alistair Rich, is a professional landscaper (McWades Landscaping) who and has pruned and replanted heritage bamboo after clearing the dead/damaged portion of the thicket; and also removed extensive Categories 1, 2 and 3 invasive alien vegetation. He also removed piles of dead/dry garden refuse, which posed a fire hazard under dry conditions (on two occasions in 2024/25 dry vegetation adjacent to the reservoir did catch fire, posing a direct threat to neighbouring properties). This work was all undertaken at his own risk and expense, and as stipulated in the proposed Offer to Purchase, which document grants the owners of erf 820 access for landscaping purposes to a) the orchard portion of Portion A, and b) after the lifting of the servitude, the reservoir portion.

The proposed subdivision will allow for rehabilitation of the dam (including the installation of koi fish) and/or the replacement of the dam with a new single-storey dwelling. Both options would be costly and are beyond the means of any typical purchaser.

The objection to subdivision on the basis that a double-storey structure is proposed is factually incorrect: there has been no such proposal.

The replacement of the dam by a typical McGregor house along Plein Street, in character with the surrounding environment, would not adversely affect the neighbourhood character; on the contrary, it would constitute a positive contribution to the area.

4. Size of new erf, location and compatibility

The erven's frontages were used to assess the validity of the proposed subdivision. Given McGregor's pattern of narrow, elongated erven with aligned houses next to the street, the street frontage is the most appropriate measure of compatibility with the surrounding area, since erf depth and size are not readily perceived by the public.

The proposed street frontages comply with the applicable subdivision policy and therefore do not establish an undesirable precedent.

The proposed Remainder and Portion A are already physically separated by a fence. This was a condition that the servitude dam be fenced off, with the resulting effect that it already looks like two separate erven. It is commonly perceived within the community as a separate erf, as evidenced by repeated enquiries to the owners of Erf 398 regarding its ownership.

Portion A is not located on top of the hill. It lies below the house on Erf 398 and is substantially lower than Erven 368 and 473 (objectors across Plein Street). Consequently, a new dwelling would not be visually intrusive.

While a new house could affect the privacy of Erf 103, any impact would be comparable with that experienced by neighbouring properties along McGregor's streets. The proposed house would be constructed within the prescribed building lines and according to applicable building regulations. The buyers of the proposed new erf have already indicated their willingness to ameliorate the impact on Erf 103's privacy through their plantings along the boundary and the erection of a privacy screen for climbing plants.

Although the street fronts were used to calculate the required size to allow subdivision, the following erven in the immediate environment are of similar size:

Proclaimed but not yet developed:

Erf 980 (1000m²)

Erf 981 (999m²)

Erf 982 (998m²)

Erf 979 (1003m²)

Erf 978 (1003m²)

Other:

Erf 1037 (999m²)

Re/17 (944m²)

Erf 829 (1000m²)
Erf 726 (1000m²)
Erf 1227 (1000m²)
Erf 1228 (1000m²)
Re/690 (1019m²).

One additional house will not place a material burden on municipal services, traffic, safety or the neighbourhood character.

The proposed subdivision and rehabilitation of this portion of erf 398 will enhance the streetscape and add value to this part of McGregor.

5. Need

Although the owner of Erf 820 wants to buy proposed Portion A adjacent to his property, the application will lead to the creation of another cadastral erf that can be optimally developed.

Rich wants the option of building a single storey dwelling on the subdivided portion of Erf 398, although in practice he is currently looking at different ways of rehabilitating the reservoir with a view to creating a recreational area in landscaped surroundings.

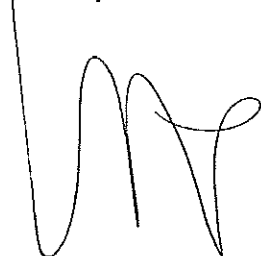
Both options will add value to this property and to the immediate environment.

Please also find documents prepared by the applicant in reply to the objections, including:

- A comparative analysis and summary of the objections;
- Factual context and clarification of some of the issues raised; and
- Assessment of the objections.

For your positive consideration.

Thank you



Anna-Christa Redelinghuys

Pr.Pl n A/1076/1998

ANALYSIS OF THE OBJECTIONS IN THE LIGHT OF FACTUAL AND HISTORICAL ISSUES

1. Proposed erf size is 1000m², which is within the guidelines
2. There are several erven of 1000m²
- 3.
- 4.
- 5.
- 6.

Assessment of objections

This assessment evaluates the objections against the factual context of the application and identifies which objections:

1. Fall away entirely
2. Are materially weakened
3. Remain (in limited or abstract form)

1. Objections that fall away entirely

1.1 Built form, scale, privacy, and overlooking (all objectors)

Affected objections

- References to:
 - double-storey buildings
 - garages with dwellings above
 - overlooking / overshadowing
 - excessive bulk and scale

(raised across all four objections)

Assessment

These objections **fall away completely**:

- They relate to **future building form**, not subdivision
- The underlying assumptions are **factually unsupported**
- Built form is regulated at a separate stage

1.2 Boundary walls and streetscape harm

Affected objections

- Assertions regarding:
 - "hard boundary walls"
 - streetscape degradation

Assessment

These **fall away completely**:

- There is **no evidence** of such proposals
- The objections are **speculative**
- They do not arise from the subdivision application itself

1.3 Allegations of unlawful or premature development

Affected objections

- Claims that:
 - works were undertaken before approval
 - the process was disregarded

Assessment

These **fall away completely**:

- Activities undertaken fall within **lawful landscaping**
- Measures implemented are consistent with **site management and improvement**
- No substantiated procedural irregularity is demonstrated

1.4 Allegations of misconduct or bad faith

Affected objections

- Claims relating to:
 - disregard for regulations
 - intentional non-compliance
 - problematic conduct

Assessment

These **fall away completely**:

- They are **not relevant planning considerations**
- They are **not supported by objective evidence**
- Documented behaviour reflects:
 - engagement with neighbours
 - responsiveness to concerns
 - compliance with requirements

1.5 Objections based on purchaser identity, motives, or prior disputes

Assessment

These **fall away completely**:

- Planning decisions must be based on **land use and policy**, not individuals
- References to:
 - historical disputes
 - personal grievances
 - third-party influence
 are **irrelevant to the merits of the application**

1.6 Objections to mitigation measures (screens, planting, structures)

Assessment

These **fall away completely**:

- The measures:
 - were implemented in response to neighbour concerns
 - are intended to **enhance privacy and soften visual impact**
- Objection to such measures is **internally inconsistent** with prior concerns raised

2. Objections that are materially weakened

2.1 Spatial pattern incompatibility

Original claim

- The subdivision introduces erf sizes inconsistent with the area

Assessment

Materially weakened:

- The proposed erf sizes:
 - comply with applicable minimum size requirements
 - are consistent with at least some existing erven in the area
- The proposal therefore does not represent a clear departure from established parameters

2.2 Precedent and cumulative impact

Original claim

- Approval will set a harmful precedent leading to densification

Assessment

Weakened:

- The subdivision aligns with existing planning parameters
- Comparable erf sizes already exist
- The proposal does not introduce a new planning principle

2.3 Visual and spatial character impact

Original claim

- Loss of openness, rural character, and spatial relief

Assessment

Materially weakened:

- The site:
 - has been historically disturbed and previously utilised for infrastructure
 - is visually distinct from the remainder of the parent erf
 - is already perceived as a separate portion due to existing boundary treatment
- The subdivision reflects an **existing visual and spatial distinction**, rather than introducing a new one

2.4 Environmental / ecological impact

Original claim

- Loss of vegetation and ecological value

Assessment

Strongly weakened:

- The site condition is not pristine
- Vegetation removal relates to **invasive species management**
- The overall effect is consistent with **site rehabilitation rather than degradation**

2.5 Procedural fairness concerns

Original claim

- The process appeared predetermined

Assessment

Weakened:

- Observed activities are consistent with lawful site preparation
- No objective evidence supports procedural irregularity

2.6 "Need" and purpose of subdivision

Original claim

- The subdivision lacks justification or serves private interests only

Assessment

Weakened:

- The argument is based on **assumptions about intent**, not planning criteria
- Subdivision approval is not contingent on demonstrating "need" in the manner suggested
- Such arguments are not determinative in assessing compliance with planning policy

3. Objections that remain (in limited form)

3.1 General consistency with planning policy (SDF)

- Concerns regarding:
 - rural character
 - low-density development
 - spatial continuity

Assessment

These remain **formally relevant**, but:

- Their weight is reduced by:
 - compliance with minimum erf sizes
 - the existence of similar erven
 - the already distinct character of the site

3.2 General amenity considerations

- Only insofar as they are:
 - not tied to specific building assumptions
 - not based on unsupported factual claims

4. Objector-specific observations

Swart (Erf 103)

- Most objections rely on:
 - incorrect assumptions regarding development
 - unsupported allegations
 - Remaining concerns are **limited and largely abstract**
-

Murby & Trim (Erf 819)

- Structured planning arguments remain
 - However:
 - reliance on assumed intentions reduces weight
 - precedent and compatibility arguments are weakened
-

Wege (Erf 368)

- Concise planning concerns remain
 - Reduced weight due to:
 - unsupported built-form assumptions
 - weakened visual and density arguments
-

van Zijl (Erf 473)

- Broad planning concerns remain
 - However:
 - building-related objections fall away
 - spatial and procedural concerns are weakened
 - Traffic-related concerns remain distinct but limited in scope
-

5. Consolidated outcome

5.1 Objections that fall away entirely

- All **building-related impacts** (height, bulk, privacy, overlooking)
 - All **boundary wall / streetscape claims without evidence**
 - All **allegations of unlawful activity**
 - All **claims of misconduct or bad faith**
 - All objections based on **identity, motives, or personal disputes**
 - All objections to **mitigation measures (screens, planting)**
-

5.2 Objections that are materially weakened

- Spatial pattern incompatibility
 - Precedent and cumulative impact
 - Visual and spatial character impact
 - Environmental impact
 - Procedural fairness concerns
 - "Need" or purpose-based arguments
-

5.3 Objections that remain (limited scope)

- General policy (SDF) alignment
 - Abstract character and amenity considerations
-

Overall conclusion

A substantial portion of the objections rely on **incorrect assumptions, speculative future development, or irrelevant personal considerations**, and therefore fall away entirely.

A further category is **materially weakened**, particularly where:

- the proposal complies with planning parameters
- comparable conditions already exist in the area
- the site's existing condition and perception have been mischaracterised

The remaining objections are **generalised policy concerns**, with limited direct grounding in the specific characteristics of the site or the nature of the application.

Comparative analysis of objection documents

(Erf 473 – van Zijl | Erf 819 – Murby & Trim | Erf 368 – Wege | Erf 103 – Swart)

1. Pre-processing note (OCR)

All four PDFs are scanned image documents. Text has been extracted via visual reading of the page images (OCR-equivalent). Wording below preserves original phrasing as closely as possible, with minor normalisation only where necessary for clarity.

2. Extracted objections by objector

2.1 van Zijl (Erf 473)

Core objections

- **Procedural fairness concern**
 - Impression that approval was a "*fait accompli*" prior to public participation (p.1)
- **Conflict with Spatial Development Framework (SDF)**
 - Undermines:
 - "low-density rural village character"
 - "sense of place"
 - "spatial openness and landscape continuity"
- **Impact on rural character / sense of place**
 - Loss of "visual and spatial relief" central to village identity (p.2)
- **Overdevelopment / density**
 - Smaller erven and increased occupation density
 - Creates precedent for densification
 - Leads to "cumulative negative impacts"
- **Impact on amenity**
 - Loss of privacy
 - Increased bulk and scale (double-storey)
 - Visual intrusion (double garages)
 - Hard boundary walls inconsistent with area
- **Traffic and infrastructure**
 - Traffic congestion
 - Road degradation
 - Safety risks
- **Precedent and cumulative impact**
 - "Dangerous planning precedent"
 - Incremental but irreversible change

2.2 Murby & Trim (Erf 819)

Core objections

- **Policy and legislative framework**
 - Reliance on:
 - SPLUMA
 - Langeberg By-law
 - SDF
 - Emphasis on "orderly and contextually appropriate development"
- **Conflict with SDF**
 - Smaller erf disrupts established spatial pattern
 - Risks incremental subdivision
- **Incompatibility with spatial pattern**
 - Area characterised by "larger residential erven"
- **Cumulative impact and precedent**
 - Establishes precedent for further subdivision
 - Leads to "fragmentation" and densification
- **Visual and spatial impact**

- Ridge-top development
- "Continuous line of built form"
- Loss of open spatial character
- **Streetscape and visual intrusion**
 - Prominent built edge inconsistent with dispersed pattern
- **Housing need argument rejected**
 - Proposal does not genuinely diversify housing
 - Benefits a single owner rather than community
- **Planning criteria failure**
 - Fails compatibility, policy consistency, and public interest
- **Public interest**
 - Long-term village character outweighs private benefit

2.3 Wege (Erf 368)

Core objections

- **Misalignment with spatial character and SDF**
 - Smaller erf disrupts prevailing pattern
- **Erosion of rural character**
 - Fragmentation of "spacious erven" and open streetscape
- **Precedent**
 - Leads to "progressive fragmentation and densification"
- **Topography and visual impact**
 - Development on steep slope
 - "Visually prominent and continuous built edge"
 - Loss of openness and rural quality
- **Need justification challenged**
 - Not addressing real housing need
 - Serves existing owner
- **Neighbouring amenity impacts**
 - Loss of privacy
 - Increased bulk and scale
- **Summary objections (p.3)**
 - Inconsistent erf pattern
 - Undesirable precedent
 - Lack of convincing planning rationale

2.4 Swart (Erf 103)

Core objections

- **Incompatibility with established character**
 - Explicit statement: "incompatible with the established character and spatial pattern" (p.1)
- **Environmental / ecosystem impact**
 - Loss of vegetation contributing to "urban ecosystem" (p.2)
- **Unauthorised / premature development activity**
 - Boundary structures erected before approval
 - Raises concerns about:
 - compliance
 - respect for planning process
- **Visual and boundary impacts**
 - 4-metre poles, shade cloth structures
 - Out of keeping with "visually permeable boundaries"
- **Built form and privacy impacts**
 - Double garage with dwelling above near boundary
 - Overlooking, overshadowing, dominance
- **Overdevelopment**

- "small size of the proposed subdivided portion" incompatible with built form
- **Character impact**
 - Risk of "suburban estate" typology replacing rural village form
- **Precedent and densification**
 - "create a precedent for further subdivisions"
- **Community impact**
 - Emphasis on "small community with a distinctive way of life"
 - Strong concern about behavioural conduct of developers
- **Amenity and regulatory concerns**
 - Privacy, amenity, and compliance issues

3. Grouped comparison of objections

3.1 Common to all four documents

Objection theme	Evidence
Conflict with SDF / planning framework	All explicitly reference inconsistency with spatial policy
Incompatibility with existing spatial pattern	Repeated emphasis on larger erven and low density
Erosion of rural village character	Central argument across all documents
Precedent / cumulative impact	All warn of future subdivision and densification
Overdevelopment / increased density	Present in all (explicit or implied)
Impact on amenity (privacy, scale, intrusion)	Raised by all, though detail varies

3.2 Common to three documents

Objection theme	Objectors
Visual / ridge-line impact and built form prominence	Murby & Trim, Wege, Swart
Rejection of "housing need" justification	Murby & Trim, Wege, Swart
Double-storey / bulk concerns	van Zijl, Wege, Swart
Fragmentation of spatial pattern	Murby & Trim, Wege, Swart

3.3 Common to two documents

Objection theme	Objectors
Procedural fairness / pre-emptive development	van Zijl, Swart
Traffic / infrastructure impacts	van Zijl only (unique emphasis)
Public interest framing (explicit policy balancing)	Murby & Trim, Swart
Topographical argument (slope / ridge)	Murby & Trim, Wege

3.4 Unique objections

Objector	Unique elements
van Zijl	Traffic congestion, road degradation, safety risks
Murby & Trim	Structured legislative analysis (SPLUMA, by-law)
Wege	Concise, structured list format; strong topographical framing
Swart	Environmental/ecosystem impact; alleged conduct ("there will be casualties"); unauthorised works

Factual Context and Clarification of Issues

1. Nature and scope of the application

The application under consideration is for the **subdivision of land**, and does not seek approval for any building works. Accordingly, objections premised on assumptions relating to future structures—whether in respect of height, scale, design, or configuration—are not relevant to the present application and fall to be assessed, if at all, at a subsequent development stage in terms of applicable municipal planning controls.

In this regard, it is noted that several objections rely on assumptions concerning the prospective purchasers' intended development of the property, including references to a purported "double-storey house". These assertions are factually incorrect and, in any event, premature in the context of a subdivision application.

2. Identity, intention, and relevance of the prospective purchasers

A number of objections are directed not at the land use application itself, but at the **identity, intentions, or alleged conduct of the prospective purchasers**. Such considerations are not relevant within the planning framework, which requires assessment of the application on the basis of land use, spatial planning policy, and compliance with applicable legislation, including the Spatial Planning and Land Use Management Act and relevant municipal by-laws.

To the extent that objections are based on perceived intentions or speculative future conduct, they are not grounded in objective planning considerations and carry limited evidentiary weight.

3. Lawful access and landscaping activities

The prospective purchasers concluded an Offer to Purchase which expressly granted them **access to the property prior to subdivision** for purposes of landscaping. Activities undertaken pursuant to that access have been confined to **landscaping and site improvement**, including the removal of **invasive alien vegetation**.

Such activities are lawful and consistent with responsible land management practices. They do not constitute development requiring approval under the current application and should not be construed as evidence of procedural irregularity or pre-emption of the subdivision process.

4. Engagement with neighbouring property (Erf 103)

Repeated efforts were made to engage with the owner of Erf 103 (Swart) in relation to:

- the clearing of invasive vegetation on the site;
- the potential impact of such clearing on privacy; and
- appropriate mitigation measures.

Proposed and implemented mitigation measures included:

- the planting of hedging plants and bamboo; and
- the erection of posts and lightweight screening structures intended to support climbing vegetation and restore visual privacy.

These interventions were undertaken in response to identified concerns. Notwithstanding these efforts, engagement was limited in its effectiveness. Subsequent objections to the very mitigation measures implemented are inconsistent with the purpose for which those measures were introduced.

5. Allegations of misconduct and historical context (Erf 820 / Erf 819)

Certain objections refer to an alleged pattern of misconduct on the part of the prospective purchasers. These allegations appear to arise from prior interactions involving renovations undertaken on Erf 820.

In that context:

- A neighbouring owner (Erf 819) objected to visibility of the new structure;
- Screening measures were installed to address this concern;
- A further complaint was lodged regarding the height of such screening; and

- The screening was subsequently reduced in height to comply with municipal requirements.

This sequence demonstrates a pattern of **responsiveness and compliance**, rather than wilful or intentional non-compliance. Allegations of persistent malfeasance are therefore not supported by the factual history.

6. Erf size, compliance, and precedent

The proposed subdivision of Erf 398 results in portions that:

- comply with the applicable **minimum erf size requirement of 1000 m²**; and
- are consistent in size with numerous erven in the area.

While some surrounding properties are larger, the proposed erf sizes are not without precedent and do not constitute a departure from applicable planning parameters. The subdivision therefore falls within the range of development already present in the locality.

7. Boundary treatments and streetscape assertions

Certain objections refer to the anticipated construction of **boundary walls detrimental to the streetscape**. There is no factual basis for these assertions. No such proposal forms part of the application, and the objection is therefore speculative.

8. Site condition and historical use

The portion of land proposed for subdivision is not undeveloped or pristine. It has historically been occupied by a **reservoir**, which was subject to a servitude affecting multiple properties. As a result, the land is **disturbed and degraded**, and does not exhibit characteristics of intact or natural landscape.

9. Existing spatial and visual separation

There exists a long-standing **boundary fence** between the reservoir area and the remainder of Erf 398, accompanied by dense planting. This creates a clear and established visual distinction.

From the street:

- the reservoir portion presents as a **separate, identifiable area**;
- it does not read as a continuation of the main garden; and
- it is commonly perceived within the locality as a distinct plot, as evidenced by repeated enquiries regarding its ownership.

The proposed subdivision therefore reflects an **existing spatial and perceptual reality**, rather than introducing a new fragmentation of the erf.

10. Source and nature of objections

A number of objections focus on the prospective purchasers rather than the land or the application itself. In at least two instances (Erf 103 and Erf 819), these objections appear to be rooted in **prior disputes** relating to unrelated building works on Erf 820.

In addition, an objection submitted by a tenant of Erf 819 involved the canvassing of non-adjacent neighbours and the procurement of additional supporting objections. This individual has a history of dispute with the purchasers concerning an asserted entitlement to borehole water, which is not substantiated.

These circumstances indicate that certain objections may be influenced by **subjective considerations or personal grievances**, rather than objective planning grounds.

11. Conclusion

When properly contextualised, the objections reveal a significant reliance on:

- incorrect assumptions regarding development;
- speculative or unsupported claims; and
- considerations unrelated to the planning merits of the application.

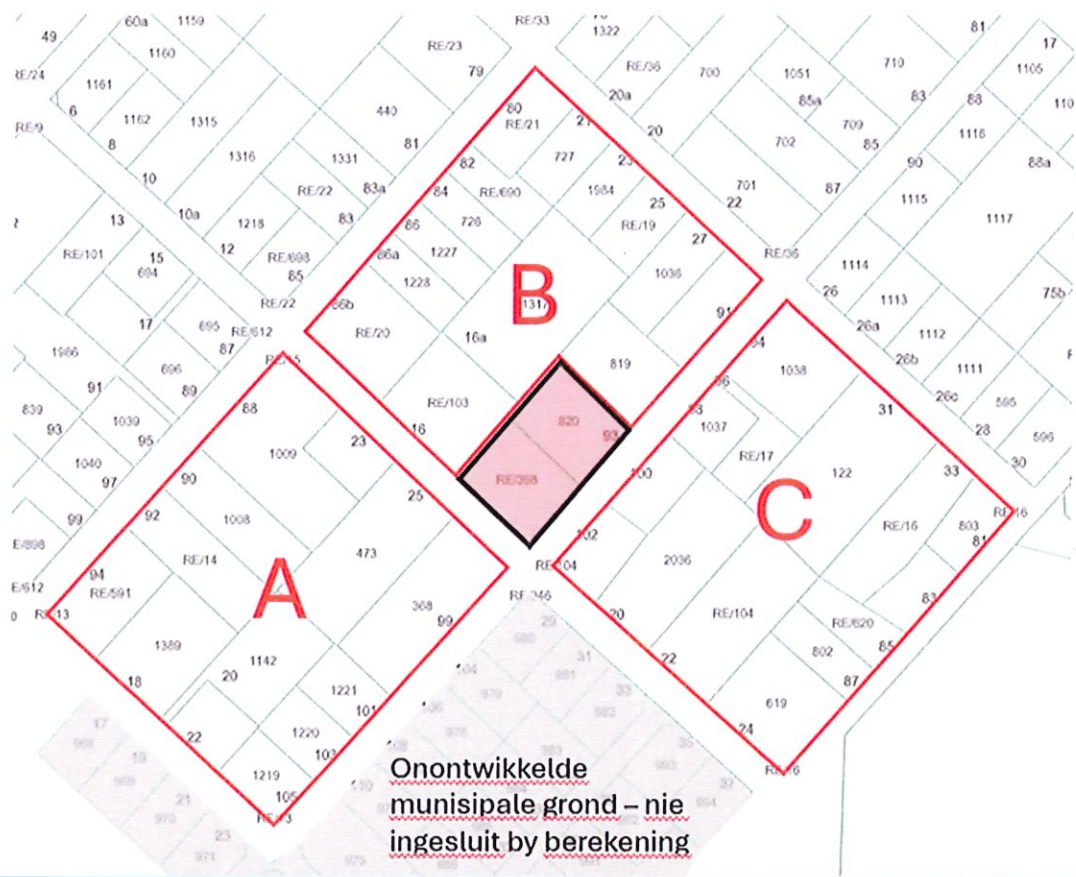
In contrast, the factual position demonstrates:

- compliance with applicable planning parameters;

- lawful and responsible management of the site;
- a history of engagement and mitigation in response to neighbour concerns; and
- an existing spatial condition that aligns with the proposed subdivision.

Accordingly, the evidentiary weight of the objections must be assessed with due regard to their factual basis and relevance within the applicable planning framework.

Bylae 5**Berekening vir toepassing van onderverdelingsbeleid**



BEREKENING INGEVOLGE ONDERVERDELINGSBELEID - ERWE 398 & 820, MCGREGOR

Blok	Area (m ²)	Getal erwe	Gemiddeld	75% van gem.	Lengte (m)	Getal fronte	Gemiddeld	75% van gem.
A	25476	13	1960	1470	629	17	37,0	27,8
B	22032	14	1574	1180	518	16	32,4	24,3
C	25948	14	1853	1390	640	18	35,6	26,7
	73456	41	1792	1344	1787	51	35,0	26,3
	<u>meer as 2 x groter</u>	<u>3583</u>			<u>meer as 2 x groter</u>		<u>70,1</u>	
	4087	1			85	1		
	3583	1						
	4367	1						
	12037	3	4012	3009	85	1	85,0	63,8
	61419	38	1616	1212 m ²	1702	50	34,0	25,5 m
			minimum				minimum	
			erfgrootte				front	

Voorgestelde erwe na onderverdeling en konsolidasie				
Erf	Grootte	Alg. Minimum	Kleinste	75% v gem.
Rest. 398	1000	400	998	1212
Rest. 820	1774	400	998	1212
Nuwe A+B	1001	400	998	1212
		EN	EN	OF
	Straatfront			
Rest. 398	25,49	16	17,7	25,5
Rest. 820	37,8	16	17,7	25,5
Nuwe A+B	25,59	16	17,7	25,5
		Voldoen	Voldoen	Voldoen

Erfgrootte	Getal erwe
1000m ² -1100m ²	21
1100m ² - 2000m ²	4
2000m ² - 3000m ²	10
3000m ² plus	6
	41