



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14169

Our File Reference Number: Erf 787, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR TEMPORARY DEPARTURE ON ERF 787, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker hereby decides on the above application as follows.
 - 2.1 That the application for Temporary Departure on Erf 787, Hamman Street, Stellenbosch, in order to utilise the existing dwelling for office purposes in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to the conditions of approval.

2.2 The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:

- a. That no exterior alterations be made to the existing dwelling unit to ensure that the existing residential character of the buildings on the property are retained.
- b. No vehicle to be parked with Hamman Street, all parking for clients and tenants to be provided onsite
- c. The onsite parking area to be clearly demarcated onsite
- d. The approval shall automatically collapse in the event of the temporary departure not being acted upon with 1 year from the date of this approval

- e. The development must be undertaken generally in accordance with the site Development Plan (Drawing No: W02/18, Dated: 21-12-2018, Drawn by: Alan King & Associates), attached as **Annexure B**
- f. The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- g. The uses permitted shall be for professional offices only which only operate from Monday to Friday during normal working hours.

3. The reasons for the above decision are as follow:

- 3.1 The property would be underutilized if only used for residential purposes.
- 3.2 The property is in a mixed land use area with the CBD area of Stellenbosch.
- 3.3 The scale of the proposed use is small as only $\pm 5\%$ of the property is being utilized for office purposes.
- 3.4 The proposed use is an interim land use as the application is for a temporary departure which is only valid for 5 years.

4. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

5. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

5.1 The personal particulars of the Appellant, including:

- i. First names and surname
- ii. ID number
- iii. Company of Legal person's name (if applicable)
- iv. Physical Address
- v. Contact details, including a Cell number and E-Mail address

5.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.

5.3 The grounds of the appeal which may include the following grounds:

- i. that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
- ii. grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

5.4 Whether the appeal is lodged against the whole decision or a part of the decision.

5.5 If the appeal is lodged against a part of the decision, a description of the part.

5.6 If the appeal is lodged against a condition of approval, a description of the condition.

5.7 The factual or legal findings that the appellant relies on.

5.8 The relief sought by the appellant.

5.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision

5.10 That the appeal includes the following declaration by the Appellant:

- i. The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
- ii. That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information, or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect, or misleading or not believing them to be correct.

6. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za.

7. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

8. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za.

9. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

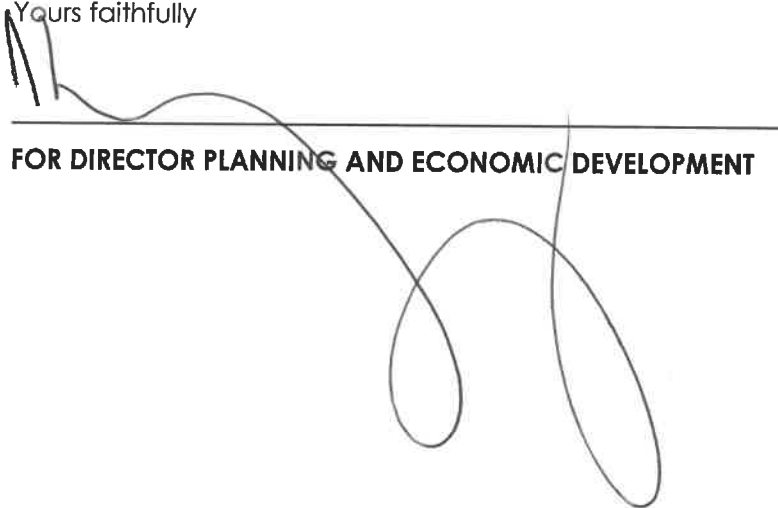
- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.

- (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
- (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
- (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

11. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

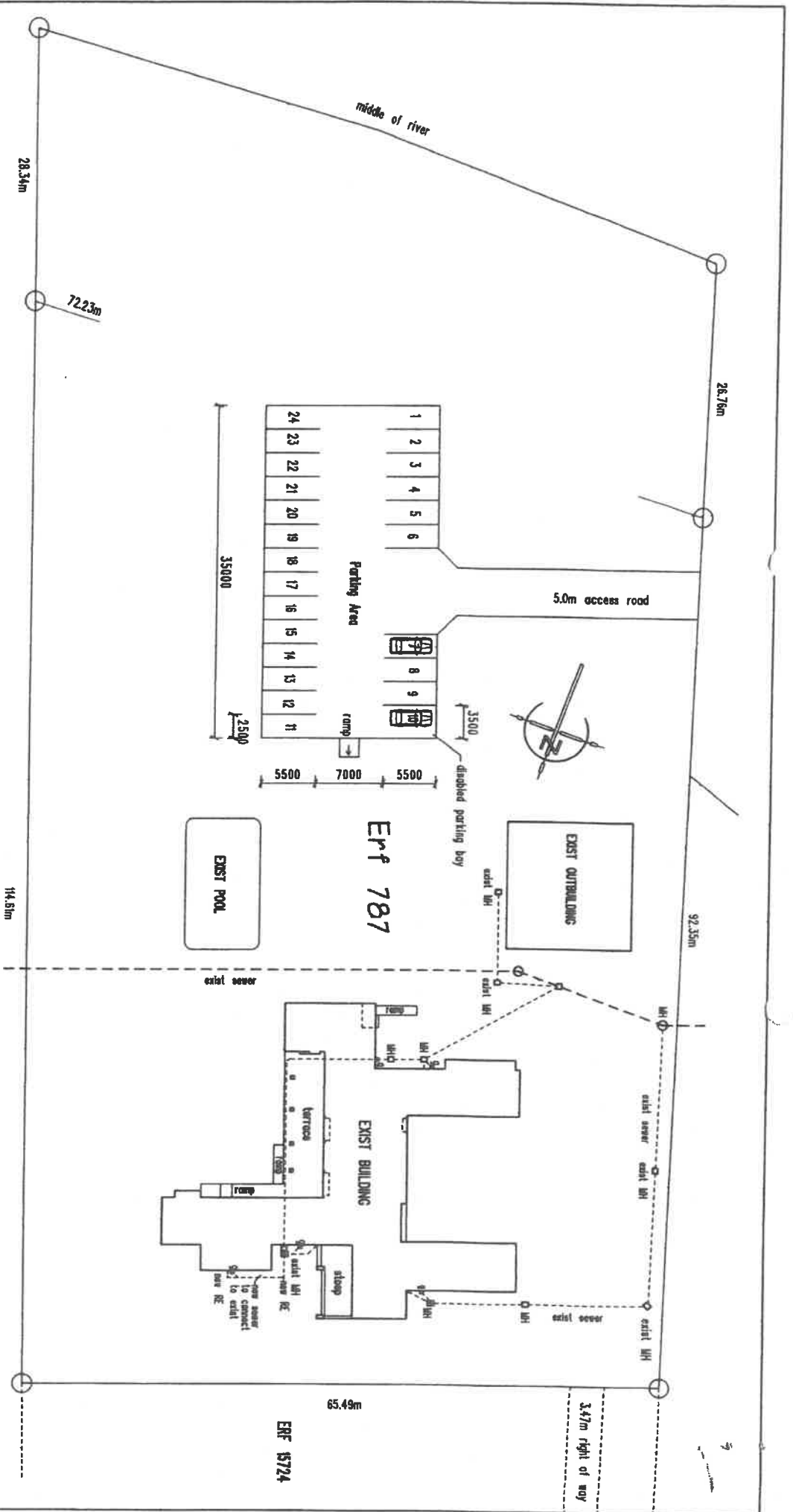
21/4/2023
DATE:



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ANNEXURE B



SITE PLAN 1:400

ERF 786

ERF 5724

- General Notes**
1. Contractors to ensure that all work is done in strict accordance with the approved drawings and specifications of the relevant authorities. All work must be done in accordance with the relevant building regulations (SANS 10400 Series) and the relevant construction standards (relevant to the work).
 2. Quality of materials and workmanship to comply with the relevant standards and specifications of SANS 10400 Series & the relevant standards for Trade.
 3. The drawing is to be read in conjunction with other drawings, specifications, construction instructions & Project Briefing Document.

4. Contractor must visit the site and verify and show for any construction necessary to complete the work satisfactorily. Special care must be taken to ensure factors such as ground level, existing structures, and dimensions given on plan are correct. Report any discrepancies to the architect/owner.
5. Contractors to check the details on the drawings for compliance with standards of good building practice, the relevant standards and specifications of SANS 10400 Series & the relevant standards for Trade. Report any discrepancies to the architect/owner.

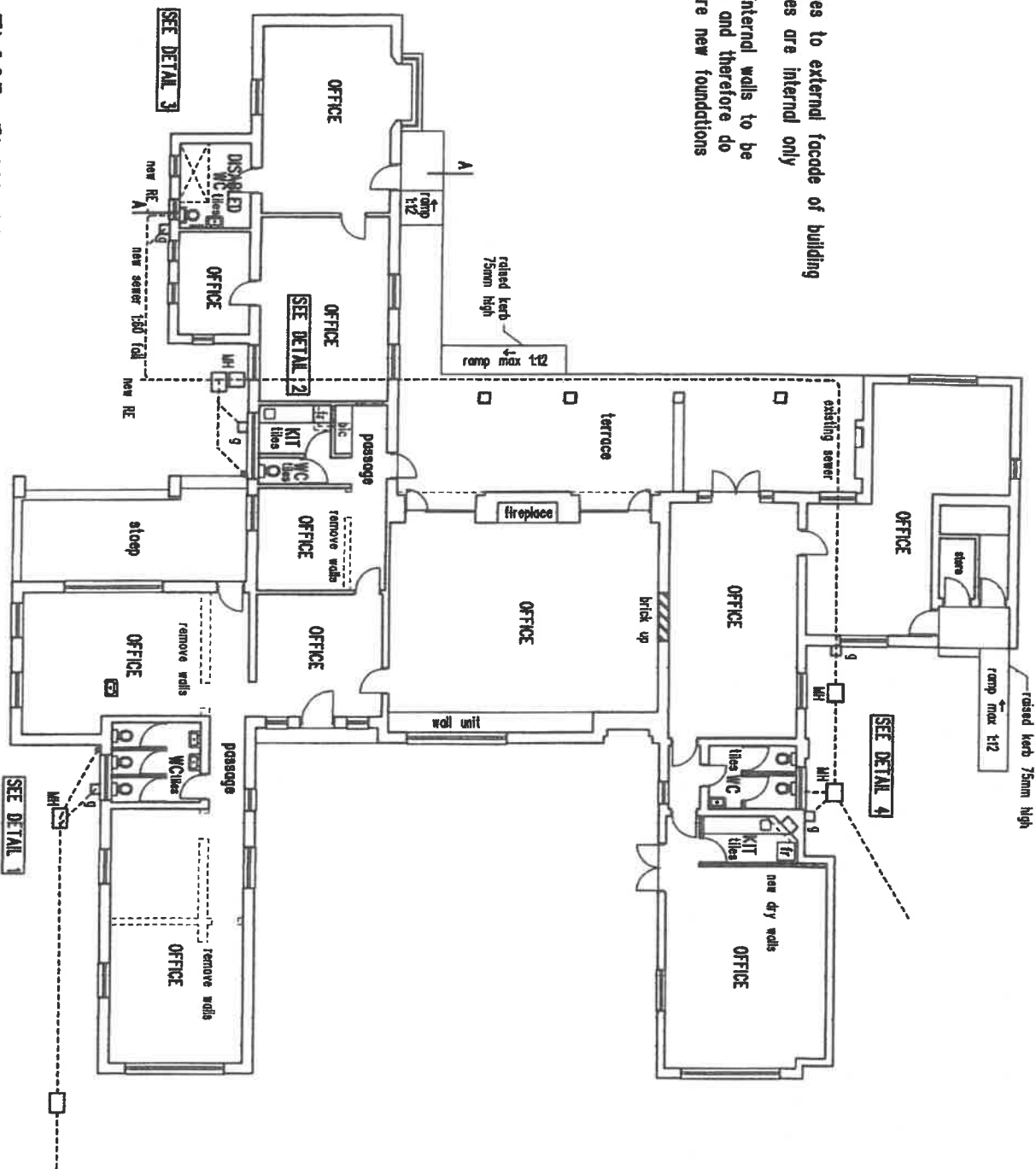
6. The architect is to be responsible for any design, construction, and building work, and verification of services on the drawings. The contractor is responsible for the construction of the work. No approval or other drawings must be removed from the site.
7. Contractor to verify all levels, heights & dimensions on site and report to the architect/owner before any work is put in hand. If any dimensions are to be used of a different type than those shown on the drawings, the contractor must report to the architect/owner before any work is put in hand. No approval or other drawings must be removed from the site.

8. The copyright of this drawing remains with the architect. No part of this drawing may be reproduced or transmitted in any form or by any means, without the written consent of the architect.
9. Any errors, discrepancies, omissions and/or queries on the drawings must be reported immediately to the architect/owner in writing. No approval or other drawings must be removed from the site.
10. The copyright of this drawing remains with the architect. No part of this drawing may be reproduced or transmitted in any form or by any means, without the written consent of the architect.

dian king
 in association with
DC
ARCHITECTURAL DRAFTING
 SACAP 02403
 call 082-4587715
 email: ojoyking@berndnrd.co.za

client	J W WINSHAW		
project	INTERNAL ALTERATIONS TO ACCOMMODATE NEW OFFICES ON ERF 787, HAMMAN STR STELLENBOSCH		
drawing	SITE PLAN	dram	gk
checked	D Jacobs	date	21-12-18
scale	1:400	rev1	1 of 5
project no	W.02/18	rev1	1 of 5

No changes to external facade of building
 All changes are internal only
 All new internal walls to be
 dry walls and therefore do
 not require new foundations



FLOOR PLAN 1:150

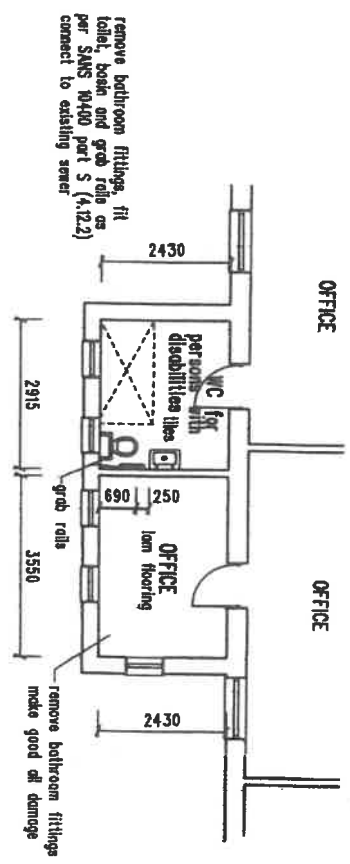
Area of Site	= 8795 m ²
Existing Building	= 491.70 m ²
Existing Sleep	= 24.93 m ²
Existing Caller	= 48.31 m ²
Existing Outbuilding	= 169.92 m ²
Total area of buildings	= 733.86 m ²
Existing Terrace	= 63.28 m ²

DIMENSIONS & LEVELS TO BE CHECKED ON SITE

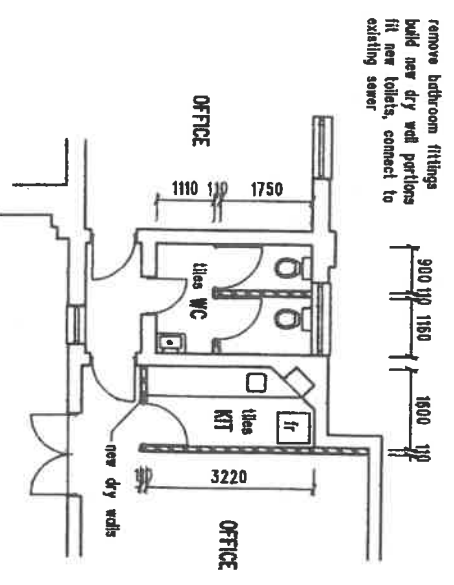
drawn **J W WINSHAW**
 project **SITE DEVELOPMENT PLAN**
TEMPORARY DEPARTURE FOR OFFICES
ERF 707, HANMAN STR STELENBOSCH

client **alank & king**
 in association with **DC**
ARCHITECTURAL DRAUGHTING
SACAP D2403

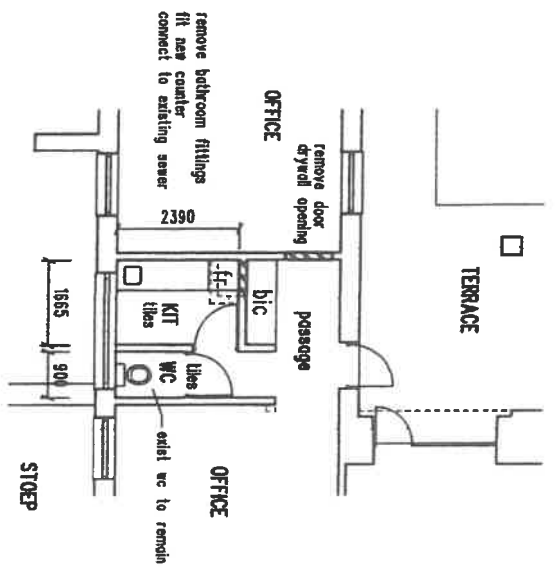
date **1:150** scale **21-12-18**
 draughted by **D Jacobs** checked by **gjk**
 phone **082-4667715**
 email **al@alankandking.co.za**
 project no **W.02/18 rev1** drawing no **2 of 3**



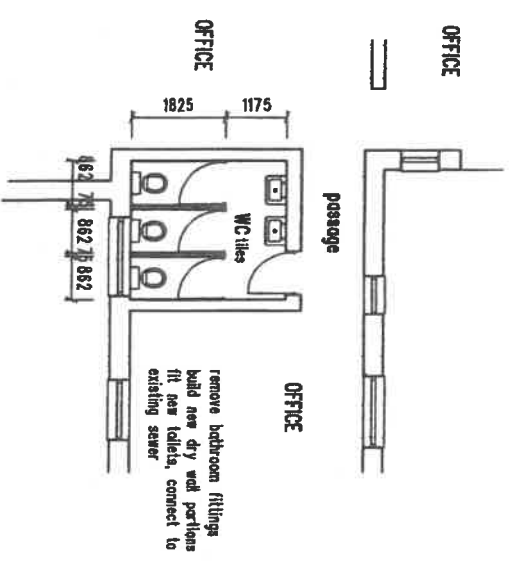
DETAIL 3 (Disabled WC)



DETAIL 4



DETAIL 2



DETAIL 1

DIMENSIONS & LEVELS TO BE CHECKED ON SITE

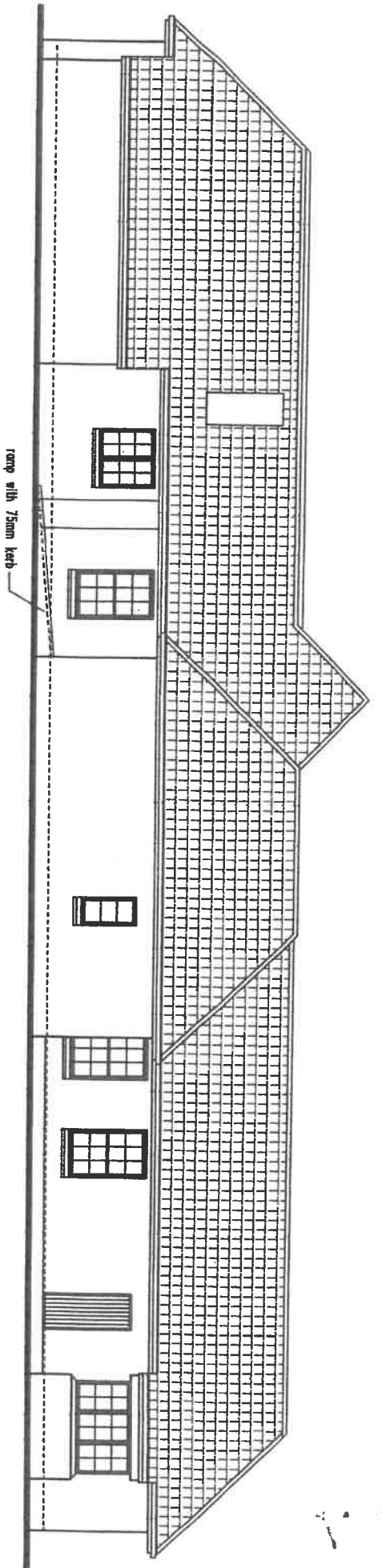
client J W WINSHAW

project SITE DEVELOPMENT PLAN
 TEMPORARY DEPARTMENT FOR OFFICES
 ERF 787, HAMMAN STR STELLENBOSCH

drawing DETAIL FLOOR PLANS

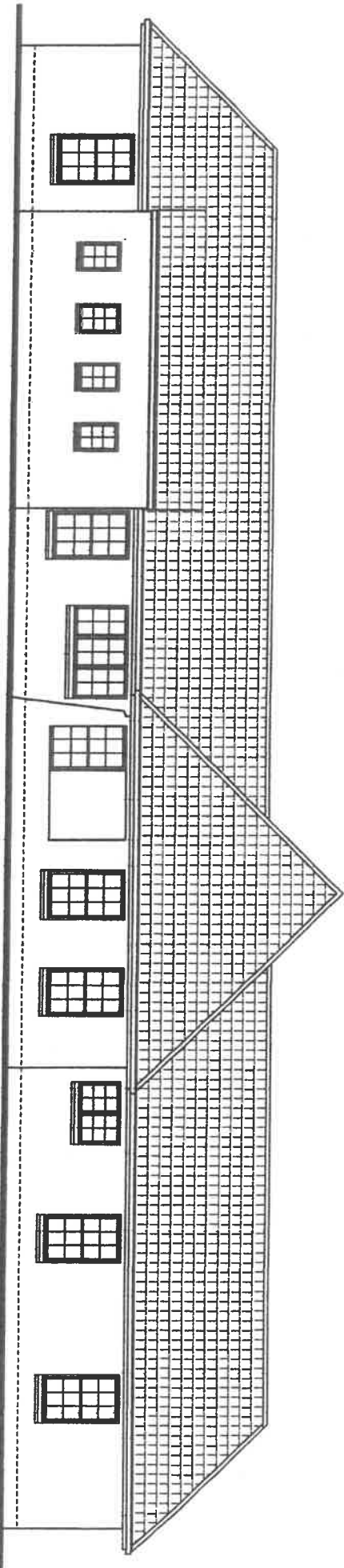
alan king
 townplanning and
 architectural consultant
 email: alroyking@vodmail.co.za
 tel 021 8553861 call 082-4617715

checked D Jacobs date 21-12-18
 scale 1:100
 project no W.02/18 rev1 drawing no 3 of 5




SOUTH ELEVATION

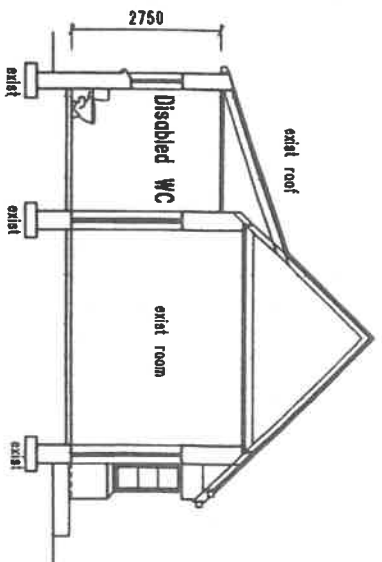
No changes to external facade of building
All changes are internal only



NORTH ELEVATION

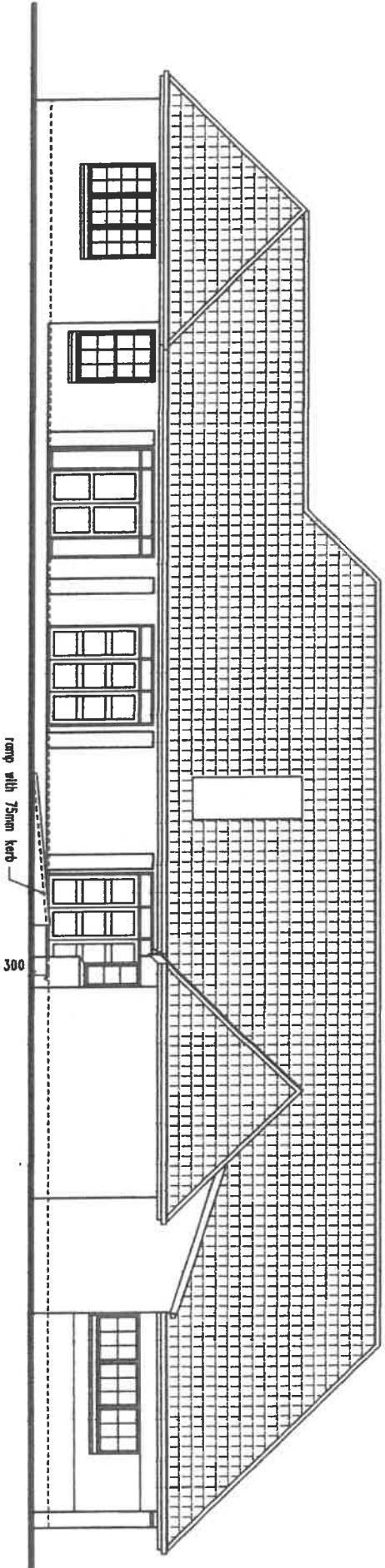
 in association with DC ARCHITECTURAL DRAUGHTING		client J W WINSHAW
call 082-4667715 email: ajoyking@webmail.co.za		project INTERNAL ALTERATIONS TO ACCOMMODATE NEW OFFICES ON ERF 767, HAMMAN STR STELLENBOSCH
SACAP 02403		drawing ELEVATIONS
checked D Jacobs	draught sk	
scale 1:800	date 21-12-18	
project no W.02/18	rev1 dag	no 4 of 5

All new internal walls to be dry walls and therefore do not require new foundations



TYPICAL SECTION A-A

No changes to external facade of building
All changes are internal only



EAST ELEVATION

client **J W WINSHAW**

project **INTERNAL ALTERATIONS TO ACCOMMODATE NEW OFFICES ON ERF 767, HAMMAN STR STELLENBOSCH**

drawing **ELEVATION & SECTIONS**

checked **D Jacobs** date **21-12-18**

scale **1:100**

project no **W.02/18** rev1 dwg no **5 of 5**

plan **king** in association with **DC**

ARCHITECTURAL DRAUGHTING

SACAP 02403

cell 082-4657715

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