



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/4649

Our File Reference Number: Erf 12372, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

PER E-MAIL [REDACTED]

Sir / Madam

## APPLICATION FOR DEPARTURE IN TERMS OF SECTION 15(2)(b) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015: ERF 12372, CLOETESVILLE, 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 a **Departure** on Erf 12372, Cloetesville, Stellenbosch in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 in order to:
    - a) relax the common building lines (adjacent to the public open space and Erf 12373, Stellenbosch) from **1,5m** to **0m** for additions to the existing dwelling (games room on ground floor level with a study on 1st floor level, covered dry area and braai area); and
    - b) to relax the street building line from **2,0m** to **0m** and common building line (adjacent to the public open space) from **1,5m** to **0m** for the construction of a garage.

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

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

- 2.2.1 The approval only applies to the proposed departure under consideration and shall not be construed as authority to depart from any other legal prescriptions or

requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

- 2.2.2 The development must be undertaken generally in accordance with the site plan as referenced Drawing No. STB12372(AMEND), Dated April 2016 as Drawn by J.F.S Prodraft & Design, and attached as **ANNEXURE B**.
- 2.2.3 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.
- 2.2.4 Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages (see **ANNEXURE C** for comment from **Manager: Electrical Services**, dated 07 July 2016).
- 2.2.5 The back wall to be designed by a professional engineer to enable stability of the wall on the stream side (see **ANNEXURE C** for comment from the **Director: Engineering Services**, dated 27 June 2016).
- 2.2.6 No direct access is allowed onto the public open space.
- 2.2.7 Building plans must be generally in accordance with the site plan / floor layout plan as referenced Drawing No. STB12372(AMEND), Dated April 2016 as Drawn by J.F.S Prodraft & Design and attached as **ANNEXURE B**.

### 2.3 The reasons for the above decision are as follows:

- 2.3.1 The proposal will have no detrimental impact on the character of the existing area as it is in keeping with the current land use of the subject property.
- 2.3.2 The proposal is a logical extension of the residential activity and will add value to the existing building.
- 2.3.3 The proposal will not have a negative on the adjacent property with regards to privacy as it borders onto a public opens space.
- 2.3.4 The proposal is desirable as it will not have a negative effect on the surrounding natural or built environment.

3. That the application for a **Departure** on Erf 12372, Cloetesville, Stellenbosch in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015 in order to relax the common building line (adjacent to Erf 12373, Stellenbosch) from **1,5m** to **0m** for purposes of an entertainment area,

**BE REFUSED** in terms of Section 60 of the said Bylaw.

**3.1 The reasons for the refusal are as follows:**

3.1.1. The under-provision of parking can lead to the parking of vehicles on the street or on the public open space. Off-site parking can have a negative impact on the aesthetics of the surrounding area, and may also hinder the flow of traffic in the street.

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:
  - (a) 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;
  - (b) Reference to this correspondence and the relevant property details on which the appeal is submitted.
  - (c) 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.

(d) whether the appeal is lodged against the whole decision or a part of the decision;

(e) if the appeal is lodged against a part of the decision, a description of the part;

(f) if the appeal is lodged against a condition of approval, a description of the condition;

(g) the factual or legal findings that the appellant relies on;

(h) the relief sought by the appellant; and

(i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;

(j) 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](mailto: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](mailto:landuse.appeals@stellenbosch.gov.za)

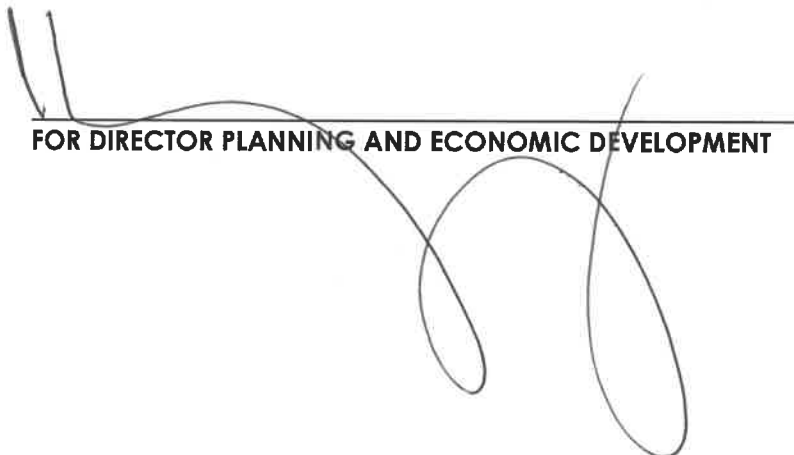
9. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

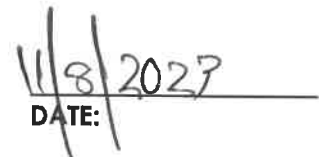
- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
- (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
- (c) The notice 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

  
\_\_\_\_\_  
**FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

  
\_\_\_\_\_  
**DATE:**

# **ANNEXURE B**

**APPLICATION FOR DEPARTURE IN TERMS OF  
SECTION 15(2)(b) OF THE STELLENBOSCH MUNICIPAL  
LAND USE PLANNING BYLAW, 2015: ERF 12372,  
CLOETESVILLE, STELLENBOSCH**

**SITE DEVELOPMENT PLAN/SITE PLAN**

**NOTES :**

**GENERAL :**

All measurements must be checked before any building work commences. Preference must be given to dimensions indicated above measuring from plan. All building work must be done strictly in accordance with national building regulations & local authorities approval. Any irregularities on plan must be cleared with owner or designer before any work is done.

**COVERAGE CALCULATIONS :**

- EIF AREA = 200 M<sup>2</sup>
- EXIST. DWELLING ROOF = 65 M<sup>2</sup>
- PROP. GAMES ROOM = 27,4 M<sup>2</sup>
- PROP. LEAN-TO-ROOF (DRY-AREA) = 14 M<sup>2</sup>
- PROP. LEAN-TO-ROOF (ENTRETIENMENT) = 30 M<sup>2</sup>
- PROP. STUDY & STAIRCASE (1ST STOREY) = 24,5 M<sup>2</sup>
- TOTAL AREA = 100 M<sup>2</sup>
- PERCENTAGE COVER = 70 %
- APPROX. ESTIMATED COST = R373 200,00

**WINDOWS ALUMINIUM AS PER WISPECO CAT. :**

**J. F. S. Prodraft & Design**  
 J. F. S. Prodraft & Design  
 J. F. S. Prodraft & Design  
 S.A.C.A.P. Reg. no. 671730

681

owner signature : \_\_\_\_\_

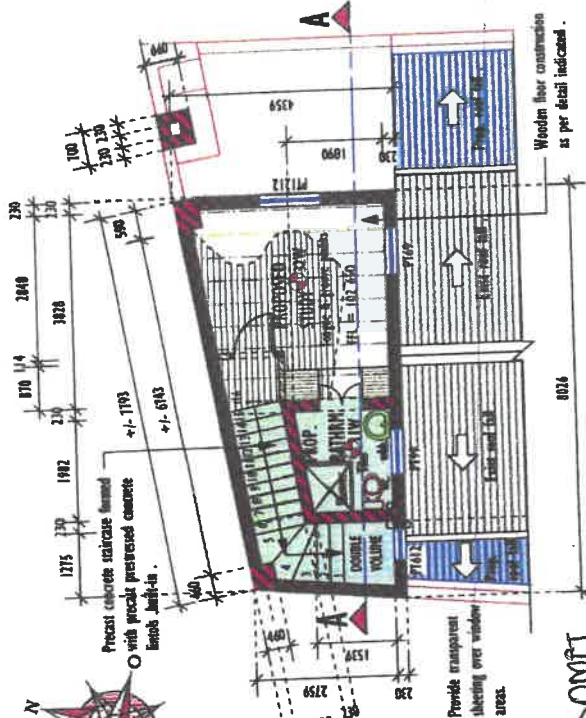
project : **Prop. Ext. & Alterations & boundary walls to exist dwelling house**

owner : **Mr. & Mrs. Van Kerwel**  
**Erf 12372,**  
**Essenhout street, Cloetesville**  
**Stellenbosch**

dwg. no. **STB12372(CANEND)**  
 date : **April 2016**

scale : **1 : 100**

drawn : **J. F. Solomons**

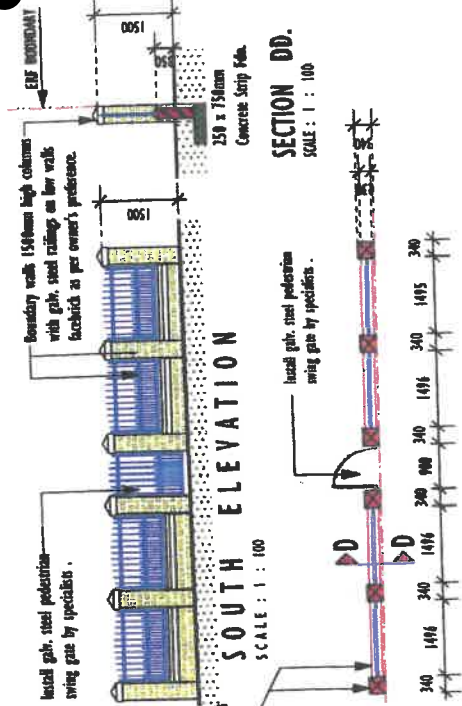


**FIRST STOREY PLAN**

SCALE : 1 : 100

**PRECAST CONCRETE LINTOL, STAIRCASE CONSTRUCTION :**

Form staircase with 150 x 150mm precast concrete beams for ends of 250mm wide and mesh reinforced concrete structural topping, 75mm thick with finish to be laid into with min. 150mm deep. Finish off with a tiled finish, as to owner's preference.



**SOUTH ELEVATION**

SCALE : 1 : 100

**SECTION DD.**

SCALE : 1 : 100



**PLAN VIEW :**

SCALE : 1 : 100



**GROUND FLOOR & SITEPLAN**

SCALE : 1 : 100

**NOTES :**  
**GENERAL :**

All measurements must be checked before any building work commences. Reference must be given to dimensions indicated above measuring from plan. All building work must be done strictly in accordance with national building regulations & local authorities approval. Any irregularities on plan must be cleared with owner or designer before any work is done.

Fluorescent light
Stair connections
Electrical Meter
Distributionboard
Two Way Switch
One Way Switch
Double Powerpoint
Single Powerpoint
Downlights
Watermeter (cylinder 200L ( High pressure )
External light
Ceiling light

WINDOWS ALUMINIUM AS PER WISPECO CAT. :

**J. F. S. Prodraft & Design**  
James S. J. F. S. Prodraft & Design  
S.A.C.A.P. Reg. no. 811739



owner signature : \_\_\_\_\_

project : Prop. Ext. & Alterations & boundary walls to exist dwelling house

owner : Mr. & Mrs. Van Kerwel  
Erf 12372,  
Essenhout street, Cloetseville  
Stellenbosch

drawn no. : STB12372 (AMEND)

date : April 2016

scale : 1 : 100

drawn : J. F. Sabomans

**ROOF CONSTRUCTION :**

"Clip lock" metal sheeting pitched at 3 degrees slope on insulation 410 on 76 x 50mm purlins at +/- 800mm c/c on 228 x 50mm rafters at +/- 800mm c/c wrapped in dpm, where built-in fixed b.s.s. hoop iron straps built-in for min. 4 brick courses deep after each on 116 x 30mm wallplate. Fixed b.s.s. girth steel brackets fixed with hoop iron straps built-in for min. 4 brick courses deep. Form overhead 300mm with rafter ends removed off with 228 x 12.5mm fibre cement fascias install gables and dormers similar to existing. Provide waterproofing to parapet walls as is available from suppliers.

**CEILING CONSTRUCTION :**

Wine board ceiling nailed against 38 x 30mm battens at 450mm c/c with members across to for square. Overhang of 300mm is to be closed off with metal ceiling board as is available from suppliers, with half round stops over joints and quadrant strips in corners as indicated. Jettal gypsum plaster board corners or sifo form as available by owner's preference in corners against walls.

**MASONRY CONSTRUCTION :**

Isachbrick walls to match existing with one achick opening per room. Jettal precast concrete lintels above all openings. Bricks over every layer above openings and every 4th layer in walls vertically. Class II mortar mix between brickwork. With ties A per square metre evenly spaced. 315 micron dpc on walls installed with fall over cavity with hot flow towards solums at 1000mm c/c in outer skin of load bearing wall as indicated. Cornices to be closed off at window & door openings and where bearing of reinforced concrete slab on walls are indicated.

**PRECAST REINF. CONCRETE DECKING CONSTRUCTION :**

Floor covering on 25mm floor screed on 75mm structural concrete topping with mesh as available from suppliers on precast prestressed concrete lintels projecting into walls min 115mm. Steel reinforcement to be set min 25mm away from edges when cast in. Underneath of floor to be finished with autoc. ceiling boards, sealed to 38 x 30mm battens 450mm c/c with gypsum plasterboard corners or similar in corners against walls.

**WOODEN FLOOR CONSTRUCTION :**

Long & grove floor joists nailed to 228 x 30mm floor joists at 450mm c/c with ends wrapped in dpm. Jined with hoop iron straps built-in for min. 4 brick courses deep and bearing on walls 1100mm J/FB void between beams with "think plank" acoustic insulation or similar as to reduce the effects of sounds from floor boards. Two coats of varnish on floor surface sanded and apply final finish coat. Jettal meranti corners in corners against walls.

**FLAT ROOF CONSTRUCTION :**

Clip lock J/FB profile chromalock metal roof sheeting pitched at 3 degrees slope on 76 x 50mm purlins at +/- 800mm c/c on 150 x 50mm rafters at +/- 800mm c/c fixed to existing walls b.s.s. girth steel brackets as is available from suppliers & to 228 x 50mm header beam min to 340 x 240mm brick columns b.s.s. girth. Hoop iron straps built-in for min. 4 brick courses deep.

**GLASS PANELS :**

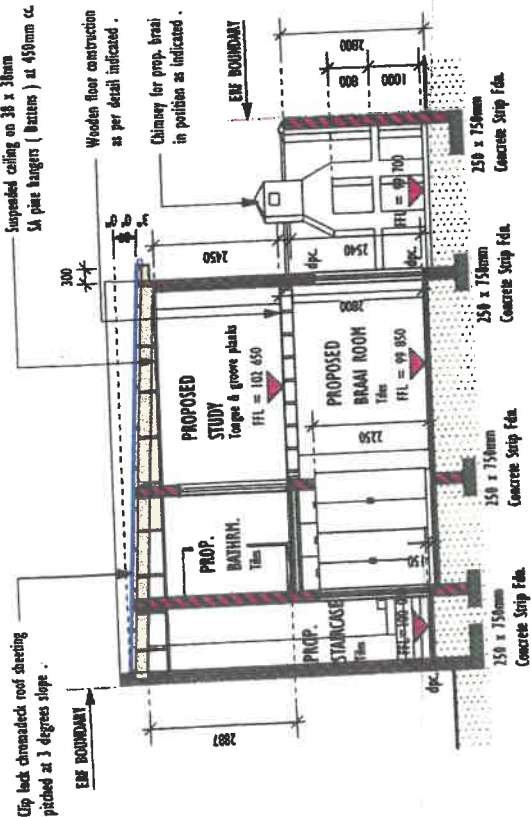
Local clear glass panels, min. 4mm thick, annealed as available from suppliers, translucent in between. Glazed area larger than 0.75m<sup>2</sup> or lower than 500mm from finish floor level to be safety glass as per SANS safety standards.

**FLOOR CONSTRUCTION :**

25mm sand cement floor screed on 100mm mesh reinforced concrete floor slab on 250 micron dpm on 50mm sandblasting on well compacted hardcore filling compacted in 150mm layers, as 90% mod. zircon 30mm to be turned up onto edges of floor slab to max of 300mm or floor height. Jettal meranti skirting in corners against walls as is available from suppliers.

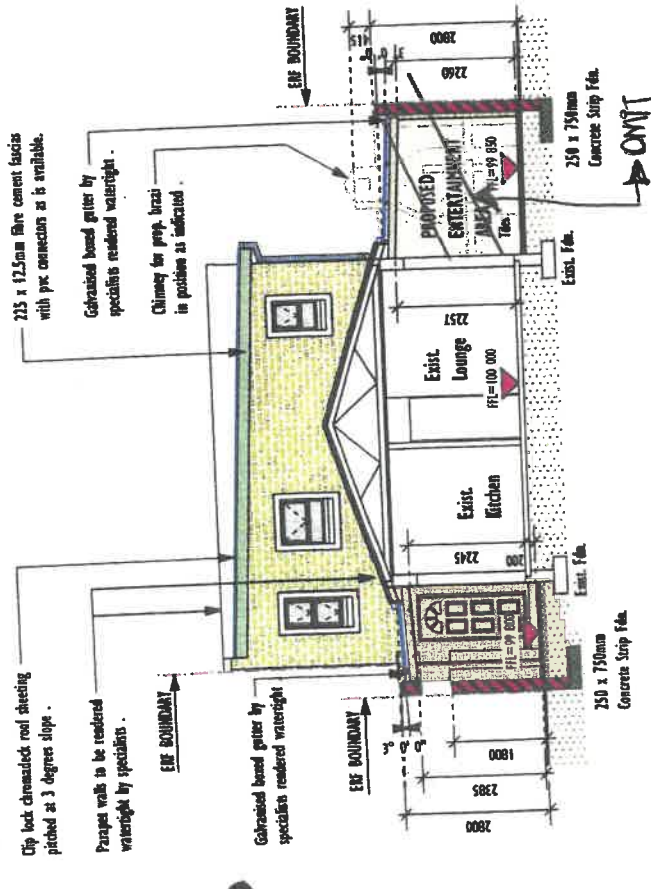
**SECTION AA**

SCALE : 1 : 100



**SECTION AA**

SCALE : 1 : 100



**SECTION AA**

SCALE : 1 : 100



**NOTES :**  
**GENERAL :**

All measurements must be checked before any building work commences. Preference must be given to dimensions indicated above measuring from plus. All building work must be done strictly in accordance with national building regulations & local authorities approval. Any modifications on plan must be cleared with owner or designer before any work is done.

**COMPLIANCE FOR ENERGY EFFICIENCY**

**BUILDINGS :**

**FLOORS :**

100mm mesh mild concrete floor slab on 250 micron d.p.m. installed around the vertical edges tamped up for the full depth up to 300mm of concrete floor parameter. Floors shall have an R-value of not less than 1.0

**MASONRY WALLS :**

Cavity walls plastered both sides internally & externally with and without cavity as here in. Total R-value of 1.9.

**ROOF ASSEMBLIES :**

Skiloid roof : "Clyblock" metal sheets pitched at 3 degrees with rain board ceiling, 15mm non reflective hot-clear and in-door air film (500 air) Vent R-value = 0.35 + added R-values of reflective insulation, 5 layers of reflective foil insulation, 1 layer flexible fibre glass blanket, R-value = 3.4, Vent R-value = 3.75. Direction of heat flow is upwards.

**WINDOWS ALUMINIUM AS PER WISPECO CAT. :**

**J. F. S. Prodract & Design**  
J a m e s S o l o m o n s  
B.A.C.A.P. Reg. No. 811728



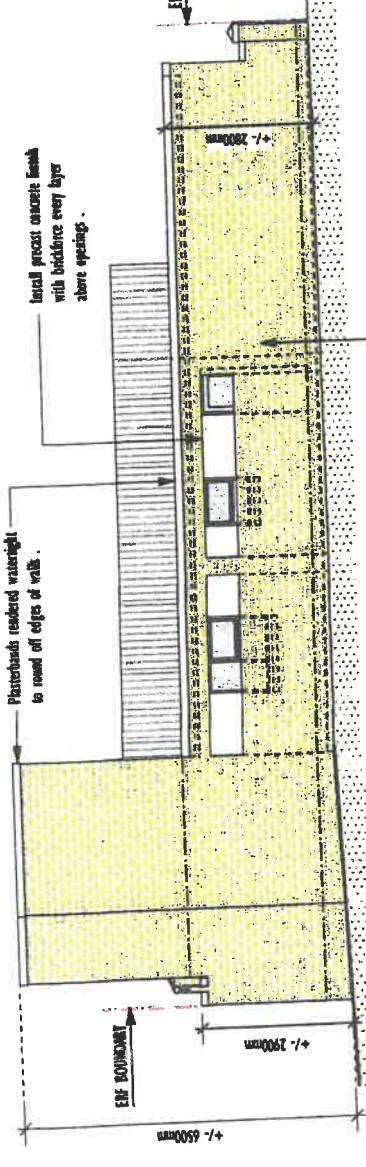
owner signature : \_\_\_\_\_  
project : **Prop. Ext. & Alterations & boundary walls to exist dwelling house**

owner : **Mr. & Mrs. Van Kerwel**  
**Erf 12372,**  
**Essenhout street, Cloetsville**  
**Stellenbosch**

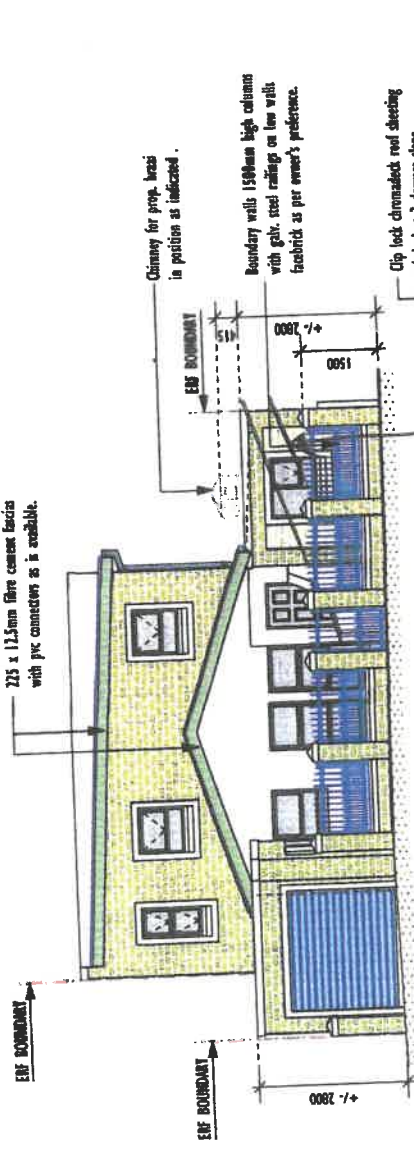
dwg no. **STB 12372 (AMEND)**  
date : **April 2016**  
scale : **1 : 100**  
drawn : **J. F. Solomons**

**REQUIREMENTS FOR HOT WATER SUPPLY :**

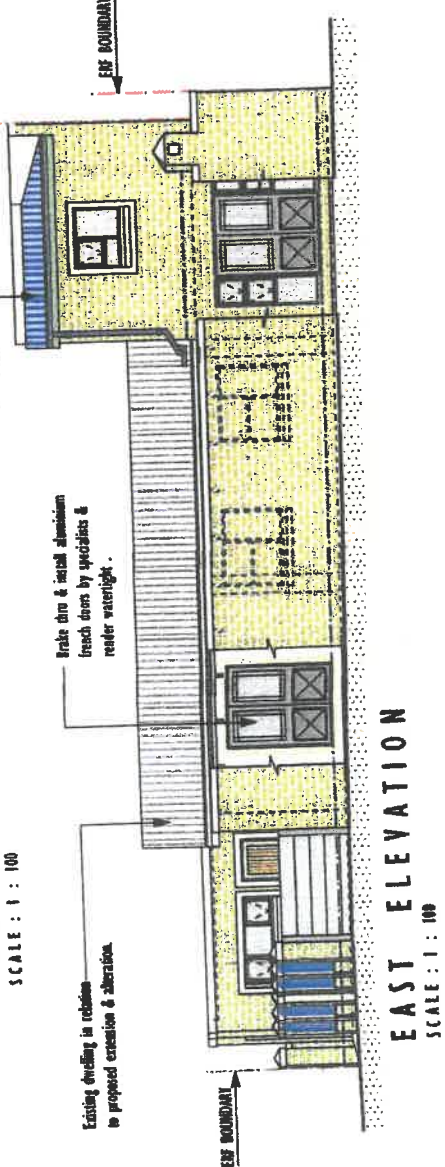
- A min. of 90% by volume of nominal average hot water heating requirement, to be provided by means, other than electrical resistance heating (including but not limited to, water heating, heating pumps, heat recovery from other systems & processes).
- The volume of nominal average hot water heating to be in accordance with table 2.6.5 of SANS 10252-1:2014.
- Solar water heating systems shall comply with SANS 1387, SANS 10184, SANS 10254 & SANS 10252-1
- All exposed hot water service pipes to be clad with insulation with min R-value of 1.00. Air pipes with internal diameter less or equal to 100mm & pipes with internal diameter more than 100mm, the R-value = 1.50.
- Thermal insulation if required to be installed to manufacturer's specifications & shall :
  - be protected against the effects of weather & sunlight
  - be able to withstand the temperatures within piping
  - Achieve the min. U-value R-values.
- Hot water vessels & tanks to be insulated with a material achieving a min. R-value of 2.0
  - Insulation on vessels, tanks & piping containing cooling water shall be protected by a vapour barrier on the outside of the insulation.
- Piping insulation requirements not applicable to space heating water piping.
- Insulated within the space being heated where piping is to provide the heating to that space.
  - extended within a concrete floor slab or in masonry.
- All pipes to comply with SANS 10252-1
- Piping to be insulated includes all flow & return piping within 1 metre of the heating or cooling system & pressure relief piping within 1 metre of the connection to the heating or cooling system. Piping run lengths to be maintained.



**WEST ELEVATION**  
SCALE : 1 : 100



**SOUTH ELEVATION**  
SCALE : 1 : 100



**EAST ELEVATION**  
SCALE : 1 : 100

# **ANNEXURE C**

**APPLICATION FOR DEPARTURE IN TERMS OF  
SECTION 15(2)(b) OF THE STELLENBOSCH MUNICIPAL  
LAND USE PLANNING BYLAW, 2015: ERF 12372,  
CLOETESVILLE, STELLENBOSCH**

**COMMENT FROM THE INTERNAL  
DEPARTMENTS**

No. served

# INTERDEPARTMENTAL CIRCULATION FORM

LêER VERW/ FILE REF | Erf 12372, Stellenbosch | DATE | 9 June 2016

AANSOEKNUMMER/APPLICATION NUMBER | LU/4649

MEMO AAN/ TO :

X Director : Traffic Engineer / Engineering Services # 1264 Lufo

Manager : Electrical Department

Manager : Building Development Management

Manager : Fire Services

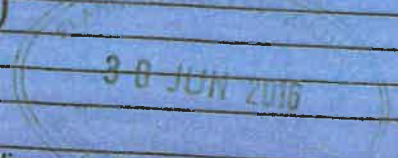
Manager : Spatial Planning / Heritage / Environment / Signage

Manager : Health Department (Winelands Health)

Manager : Local Economic Development (LED)

Manager : Parks

15/6/2016



**Application**  
Departure in order to relax the common building lines (adjacent to the Public Open Space and Erf 12373, Stellenbosch) from 1,5m to 0m for additions to the existing dwelling (games room with a study on 1<sup>st</sup> floor level; covered dry area, braai area and entertainment area) on Erf 12372, Stellenbosch.  
Departure in order to relax the street building line from 2,0m to 0m and common building line (adjacent to the Public Open Space) from 1,5m to 0m for the construction of a garage on Erf 12372, Stellenbosch.

**Adres / Address**  
5 Essenhout Street, Cloetesville, Stellenbosch

**Aansoek Datum / Application Date**  
11 May 2016

**Aansoeker / Applicant**  
William Van Kerwel

Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil opleë indien die aansoek goedgekeur word.

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.

Geliewe die memorandum per hand aan my terug te besorg voor of op:  
Please hand deliver the memorandum to me on or before : 9 July 2016

B Mdoda  
For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

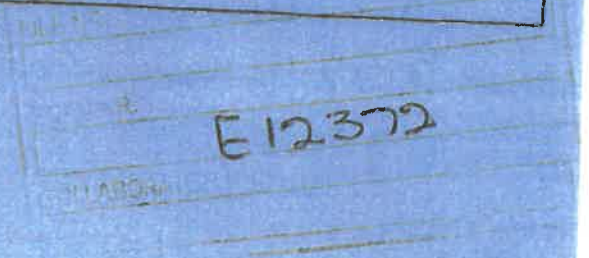
ALGEMENE KOMMENTAAR / GENERAL COMMENT:

APPROVED.  
No engineering infrastructure will be affected. We do suggest that the "back" wall be designed by a professional engineer to ensure stability of the wall on the stream side.

VOORWAARDES/CONDITIONS :

*[Signature]*  
HANDTEKERING / SIGNATURE

27/06/2016  
DATUM / DATE

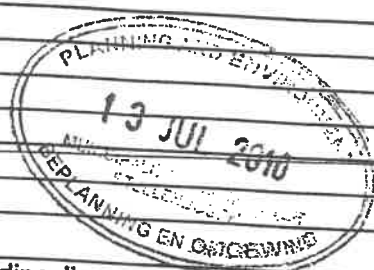


# INTERDEPARTMENTAL CIRCULATION FORM

**L&ER VERW/ FILE REF** Erf 12372, Stellenbosch      **DATE** 9 June 2016  
**AANSOEKNUMMER/APPLICATION NUMBER** LU/4649

**MEMO AAN/ TO :**

- Director : Traffic Engineer / Engineering Services
- Manager : Electrical Department
- Manager : Building Development Management
- Manager : Fire Services
- Manager: Spatial Planning / Heritage / Environment / Signage
- Manager: Health Department (Winelands Health)
- Manager: Local Economic Development (LED)
- Manager : Parks



<b>Application</b>	Departure in order to relax the common building lines (adjacent to the Public Open Space and Erf 12373, Stellenbosch) from 1,5m to 0m for additions to the existing dwelling (games room with a study on 1 <sup>st</sup> floor level; covered dry area, braai area and entertainment area) on Erf 12372, Stellenbosch. Departure in order to relax the street building line from 2,0m to 0m and common building line (adjacent to the Public Open Space) from 1,5m to 0m for the construction of a garage on Erf 12372, Stellenbosch.
<b>Adres / Address</b>	5 Essenhout Street, Cloetesville, Stellenbosch
<b>Aansoek Datum / Application Date</b>	11 May 2016
<b>Aansoeker / Applicant</b>	William Van Kerwel

Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil opleë indien die aansoek goedgekeur word.

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Geliewe die memorandum per hand aan my terug te besorg voor of op:  
 Please hand deliver the memorandum to me on or before : **9 July 2016**

**B Mdoda**  
 For **DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT**

**ALGEMENE KOMMENTAAR / GENERAL COMMENT:**

1. No Objection

**CONDITIONS:**

2. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages.

.....  
**HANDTEKENING / SIGNATURE**

07/07/2016  
 .....  
**DATUM / DATE**

FILE NR:	
SCAN NR:	
COLLA:	