



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13134

Our File Reference Number: Erf 13634, Stellenbosch

Your Reference Number: None

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 A DEPARTURE: ERF 13634, 33 RUSTENBURG STREET, IDASVALLEY, STELLENBOSCH**

1. This letter replaces my previous letter dated, 01 December 2021.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 Departure in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning Bylaw, 2015 to relax the street building line from 4.5m to 3.3m and the common building line from 2.5m to 1.57m (rear) and to 1.5m (adjacent to Erf 3313) and to 0m (adjacent to Erf 13632) in order to accommodate the proposed extensions to the existing dwelling house on Erf 13634, Stellenbosch as indicated on drawing no. 4-1 – 4-4, dated January 2010 and drawn by Don Poerstamper plan & design services
  - 2.2 Departure in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning Bylaw, 2015 to exceed the permissible coverage from 60% to 65% in order to accommodate the proposed extensions to the existing dwelling house on Erf 13634, Stellenbosch as indicated on drawing no. 4-1 – 4-4, dated January 2010 and drawn by Don Poerstamper plan & design services.

**BE APPROVED** in terms of Section 60 of the said bylaw, subject to conditions in terms of Section 66 of the said Bylaw.

3. **Conditions of approval:**

- (a) The approval shall lapse if not acted upon within a period of five years from the date of final letter of approval;
- (b) The approval shall be taken to cover only the departure applied for and shall not be construed as authority to depart from any other Council requirements or legal provisions;
- (c) Building plans must be submitted to this Municipality for approval prior to any building work commencing on site.

4. **The reasons for the above decision are as follows:**

- (a) Minimal impact to the existing streetscape and character of surrounding area;
- (b) Extension will be used for residential purposes, which is in line with the existing use of the property.
- (c) The proposal is seen as a form of sensible densification and makes provision for on-site parking.

5. 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.

6. 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.

7. 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)

8. 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.

9. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website

<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).

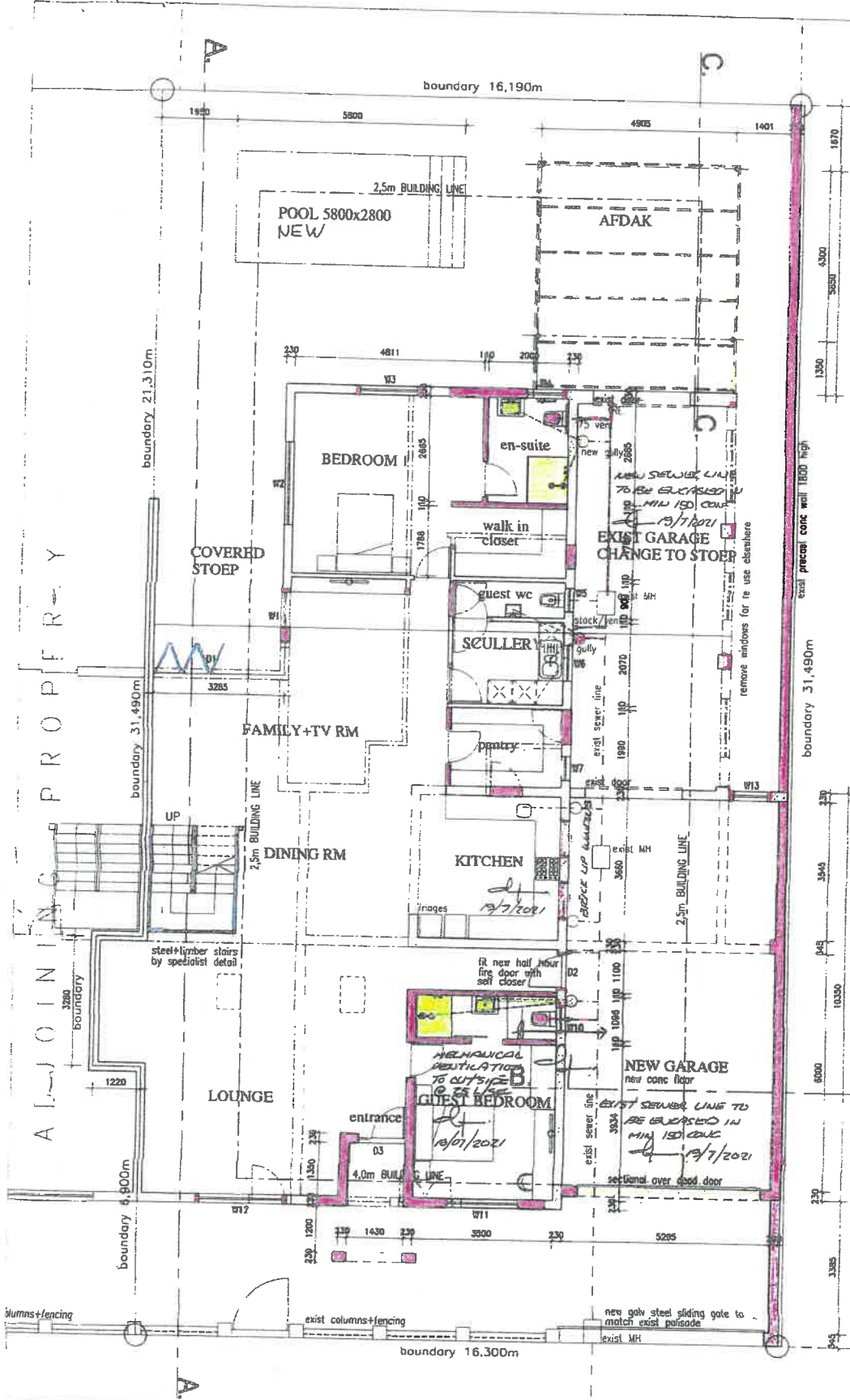
10. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
  - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
  - (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.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. Kindly note the above decision is suspended, and in the case of any approval, 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**

24/1/2022

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



**GENERAL NOTES:**

- ALL LEVELS/DIMENSIONS TO BE CHECKED BY CONTRACTOR ON SITE BEFORE COMMENCING WITH ANY WORK.
- ALL BUILDING WORK TO COMPLY WITH NATIONAL BUILDING AND MUNICIPAL BUILDING REGULATIONS.
- ALL CONCRETE WORK TO BE IN ACCORDANCE WITH ENGINEERS DRAWINGS AND DETAILS.
- ALL PLUMBING TO COMPLY WITH SABS LOCAL AUTHORITY REQS EACH MAIN DRAIN OR BRANCH TO BE VENTED.
- GARAGE FFL TO BE MIN 150mm ABOVE BACK OF FOOTWAY LEVEL AT THE DRIVEWAY ENTRANCE
- HOUSE FFL TO BE MIN 230mm ABOVE BACK OF FOOTWAY LEVEL AT SEWER CONNECTION
- PROVIDE MIN 2.5 WALL INS PER METER SQ. TO CAVITY WALLS
- CABLE END WALLS TO BE TIED BACK TO ROOF STRUCTURE WITH GALV HOOP IRON STRAPS 3mmx30mm WIDE @800mm C/C BENT OVER AND FIXED TO 2 RAFTERS
- TRUSS BRACING TO BE 115x33mm DIAGONAL END BRACING AT 45 DEG. NAILED TO U/S EACH RAFTER AT EACH END OF ROOF IN BOTH PLANES
- STAIRS:  
MIN TREADS TO BE 250MM  
MAX RISERS TO BE 200MM
- WINDOWS & DOORS:  
SEE SCHEDULES FOR DIMENSIONS AND SPECIFICATIONS  
NOTE: ALL GLAZED SECTIONS LARGER THAN 1m<sup>2</sup> OR CLOSER THAN 500 TO AFFL TO BE SAFETY GLASS.  
NOTE: ALL OPENINGS LARGER THAN 2.4m TO HAVE PRECAST UNITS WITH 4 COURSES BRICK/FORCE OVER ALL LAID TO MANUFACTURER'S SPECS

- - - - - DEMOLISHED WALLS
- ===== EXIST WALLS
- ===== NEW WALLS ON 690X230 FOUNDATIONS

3312 *al*

ERF NO 13634	
SITE AREA	515.0m.sq
EXIST. GROUND FLOOR	243.0m.sq
NEW GARAGE+AFDAK	84.0m.sq
TOTAL GROUND FLOOR	327.0m.sq
NEW FIRST FLOOR	107.0m.sq
NEW BALCONY	11.0m.sq
TOTAL FIRST FLOOR	118.0m.sq
TOTAL NEW CONSTRUCTION	202.0m.sq
COVERAGE 331.0m.sq = 64 %	

33 RUSTENBURG ROAD

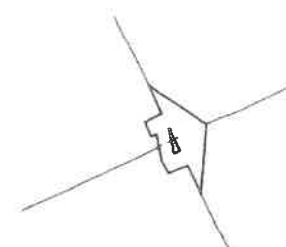
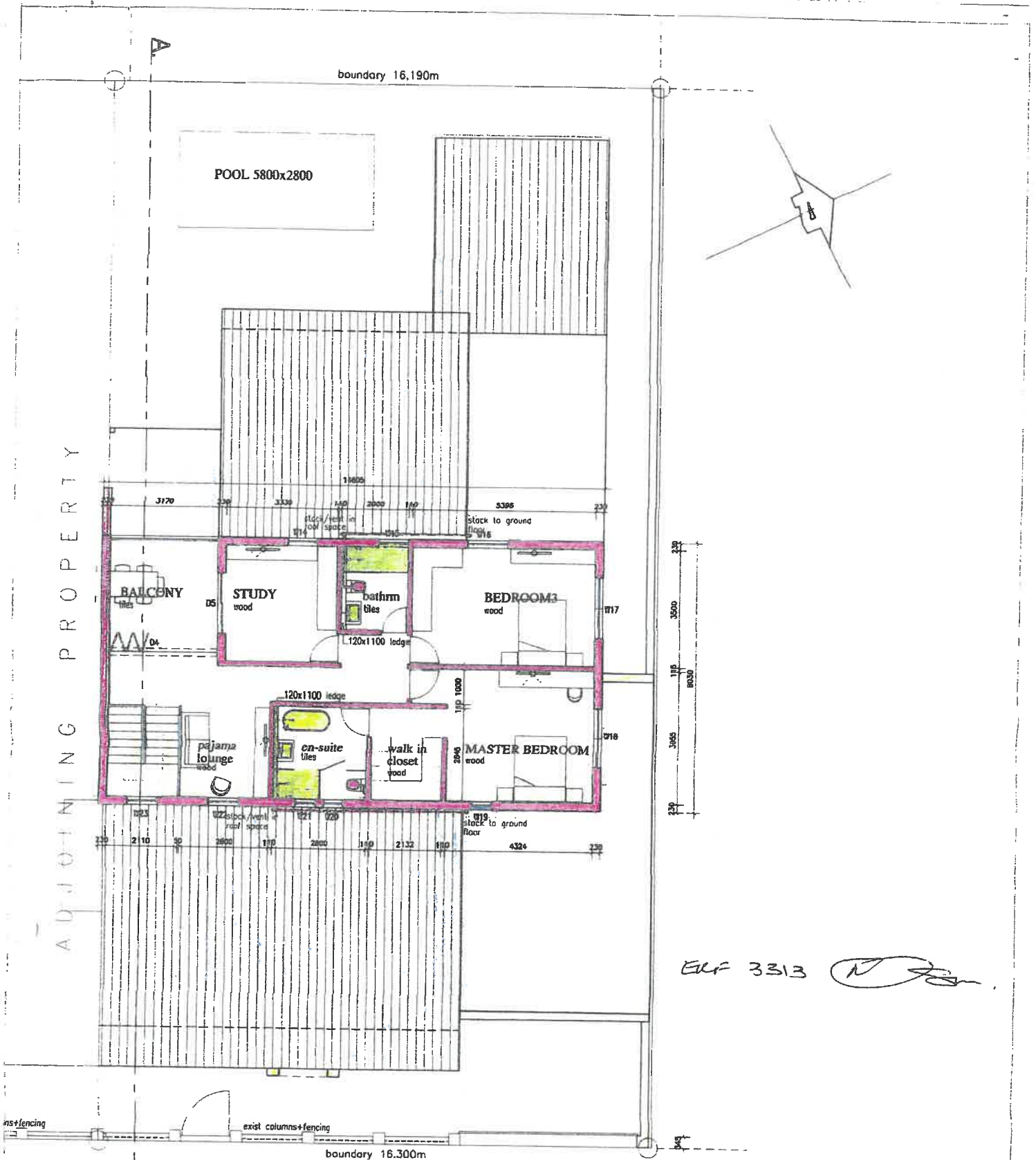
ground+site plan 1:100

3333  
*[Signature]*  
 13632  
*[Signature]*

client  
 Anzel Hossain  
 Erf 13634  
 33 Rustenburg Street  
 Stellenbosch  
 drawing  
 Sketch for discussion

job no.  
 1/1/1  
 date  
 Jan 2010  
 scale  
 1:100  
 drawing no  
 drawing no  
 4-1

client: *[Signature]*  
 designer: *[Signature]*  
 SACAP Reg. No. ST 1393  
 don poerstamper



ELF 3313

first floor+roof plan 1:100

13632

3333

client  
Anzel Hossain  
Erf 13634  
33 Rustenburg Street  
Stellenbosch

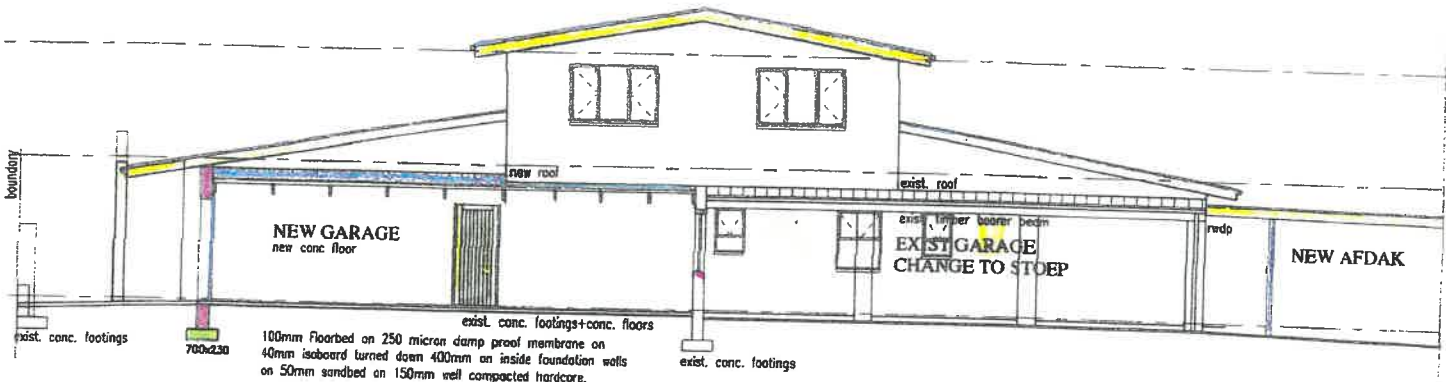
job no.  
1/1/1  
scale  
1:100  
drawing no  
4-2

date  
Jan 2010  
drawn  
don  
rev  
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client :   
designer :   
SACAP Reg. No. ST 1393

donpoerstamper  
PLANNING

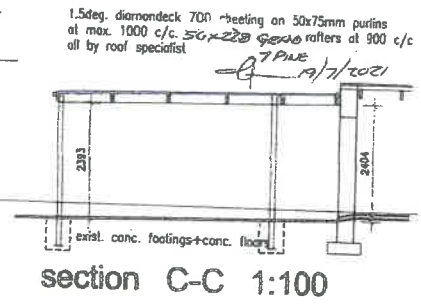




north east elevation 1:100



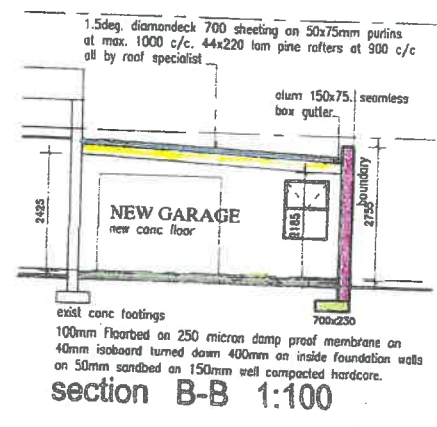
north west elevation 1:100



section C-C 1:100



south east elevation 1:100



section B-B 1:100

13632

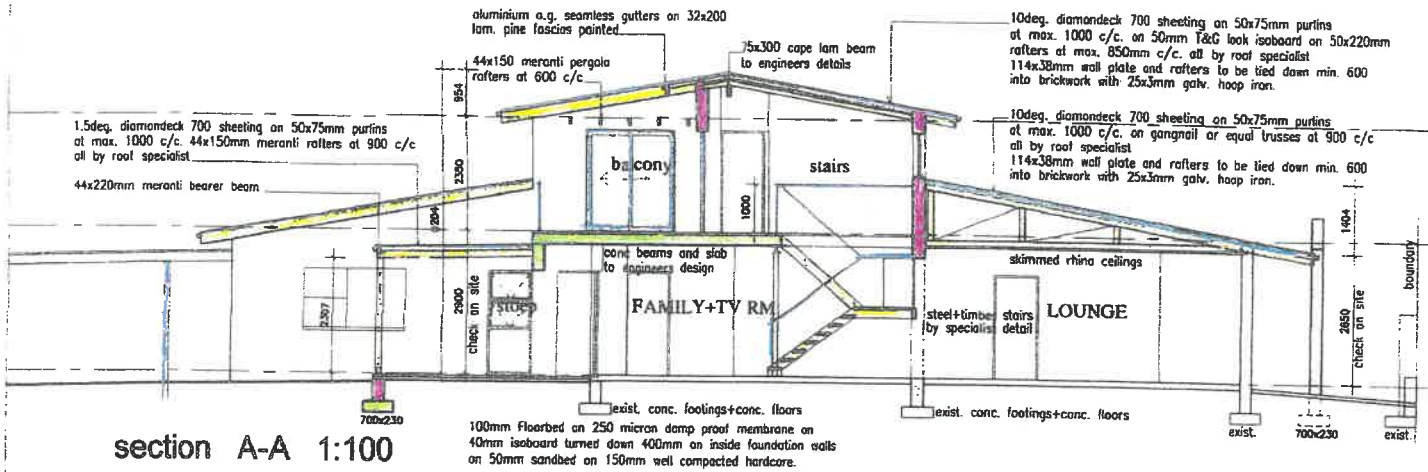
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3313

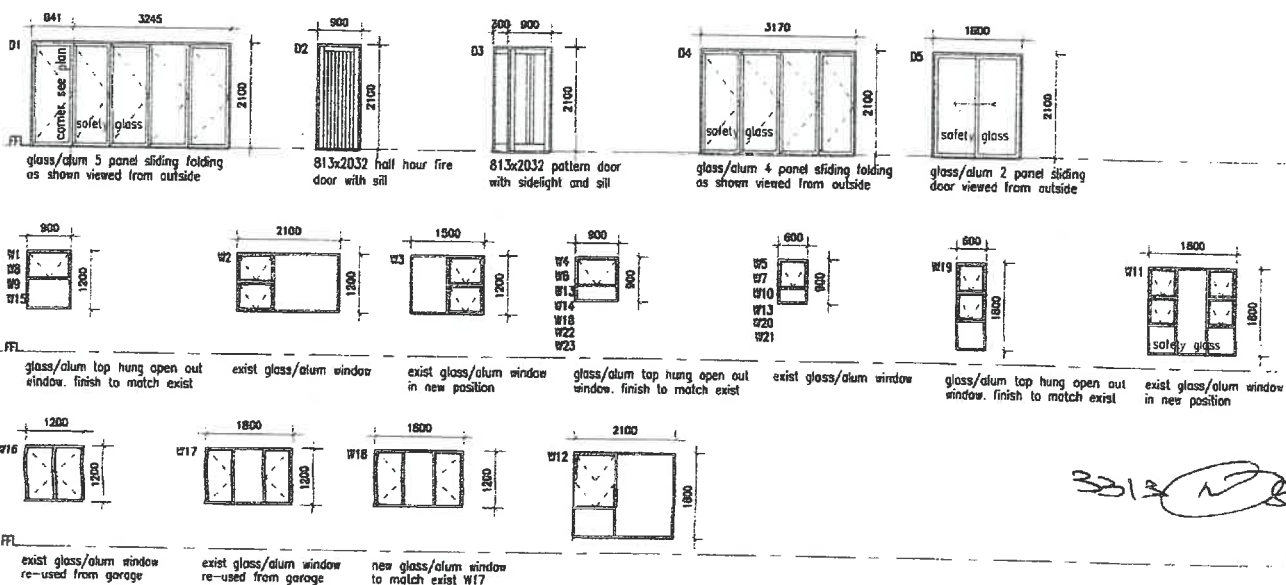
client  
 Anzel Hossain  
 Erf 13634  
 33 Rustenburg Street  
 Stellenbosch  
 drawing  
 Elevations

job no.  
 1/1/1  
 scale  
 1:100  
 drawing no  
 4-3  
 date  
 Jan 2010  
 drawn  
 don  
 rev  
 RO

client :   
 designer :   
 SACAP Reg. No. ST 1393  
 donpoerstamper  
 PLAN+DESIGN SERVICES



section A-A 1:100



Doors + Windows 1:100

ENERGY EFFICIENCY INFORMATION:

- FENESTRATION:** Rational design in compliance with acceptable targets for solar heat gain and conductance. Refer A4 sheet for all calculations.
- INSULATION: ROOF**  
Roof assembly complies with min R-value of 3.7 in an upwards direction for climate zone 4  
Total R value achieved = 4.36  
Diamond metal sheeting with mid shade Colorbond finish R-value = 0.35  
Stapled 40S aluminium foil insulation over battens Total R value achieved = 0.83  
Lambsboard laminated polyisocyanurate core board with a minimum core density of 34kg/m.sq and minimum thickness of 80mm  
Upper facing to be natural matt mineral-coated fiberglass tissue  
Lower facing to be white matt mineral-coated fiberglass tissue  
supplied in widths of 1220mm, fixing details as per manufacturers instructions  
R-value = 3.33
- WALLS:**  
Double skin brick with cavity complies to min R-value of 0.35 for climate zone 4
- WATER HEATING AND PIPE INSTALLATION**  
>50 % of the volume of the annual hot water supply to be heated by means of solar water heaters and heat pumps  
All hot water supply pipes to be fully lagged with either 25mm polyurethane foam or 10mm mineral fiber insulation  
R-value 1
- LIGHTING**  
All lighting provided will have either energy saver or LED light bulbs.

WATER HEATING CALCULATIONS:

- H4 Dwellling Occupation 4 beds = 8 people
  - Usage per person per day = 50 litres
  - Household consumption per day at 38 degC = 115l/per pers x 8 = 920 litres  
Storage volume at 80 degC = 50 litres / per person x 8 = 400 litres
  - Ambient input temperature = 16 degC
  - Target output temperature (delivery temperature) = 38 degC
  - Average difference in temperature = 22 degC
  - Specific heating of 1 litre of water = 4.182 kJ/kg
  - Daily energy required to heat water = c x l x g = 690 l/day x 22 x 4.182 = 63 482.76 kJWh
  - kJWh per day = h divided by 3600 = 63.482.76 / 3600 = 17.63 kJWh  
50% of energy required to heat water per year = 4 283.75 kJWh  
Energy requirement to heat water per = 17.63 kJWh x 365 days = 6 436.44 kJWh
  - Storage capacity = 400 litres
  - Flow rate = 12-14.5l/min
  - heating capacity = 3kW
  - power consumption = 1.3kW
  - co-efficient of productivity = 4 COP
  - adjusted annual average (divide into figure below) = 2.5 COP
  - annual heat energy = 8 577.5 kJWh  
heat pump energy usage = less than 50% of energy required than by using a heat resistance device = 1 715.5 kJWh
- Installation complies - 2-off Heatpump spec: 3kw with 200 litre storage
- all hotwater pipes to insulated in fibre material with a min R-value of 1>50%

FENESTRATION

	GROUND FLOOR	FIRST FLOOR
NETT FLOOR AREA (m)	186 sqm	92 sqm
GLAZING AREA (m)	26.40sqm	21.24sqm
GLAZING %	14.2%	23.08%
CLIMATIC ZONE	4	4
SANS 204 TABLE 5		
U-Value Constant	1.4	1.4
SHGC Constant	0.13	0.13
U-Value Limit Allowed	260.40	128.80
SHGC Limit Allowed	24.10	11.96
U-Value Limit Achieved	147.84	118.93
SHGC Limit Achieved	9.64	60.8
U-Value Complies?	YES	YES
SHGC Complies?		YES

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*Don Poer*

13632  
*Don Poer*

client  
Anzel Hossain  
Erf 13634  
33 Rustenburg Street  
Stellenbosch  
drawing  
Section/doors+windows

job no.  
1/1/1  
scale  
1:100  
drawing no  
4-4

date  
Jan 2010  
drawn  
don  
rev  
RO

client: *Don Poer*  
designer: *Don Poer*  
SACAP Reg. No. ST 1393  
**donpoerstamper**  
PLAN+DESIGN SERVICES