



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15794

Our File Reference Number: Erf 14495, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

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

PER E-MAIL: kyle@capearchitecture.co.za / debbieslabber@live.com

Sir / Madam

APPLICATION FOR PERMANENT DEPARTURE AND CONSENT USE ON ERF 14495, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
3. That the application for Consent use in terms of section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law, 2023 to allow a second dwelling unit that exceeds the threshold (permissible height) from two (2) storeys to three (3) storeys on Erf 14495, Stellenbosch.
 - 3.1 That the application for a permanent departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law 2023 in order to relax the common building line from **2.5m** to **1.5m** and **1.95m** for the proposed dwelling house and second dwelling on Erf 14495, Stellenbosch.
 - 3.2 Application for a permanent departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law 2023 to relax the permissible height to be three (3) storeys in lieu of two (2) storeys for the proposed second dwelling on Erf 14495, Stellenbosch.

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

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

4.1 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 By-Laws or Regulations that may be applicable.

4.2 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.

4.3 Building plans must be generally in accordance with the site plan / floor layout plan as referenced 22009.CS.01 revision 2, drawn by KH, dated 10/05/2023 attached as **Annexure B**.

4.4 Conditions imposed by the Engineering Services Department as contained in the memorandum dated 28 September 2023 and attached as **Annexure D**, be complied with.

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

5.1. The proposed use will not negatively impact on the character on the surrounding residential area and the primary use of the property will remain residential.

5.2. Sufficient on-site parking has been provided.

6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 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.

7. 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:

7.1 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

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

7.3 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.

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

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

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

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

7.8 The relief sought by the appellant.

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

7.10 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.

8. 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.

9. 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.

10. 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.

11. 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:

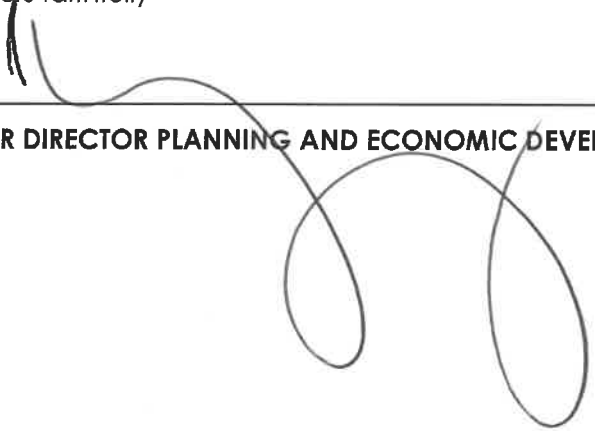
- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
- (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

- (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.

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

13. 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

6/2/2024
DATE: ,

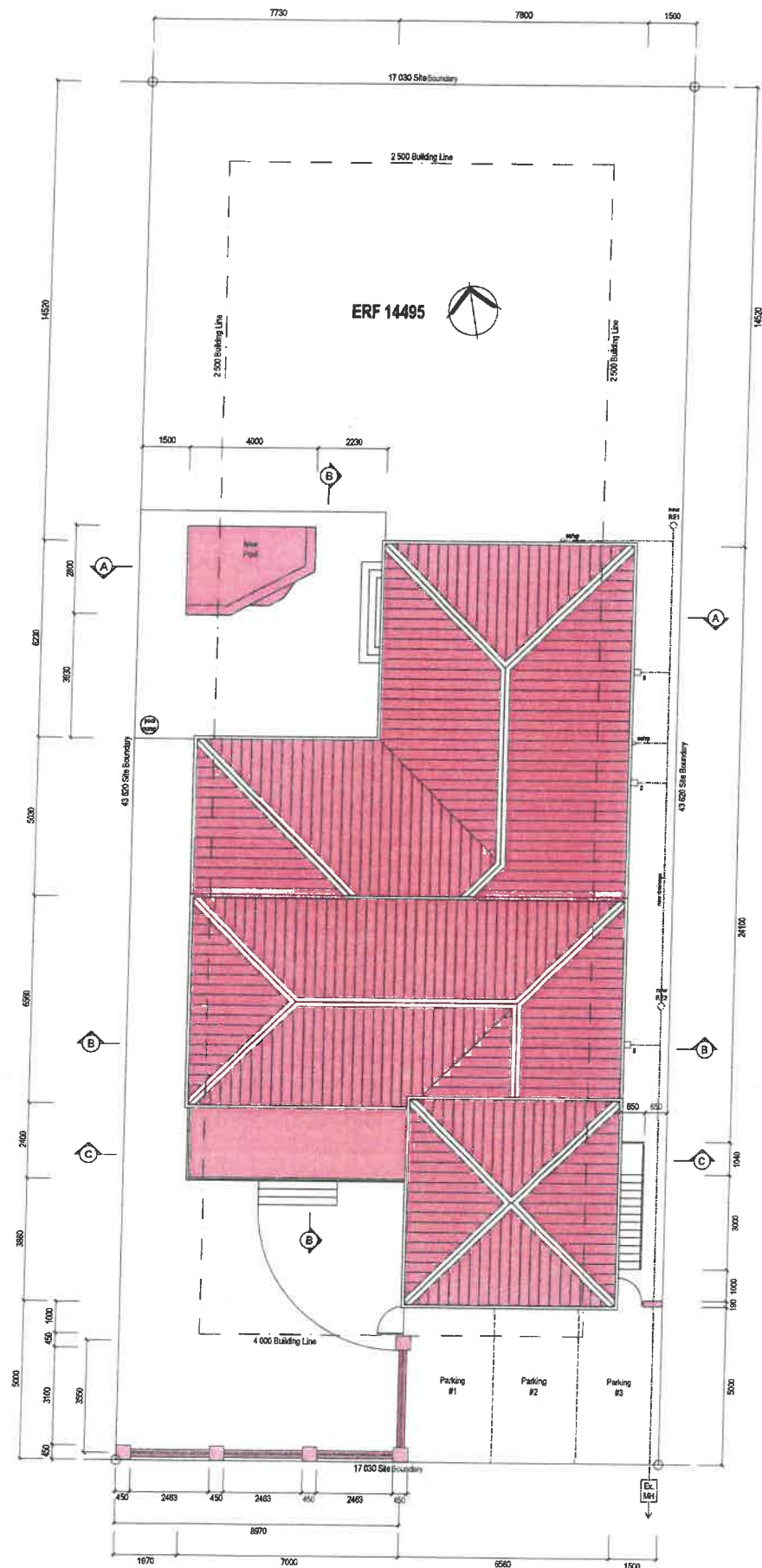


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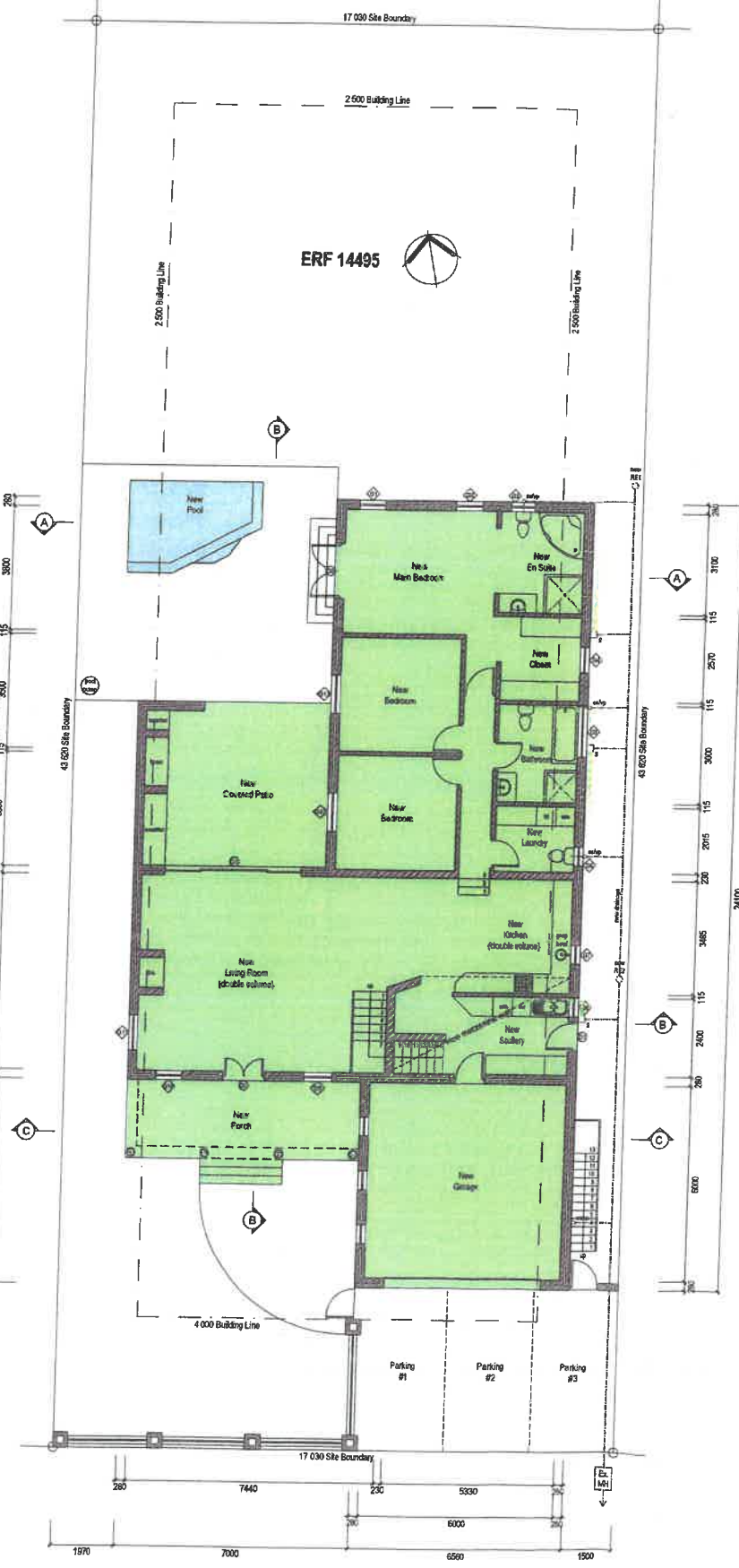
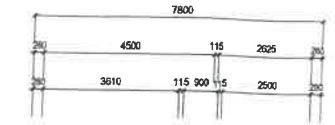
ANNEXURE B

SITE PLAN / FLOOR LAYOUT PLAN



SITE PLAN
1:100

Rhode Avenue-North



GROUND STOREY PLAN
1:100

Rhode Avenue-North

AREAS

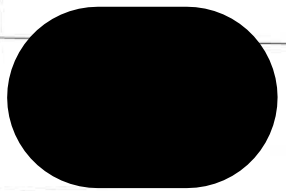
SITE AREA	= 743.00m ²
AS-BUILT DWELLING	= 205.75m ²
AS-BUILT GARAGE	= 41.05m ²
NEW 2nd DWELLING	= 62.65m ²

COVERAGE
 = (205.75 + 41.05) / 743.00
 = 33.22%

ROOF INSULATION

150mm min. cellulose fibre (generic) loose-fill throughout new roof.

R-Values	U _p
Outdoor air film	0.030
Clay roof tile	0.020
Roof air space	0.180
Plasterboard 10mm	0.060
Indoor air film	0.110
	0.400
Insulation R-Value required	= 3.730 - 0.400
	= 3.300
Cellulose fibre (generic) loose-fill R-Value (150mm min.)	= 3.300
R-Value achieved	= 0.400 + 3.300
	= 3.700



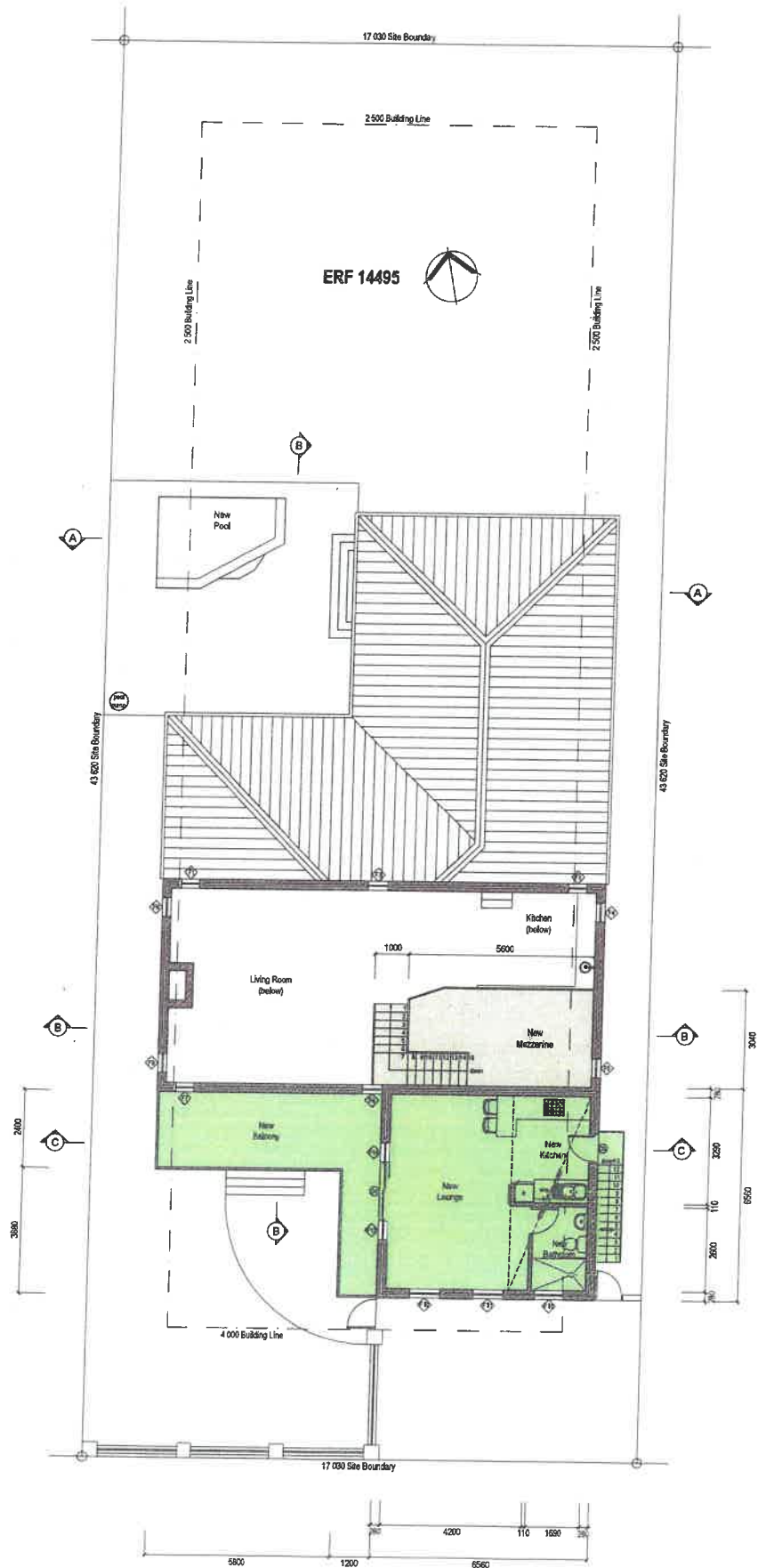
Project
VAN DER PLAETSEN

ERF 14495
 24 RHODES AVENUE NORTH
 DIE BOORD
 STELLENBOSCH

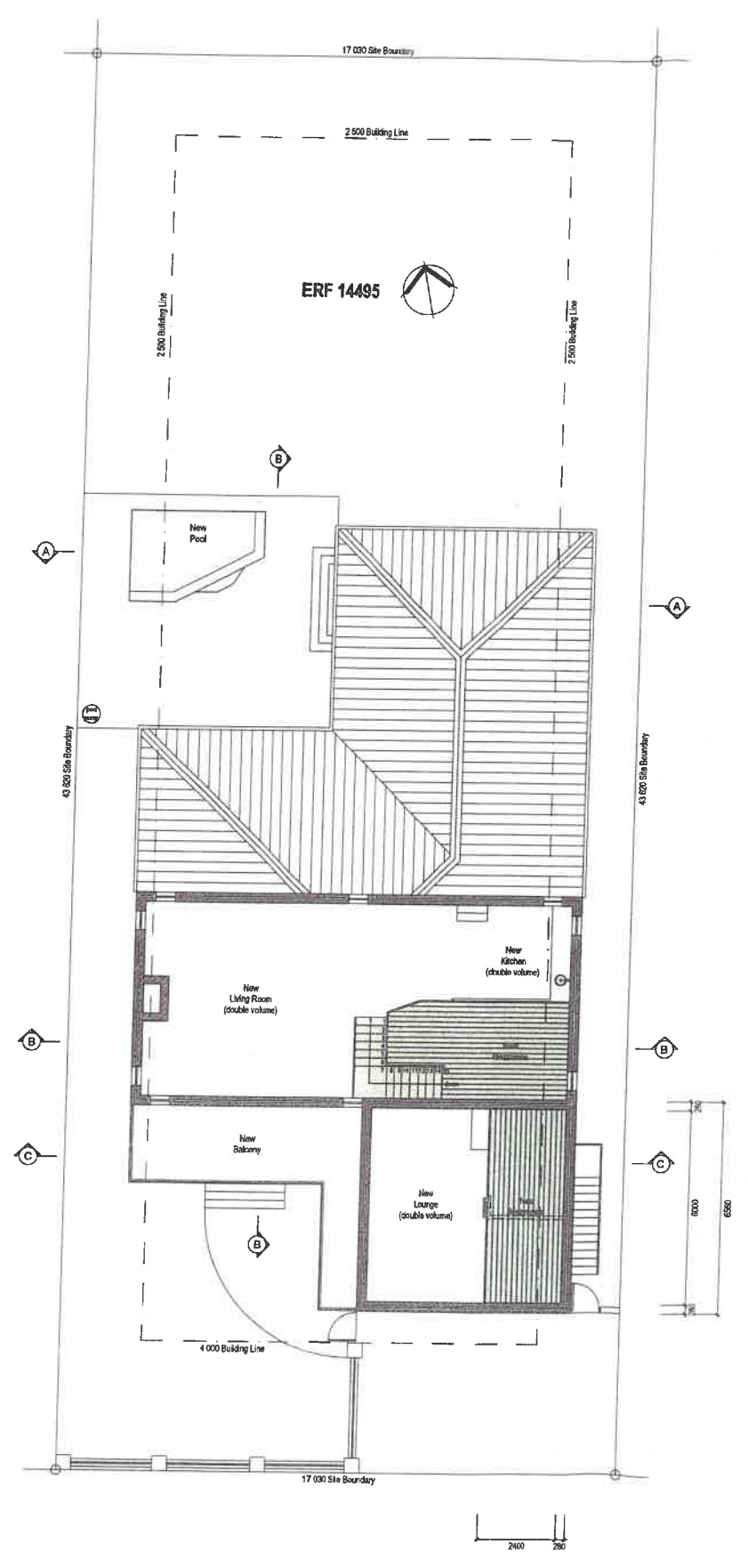
COUNCIL SUBMISSION

PROPOSED DWELLINGS

Scale	Drawings	Revisions
1:100	2200B.CS.01	2
Sheet No.	Drawn	Checked
1/4	KH	KH
Date	Signature	
2023.05.10	<i>[Signature]</i>	



Rhode Avenue-North
FIRST STOREY PLAN
 1:100



Rhode Avenue-North
MEZZANINE PLAN
 1:100

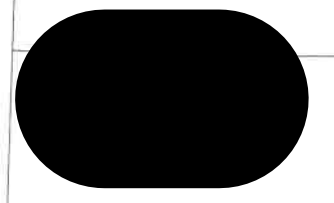
AREAS

SITE AREA	= 743.00m ²
AS-BUILT DWELLING	= 205.75m ²
AS-BUILT GARAGE	= 41.68m ²
NEW 2nd DWELLING	= 62.95m ²
COVERAGE	
=	(205.75 + 41.68) / 743.00
=	33.22%

ROOF INSULATION

135mm min. cellulose fibre (generic) loose-fill throughout new roof.

R-Values	
Outdoor air film	0.030
Clay roof tile	0.020
Roof air space	0.180
Plasterboard 10mm	0.060
Indoor air film	0.110
	0.420
Insulation R-Value required	= 3.700 - 0.420
	= 3.300
Cellulose fibre (generic) loose-fill R-Value (135mm min.)	= 3.300
R-Value achieved	= 0.420 + 3.300
	= 3.720



Project
 ERF 14495
 24 RHODES AVENUE NORTH
 DIE BOORD
 STELLENBOSCH

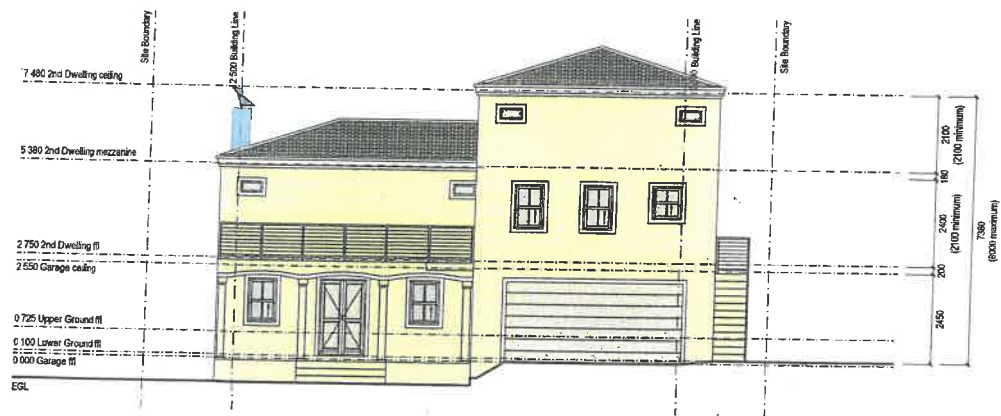
COUNCIL SUBMISSION

PROPOSED DWELLINGS

Scale	Drawing No.	Pages
1:100	22008.CS.01	2
Drawn	Drawn	Checked
2/4	KH	KH
Date	Signature	
2023.05.10		

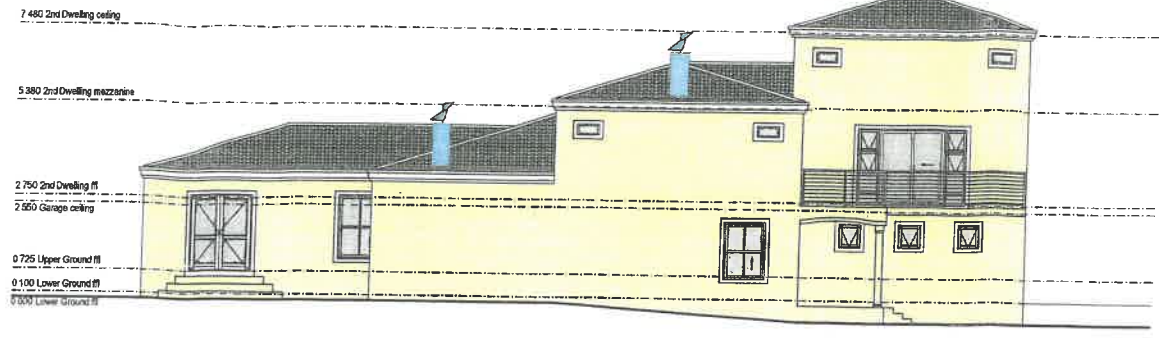
COUNCIL SUBMISSION NOTES

1. GENERAL NOTES
 - 1.1 All work to be carried out in accordance with the drawings. Any discrepancies on the drawings are to be reported to the author of such drawings prior to work being undertaken.
 - 1.2 Only indicated dimensions to be used in setting out. No scaling of drawings is permitted.
 - 1.3 All work to comply with the local and national regulations including, but not limited to, SANS 10400, SANS 2001, National Building Regulations and the Occupational Health & Safety Act.
 - 1.4 No work, including foundations, to proceed on the boundaries. All setting out points & levels to be verified by the architect and/or level surveyor prior to work commencing. Lateral support to be designed by engineer where required.
2. EARTHWORKS & FOUNDATIONS
 - 2.1 Foundation trenches to width, depth and thickness as specified by structural engineer.
 - 2.2 All dimensions, concrete strength, depth and reinforcement of foundations as per engineer's specifications.
3. CONCRETE WORK
 - 3.1 Concrete surface bed as per SANS 10195. Surface bed to be min. 100mm slab on 250 micron DPM turned up at sides. Laid over level brick-course and stepped to exterior face with weep-holes at every fourth brick. Max. 40mm sized. Concrete structure as per engineer's drawings and in accordance with SANS 2001-GC1 & GC2.
 - 3.2 Concrete structure as per engineer's drawings and in accordance with SANS 2001-GC1 & GC2.
4. WALLS
 - 4.1 10% clay bricks with minimum 14MPa strength to be used for masonry walls. 280mm cavity walls to exterior facing walls with brick-course every third course and 2.5 lites per square meter of wall.
 - 4.2 Pre-cast concrete lintels to be used over openings less than 3.0m wide with min. 6 courses of brickwork over.
 - 4.3 Wall finishes as indicated.
 - 4.4 All walls as per engineer's specifications.
5. FLOORS
 - 5.1 Concrete surface bed
 - 5.1.1 Specified floor finish on screed on 100mm concrete surface bed on 250mu DPM on sand/brick layer, or well compacted hardcore fill to engineer's specification.
 - 5.2 Concrete suspended floor
 - 5.2.1 Specified floor finish on screed on reinforced concrete slab to engineer's specification.
 - 5.3 Timber mezzanine floors
 - 5.3.1 Timber planks on timber joists to engineer's specification.
6. WINDOWS, DOORS & VENTILATION
 - 6.1 All habitable rooms to have min. 10% floor area glazed and min. 5% floor area naturally ventilated.
 - 6.2 New windows and doors to be timber and aluminium as indicated.
 - 6.3 All glazing to comply with requirements of SANS 10137 & SANS 10400 - PART N - Access doors and side light windows lower than 500mm from floor, windows lower than 1800mm above plot line of stairs and shop fronts to be safety glass and clearly indicated as such on plan at eye level.
7. ROOF & CEILING
 - 7.1 Concrete Double Roman roof tiles by Massey or equal.
 - 7.1.1 Double Roman cement roof tiles on 300mm battens @ 320mm c/c on prefabricated roof trusses @ 750mm c/c to engineer's specifications.
 - 7.1.2 Trusses to rest on 11400mm wall plates and secured with galvanized hoop iron straps to min depth of 600mm. All roof trusses/rafters to be secured in terms of SANS 10400 - K, sub-clause 4.2.11 table 30.
 - 7.1.3 Roofing underlay to be SANS Approved, Grade 7 SA Pine.
 - 7.1.4 9mm gypsum board ceiling. Ceiling boards to be sanded and primed to finish.
8. RAINWATER GOODS
 - 8.1 Aluminium gutters & 60mm diameter downpipes to discharge into garden below.
 - 8.2 Water to fall to ground surface. All interior surfaces to be permeable for sustainable surface drainage.
9. WASTE WATER
 - 9.1 All drainage goods and installation in accordance with SANS 10400 - P, SANS 10252 & SANS 2001-APP.
 - 9.2 All pipes to be uPVC. Min. 50mm diameter for waste water pipes and min. 110mm diameter for soil pipes.
 - 9.3 All sub-surface pipes to meet above concrete footings & be provided with sleeves where passing through foundation walls.
 - 9.4 Drains to be not to exceed 25m without provision for access and/or inspection.
10. STAIRS
 - 10.1 All stairways to comply with SANS 10400 - M, and SANS 10104
 - 10.2 Concrete Staircase
 - 10.2.1 Concrete staircase to engineer's specification.
 - 10.3 Timber Staircase
 - 10.3.1 Timber staircases to engineer's specifications.
 - 10.4 All staircases more than 3 steps to have 1m height handrails/balustrades, with maximum 100mm openings.
 - 10.4.1 Differences in floor levels of more than 1m to be provided with 1m high handrails/balustrades with max 100mm openings between upright elements. Balustrade to be min. 1000mm above FFL.
11. DPM & DPC
 - 11.1 375 micron damp proof course is to be applied at the base of all walls, at slab level, and under all window sills in accordance with SANS 10400 K, SAND 248, 298 and 302. External walls to have stepped DPC, one course below all window openings. 250 micron damp proof membrane is to be laid under all surface beds.
 - 11.2
12. ENERGY
 - 12.1 A minimum of 50% by volume of the annual average hot water heating requirement shall be provided by means other than electrical resistance heating, including but not limited to, solar heating, heat pumps, heat recovery from other systems or processes. The solar heating systems shall comply with SANS 1307 and SANS 10101, based on the thermal performance determined in accordance with the provisions of SANS 6211-1 & SANS 6211-2. The installation thereof shall comply with SANS 10254. Hot water usage shall be minimized & the system maintained in accordance with the requirements given in SANS 10254.1.
 - 12.2 All exposed pipes to and from the hot water cylinders and central heating systems shall be insulated with pipe insulation material with a minimum R-value of 1,0 for pipes with a diameter less than 80mm and a minimum R-value of 1,5 for pipes with a diameter of greater than 80mm.
 - 12.3 All insulation shall: 1. Be protected against the effects of weather and sunlight; 2. Be able to withstand the temperatures within the piping; and 3. Achieve the minimum total R-value as stipulated above. Hot water vessels and tanks shall be insulated with a mineral covering a minimum R-value of 2,0. Insulation on vessels, tanks and piping containing cooling water shall be protected by a vapour barrier on the outside of the insulation. The piping insulation requirements do not apply to space heating water piping & located within the space being heated where the piping is to provide the heating to that space; or 4. Crossed within a concrete floor slab or within masonry. These pipes shall comply with SANS 10254.1. Piping to be installed includes all flow and return piping, cold water supply piping within 1m of the connection to the heating or cooling system and pressure relief piping within 1m of the connection to the heating or cooling system. Where possible, lengths of pipe runs should be minimized.



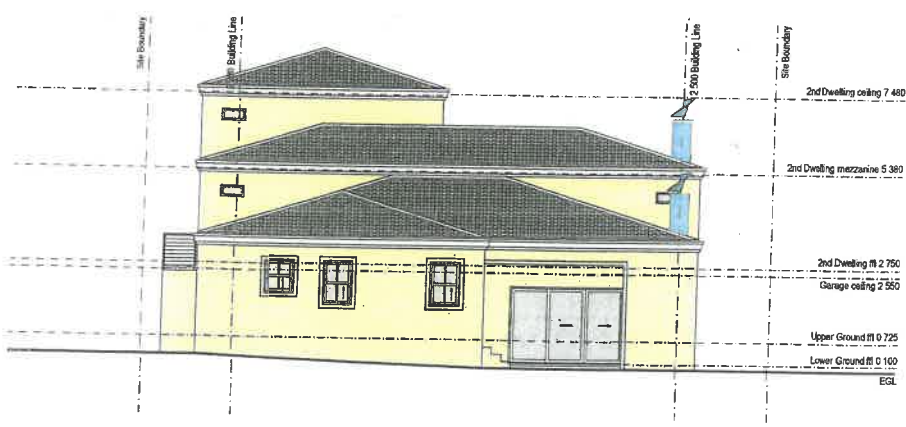
SOUTH ELEVATION

1:100



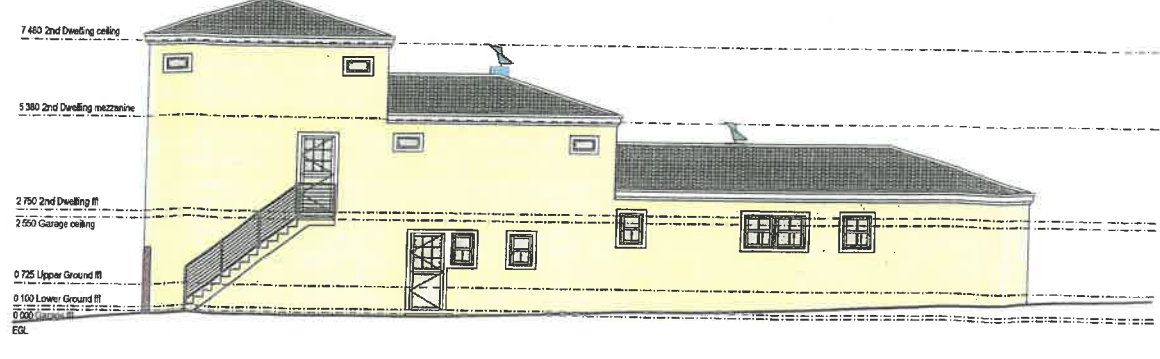
WEST ELEVATION

1:100



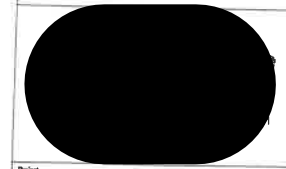
NORTH ELEVATION

1:100



EAST ELEVATION

1:100



Project
ERF 14495
 24 RHODES AVENUE NORTH
 DIE BOORD
 STELLENBOSCH

COUNCIL SUBMISSION

PROPOSED DWELLINGS

Scale	Drawing	Section
1:100	22009.CS.01	2
Sheet No.	3/4	Sheet
	KH	KH
Date	2023.05.10	Signature



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ANNEXURE D

COMMENT FROM THE DIRECTOR: ENGINEERING
SERVICES



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Nolusindiso Momoti
From ▫ Van: Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Kurt Titus
Date ▫ Datum: 28 September 2023
Our Ref ▫ Ons Verw: Civil LU 2560
Town Planning Ref: LU/15794
Re ▫ Insake: Erf 14495, Stellenbosch: Application for consent use in terms of section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 to allow a second dwelling unit that exceeds the threshold (permissible height) from two (2) storeys to three (3) storeys. Application for permanent departure in terms of section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 to permit the following relaxations: - Dwelling height to be three (3) storeys in lieu of two (2) storeys. - Eastern common building line to be 1.5m in lieu 2.5m.- Western common building line to be 1.97m in lieu of 2.5m.

The application is **recommended** for approval, with the following conditions:

1. **Civil Engineering services**
 - 1.1 At the building plan approval stage, the following must be included on the plans submitted for approval:
 - 1.1.1 All dimensions for the allocated parking bays on the site layout plan. Parking bays directly adjacent to a wall must have a 0.350m increase in width from 2.5m to 2.850m.

1.1.2 The position of the water meter for the erf 14496 must be pointed out on the layout plan.

K Titus

Kurt Titus
Principal Technician: Development (Infrastructure Services)

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