

Application Number: LU/14936

Our File Reference Number: Erf 5932, 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 IN TERMS OF SECTIONS 15(2)(B) & 15(2)(F) RESPECTIVELY OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW 2023 FOR A DEPARTURE & REMOVAL OR SUSPENSION OF THE TITLE DEED CONDITION 6(B) AS CONTAINED IN TITLE DEED NR T8275/2019 ON ERF 5932, DIE BOORD, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the application made in terms of Section 15(2)(f) of the Stellenbosch Municipality Land Use Planning By-Law 2023 for suspension of the restrictive title deed condition, Clause 6(b), as contained in Title Deed T8275/2019 (attached as **Annexure B**), to relax the restrictive title deed condition of the street building lines from 4.6m to 1m (facing the Rhodes Laan & Lovell Laan) respectively for the proposed additions in the form of an en-suite on the ground floor with a new bathroom on the upper floor, as well as the extension of the dining room, kitchen and scullery that are on the ground floor of Erf 5932, Stellenbosch.
 - 2.2 That the application made in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law 2023 for a permanent departure to relax the street building lines from 4.m to 1m (facing the Rhodes Laan & Lovell Laan) respectively for the proposed additions in the form of an en-suite on the ground floor with a new bathroom on the upper floor, as well as the extension of the dining room, kitchen and scullery that are on the ground floor of Erf 5932, as indicated in Drawing No. HC/22/02/013A1, Drawn by Shafiek Biscombe Architectural Service, dated Feb 2022.

BE APPROVED in terms of Section 60 of the said By-Law and subject to conditions of approval.

3. The approval is subject to the following **conditions** imposed in terms of Section 66 of the said By-Law:
 - 3.1 The approval only applies to the application 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.
 - 3.2 The development be undertaken generally in accordance with the Site Plan as indicated on Drawing No. HC/22/02/013A1, Drawn by Shafiek Biscombe Architectural Service, Dated Feb 2022. (attached as **Annexure B**).
 - 3.3 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.
 - 3.4 Building plans must be generally in accordance with the Site Plan as referenced in Drawing No. HC/22/02/013A1, Drawn by Shafiek Biscombe Architectural Service, Dated Feb 2022. (attached as **Annexure B**).
4. The reason for the above decision is as follows:
 - 4.1 The proposal is a logical extension of the existing approved dwelling and it will improve the internal functionality and layout of the dwelling.
 - 4.2 The proposed development will not have a negative impact on the surrounding properties as the primary use of the property will remain residential.
5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023, 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:
 - 6.1 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
- 8.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.
- 8.3 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.
- 8.4 Whether the appeal is lodged against the whole decision or a part of the decision.
- 8.5 If the appeal is lodged against a part of the decision, a description of the part.
- 8.6 If the appeal is lodged against a condition of approval, a description of the condition.
- 8.7 The factual or legal findings that the appellant relies on.
- 8.8 The relief sought by the appellant.
- 8.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.
- 8.10 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.
9. 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
10. 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.
11. 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
12. 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.

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

14. 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.

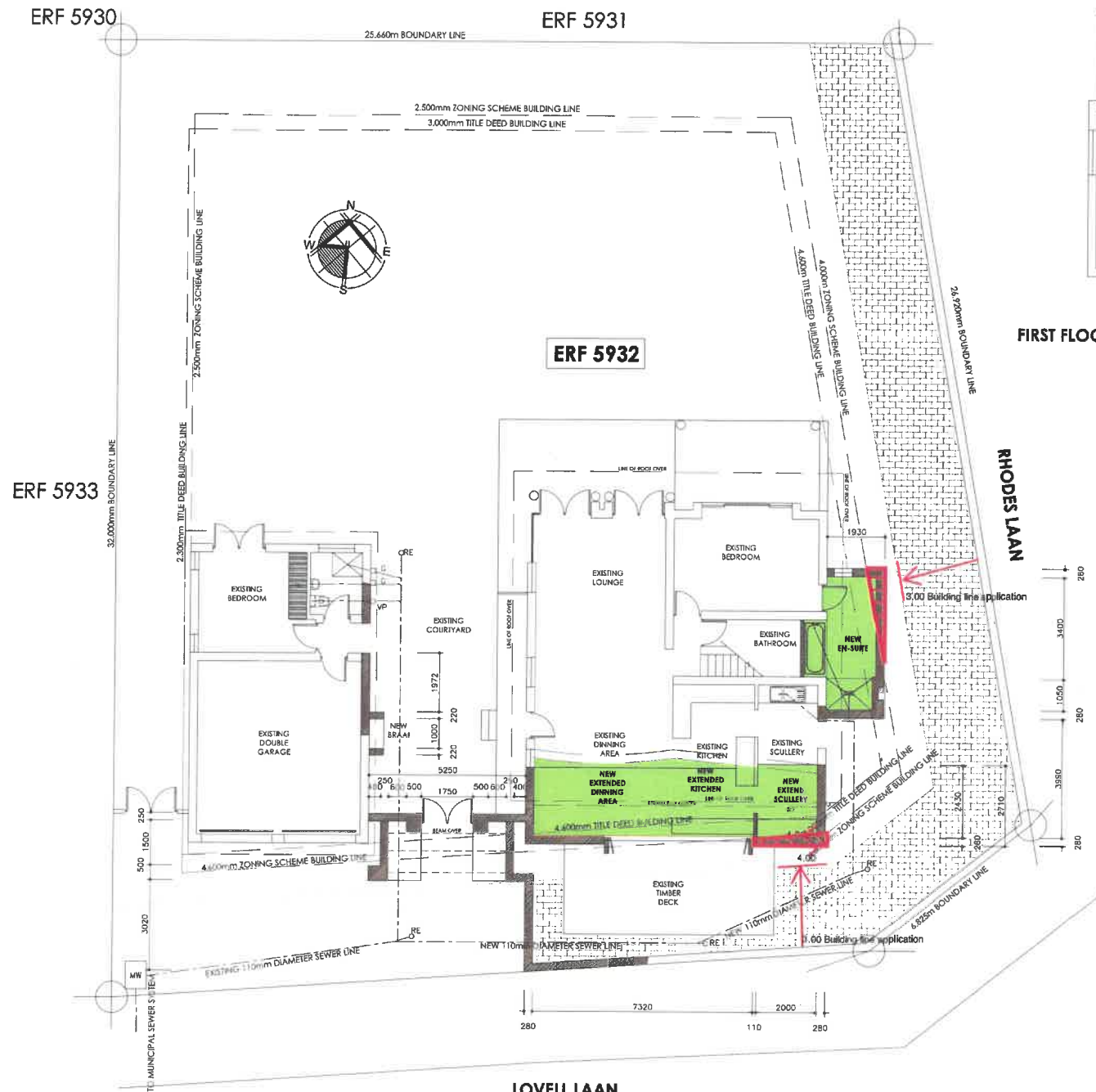
Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

03.10.2023
DATE:

ANNEXURE B: SITE DEVELOPMENT PLAN



SITE AND GROUND FLOOR PLAN
SCALE 1:100

FIRST FLOOR PLAN
SCALE 1:100

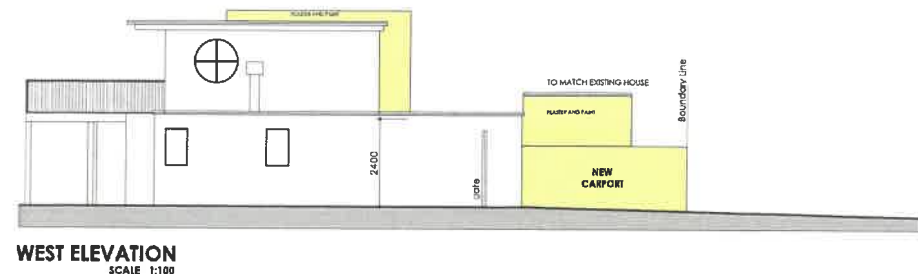
SECTION A-A
SCALE 1:100

EAST ELEVATION
SCALE 1:100

SOUTH ELEVATION
SCALE 1:100

NORTH ELEVATION
SCALE 1:100

NORTH ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100

COVERAGE CALCULATIONS	AREA
SITE AREA	895.00m ²
EXISTING DWELLING	226.00m ²
EXISTING CARPORT	37.00m ²
TOTAL	37.00m ²
TOTAL FOOTPRINT	263.00m ²
COVERAGE	24.8 %

PLEASE DO NOT SCALE FROM DRAWINGS. SCALED DRAWING ARE INVALID. CHECK ALL DIMENSIONS AND LEVEL PRIOR TO BUILDING WORKS. REPORT ANY DISCREPANCIES IMMEDIATELY TO THIS OFFICE. IN THE EVENT OF FILING EXCEEDING A DEPTH OF 500mm, CONSULT A STRUCTURAL ENGINEER TO AVOID FUTURE STRUCTURAL DAMAGES. ALL INFORMATION ON THIS SHEET IS THE PROPERTY OF SHAFIEK BISCOMBE ARCHITECTURAL SERVICES. REPRODUCTION THEREOF IS PROHIBITED. COPYRIGHT IS THEREFOR UPHOLD.

NOTES AND SPECIFICATIONS

FOUNDATIONS (SANS 10400, PART H)
700 X 230 DEEP CONCRETE FOUNDATIONS FOR ALL LOADBEARING WALLS. 600 X 230 DEEP FOR ALL NON - BEARING WALLS. ALL FOUNDATIONS TO BE EXCAVATED TO A DEPTH OF NOT LESS THAN 300MM BELOW EXTERNAL GROUND LEVEL.

WALLS (SANS 10400, PART K)
ALL BRICKWORK TO BE REINFORCE WITH BUTTERFLY TIES TO NHBC REQUIREMENTS. D.P.C. TO BE PROVIDED UNDER THE EXTERNAL AND INTERNAL WALLS.

FLOORS (SANS 10400, PART J)
25MM SCREED ON 100MM CONCRETE SLAB (1:3:6) ON 250 MICRON D.P.C. ON WELL COMPACTED FILL.

CEILINGS (SANS 10400, PART L)
8MM RHINOBOARD WITH 76MM COVED CORNICE NEATLY MITRED ON 38 X 38 BRANDERING AT 400 C/C MAX.

ROOF (SANS 10400, PART I)
CORRUGATED ROOF SHEETING ON PREFAB ROOF TRUSSES ON HOOP IRON BUILT 600 INTO WALL.

STORMWATER (SANS 10400, PART R)
STORMWATER DOWNPIPES TO ROUTED WITH PRE CAST CONCRETE WATERCHANNELS TO ROAD STORMWATER SYSTEM.

RAINWATER (SANS 10400, PART R)
APPROVED P.V.C. GUTTERS AND 75MM DIAMETER DOWNPIPES. ALL WATER TO BE TAKEN FROM FOUNDATIONS.

FOR SUBMISSION

CLIENT
HOUSE CARSTENS

SHAFIEK BISCOMBE
ARCHITECTURAL
SERVICES

P.ArchT. (Reg. Nr. T1539)

POSTAL ADDRESS	OFFICES ADDRESS
7602	Office 08
7602	7602
7602	7602

PROJECT
PROPOSED
NEW ADDITIONS AND
ALTERATION ON ERF
5932, LOVELL AVE, DIE
BOORD,
STELLENBOSCH

DRAWN BY	D.BENJAMIN
CHECKED BY	S. BISCOMBE
SCALE	AS SHOWN
DATE	FEB 2022
DRAWING NR.	HC/22/02/013 A1