

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16810(TP656/2024)

Our File Reference Number: Erf 1035, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL jacques@dmp.co.za

Sir / Madam

APPLICATION FOR REMOVAL AND SUSPENSION OF RESTRICTIVE TITLE DEED CONDITION & TECHNICAL APPROVAL ON ERF 1035, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the following application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 on Erf 1035, Stellenbosch for:
 - 2.2 An application in terms of Section 15(2)(f) of the said By-law for the removal of restrictive title deed condition D. I(iii)(b) as contained in Deed of Transfer No. T37892/1999 to permit:
 - a) The construction of a second dwelling.
 - 2.3 An application in terms of Section 15(2)(f) of the said By-law for the suspension of restrictive title deed condition D. I(iii) (d) as contained in Deed of Transfer No. T37892/1999 to permit:
 - a) The lounge and kitchen to be 2m in lieu of 6.3m from the common boundary (adjoining Erf 1036 Stellenbosch).
 - 2.4 A Permission/Technical approval in terms of Section 15(2)(g) of the said bylaw to permit an additional use of a second dwelling on Erf 1035 Stellenbosch.
 - BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval.
 - 2.5 The approval is subject to the following **conditions** imposed in terms of Section 66 of said Bylaw:
 - 2.6 The approval only applies to the applications under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from the Municipality or other legislation or By-laws or Regulations that may be applicable.
 - 2.7 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.

2.8 The development and building plans be generally in accordance with:

- 2.8.1 The second dwelling floor plan & area calculation as referenced on Drawing No. PL001, Dated 02 February 2024, drawn by Dennis Moss Partnership, attached as **Annexure A.**
- 2.8.2 The set of floor plans, perspectives and section as referenced on Layout No. 01,02,04, drawn by AiA Blue Architects, attached as **Annexure A.**
- 2.8.3 Building plans must be submitted for all work, as well as changes of use of the existing buildings / structures and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.

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

- 3.1. The proposal is in keeping with the current residential land use of the subject property.
- 3.2. The encroachment of the title deed building line does not undermine the residential character of the area
- 3.3. It is a logical extension to the residential activity and will add value to the existing building.

4. **Matters to be noted:**

- 4.1. The applicant, after publication of a notice in Provincial Gazette to apply to the Registrar of Deeds to make appropriate entries in, and endorsements on, any relevant register or title deed to reflect the removal and suspension of the restrictive conditions.
- 4.2. The street boundary wall to conform with the 1.8m height and 50% permeability requirement as per zoning scheme bylaw. Alternatively, an application for departure may be submitted for consideration if the said existing boundary wall does not conform.

5. 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.

6. Appeals must be submitted by completing the required form 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.

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**

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 appeal form and 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 or 021- 808 8684.

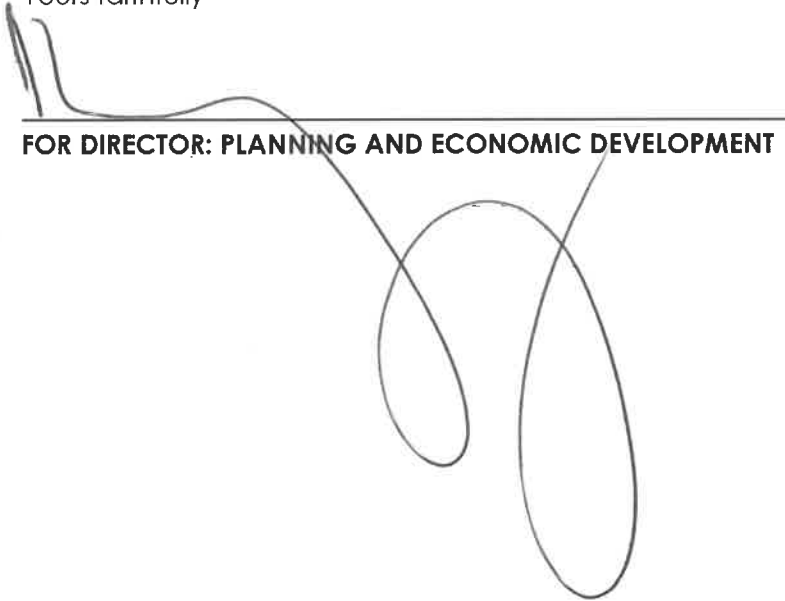
10. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

- (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.

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 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

29/11/2024
DATE

Copy:

Elzan Frank (elzanfrank@gmail.com)



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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE A

SITE PLANS

1032

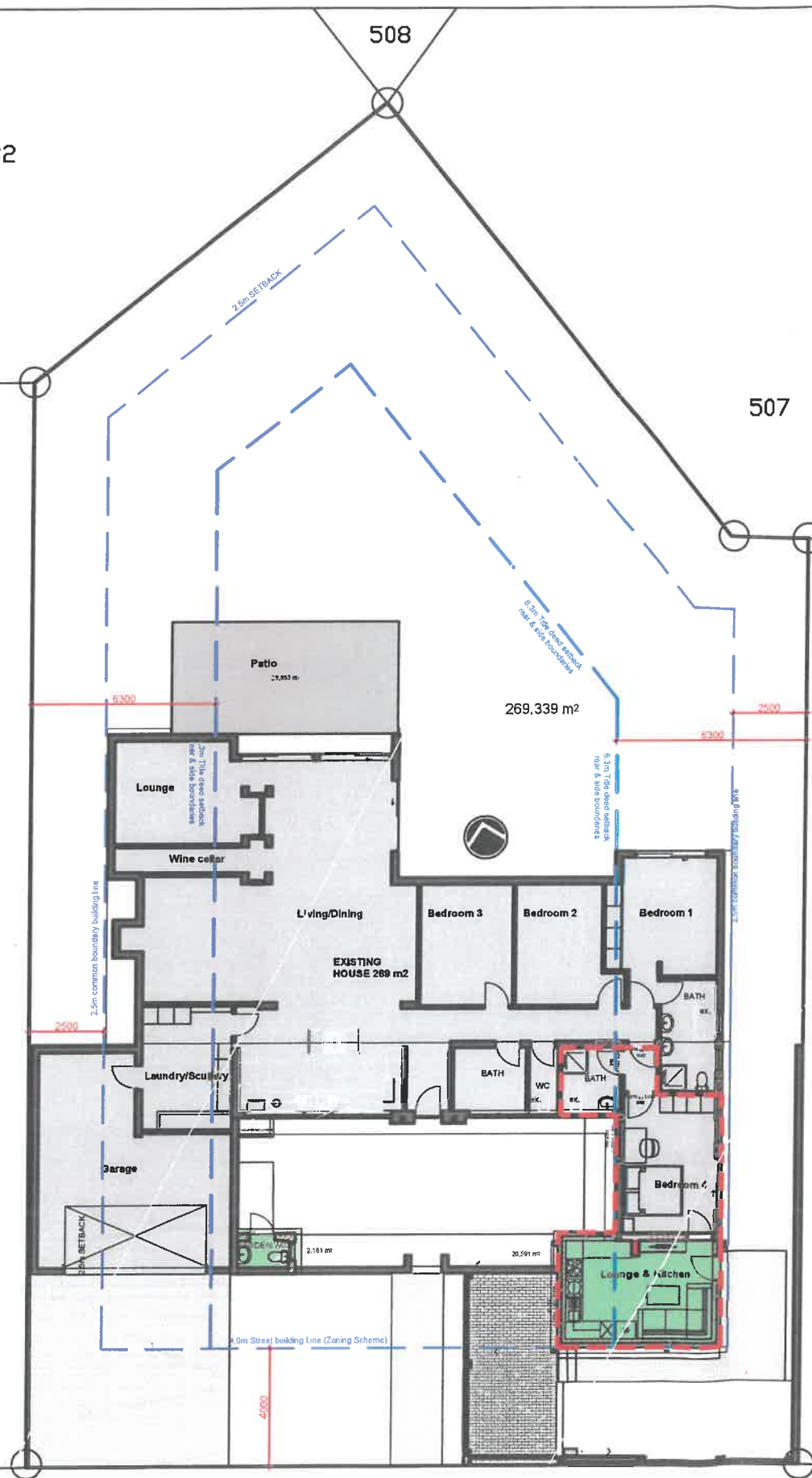
508

507

1034

1036

BUITEKRING ROAD



AREA TABLE

Site Area Erf 1035	1 026 m²
Existing Building Area	297 m² (28.5%)
New Building Area Lounge & Kitchen - 20m² Garden WC - 4m²	24 m²
Total Building Area	320 m²
Current Coverage:	297 m² (28.9%)
Proposed Coverage:	320 m² (31.1%)
Permitted Coverage:	513 m² (50%)



Second Dwelling - 44 m²
(Includes Bedroom 4,
Bathroom, and addition of
Lounge and Kitchen)



CURB
DR. HEIN BOOTH

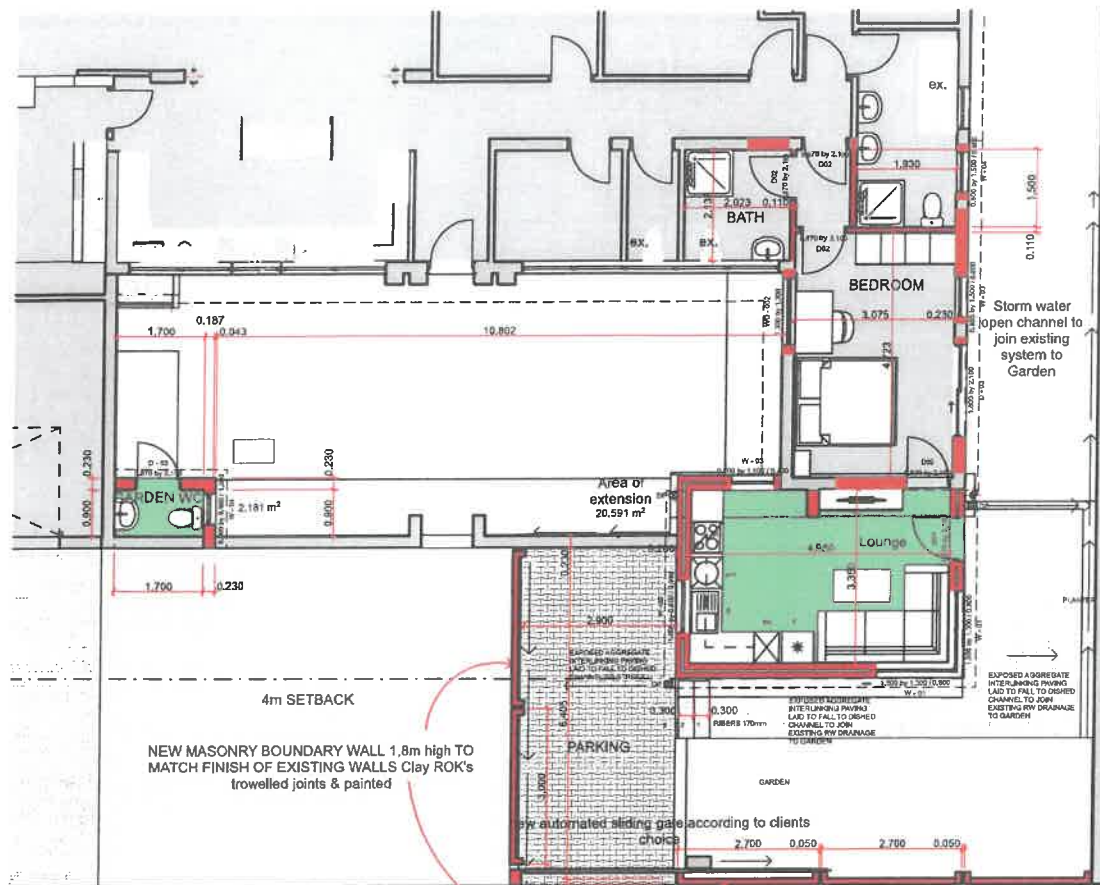
PROJECT TITLE
**REMOVAL OF RESTRICTIVE
CONDITIONS & TECHNICAL
APPROVAL - ERF 1035
STELLENBOSCH**

DRAWING TITLE
**SECOND DWELLING FLOOR
PLAN AND AREA
CALCULATIONS**

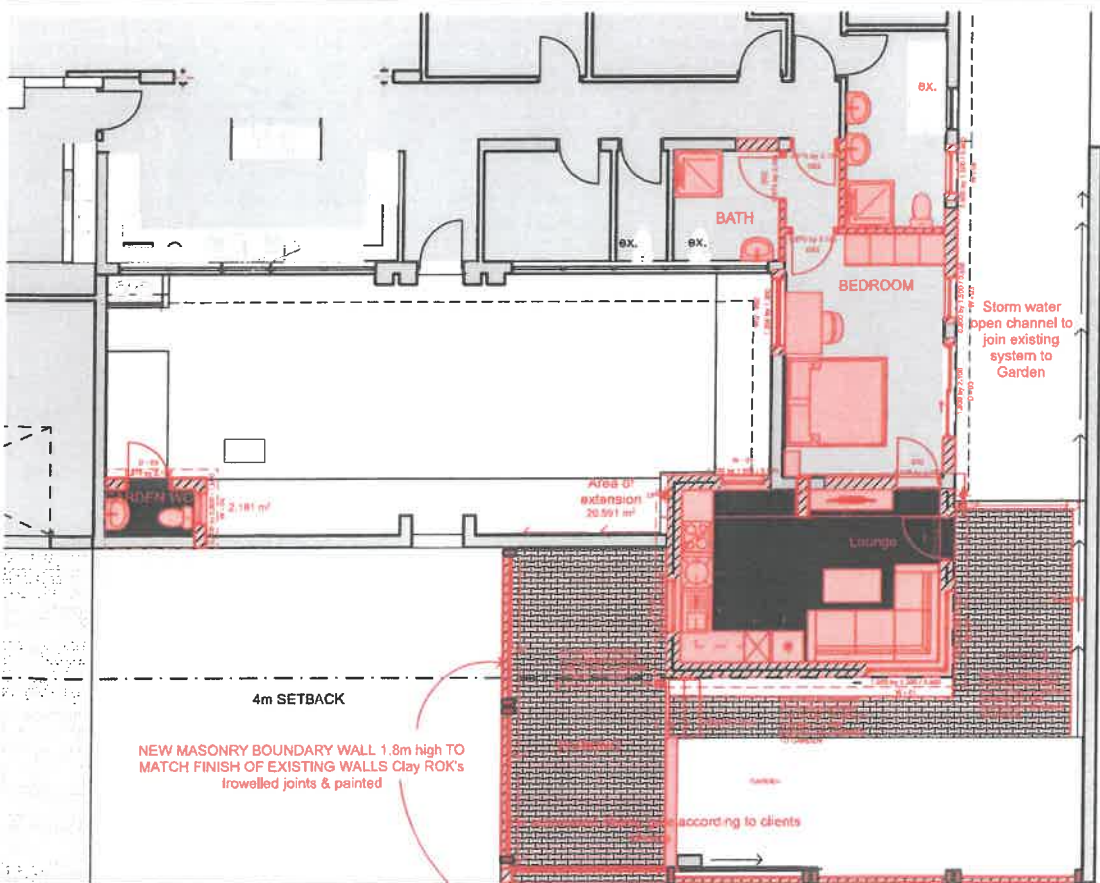
PROJECT NO:	U4352	SCALE:	1:100
DRAWING NO:	PL001	DATE:	02 FEB 2024
REV:		DRAWN:	BBS
		CHECKED:	BBS

FOR DISCUSSION

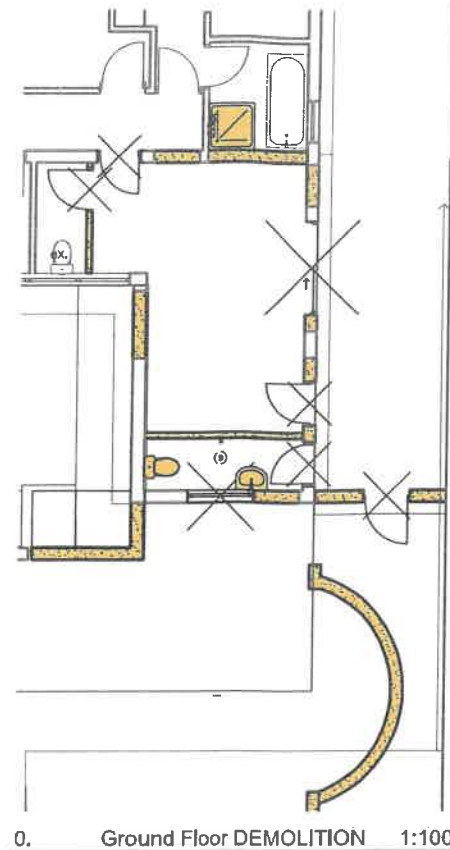
This drawing and all the information contained thereon is the property of Dennis Moss Partnership and may not be copied or disclosed to a third party without their written consent.



0. Ground Floor AS PLANNED 1:100



0. Ground Floor NEW ELEMENTS 1:100



0. Ground Floor DEMOLITION 1:100

GENERAL NOTES

All dimensions and levels to be checked and verified on site by the contractors, before commencing any works. All discrepancies on drawings as intended variations from drawings are to be cleared with Architects before putting any work in hand.
 All structural works to be strictly in accordance with engineers drawings and specifications.
 All ventilation by mechanical engineer, but all rooms to have min. 10% glazed and 5% ventilation of floor area. Provide mechanical ventilation to all rooms with no natural ventilation.
 All external timber to be Meranti PAR, or as indicated.
 All paint, varnish, sealants and other finishes to be SABS approved and applied in strict accordance to manufacturers specification.
 All electrical to Electrical engineer, but all light switches to be 900mm above finished floor level, All plug points to be 300mm above finished floor level. All kitchen, scullery & laundry plug points to be 225mm to center of cover above counter.
 All existing trees on site to be retained, unless otherwise instructed and protected for the duration of building operations. All levels to be confirmed by the Architect on site. All retaining walls as per Engineers specification and detail.

WALLS

Walls to be constructed with SABS approved clay bricks. Allow 50mm or more if specified cavity as shown on plan with 12 gg galvanized butterfly wall ties in accordance with SABS, 28 at 900mm horizontal and 600mm vertical centers. Walls to be plastered internally and externally and to be finished with SABS approved external quality Acrylic paint, and to be applied in strict accordance to manufacturers specification.

FOUNDATIONS

To be as per structural engineer, but for 280mm & 230mm walls - 700 x 250mm For 110mm walls - 600 x 250mm Unless otherwise specified the above specifications apply. The depth of the foundations depends on approved bearing level but no less than 750mm below NGL. Concrete to be 15Mpa after 28 days, Brickforce every course. No foundations will be constructed on fill material. All foundation walls to be concrete filled.

FLOORS

Ground Floor - Finish as indicated on plan on 25mm screed on 100mm thick 15Mpa concrete surface bed on 250 micron DPM on 50mm compacted sandbed on selected invert fill compacted in 150mm layers to 98% AASHTO. Where plinth depth exceeds 1.0m from natural ground level reinforcing mesh or bars must be introduced into the slab. All to be in accordance with structural engineers detail.
 First Floor - Finish as indicated on plan on 25mm screed on reinforced concrete slab as per Engineers detail and specification. Where balcony's occur, a minimum step of 170mm lower than internal concrete level is to take place.

Balcony - Finish as indicated on plan on ± 50 mm screed to fall on slip sheet on derbigum waterproofing on reinforced concrete slab. Derbigum to be applied by an approved derbigum waterproofing specialist sub contractor. All storm water to discharge into fullbore outlets, refer to plan for detail.

TIMBER DECKING

Hardwood timber, Garapa or similar approved decking boards 10x140mm smooth finished fitted to CCA H3 treated substructure to engineers design max spacing of 450mm between supporting beams.

DAMP PROOFING

Under floor membrane & DPC must be lapped over entire length of external walls in accordance with Gundle Plastics' detail. All joints to be sealed in accordance with manufacturers instructions. Provide "Brickgrip" above, below & around all external doors and windows.

CEILING

T&G SA Pine stained to match existing house ceilings. Insulation according to energy efficiency specialist as per SANS 10400XA requirements

DOORS & WINDOWS

To conform to NBR. All glass to also conform. (Part N SABS 0400 -1990) Refer to window and door schedule. All glazing lower than 500mm from fill to be safety glass. Extra care should be taken in preventing any damage to window and door frames. Contractor to provide pre cast concrete lintols over all door and window openings with not less than 250mm support onto wall on both sides.

DRAINAGE

Closed system to conform to NBR. First IE to be min. 450mm below NGL. 110mm ϕ pvc drainage pipe to fall 1 : 60 min and 1 : 40 max. Drainage pipes under concrete slab to be laid in compacted sand fill with 4 x 12mm mild steel bars where it runs underneath the building. All to be strictly in accordance with National Building Regulations.

BRICKPAVING

Brickpavers as selected by Architect or as per drawings and schedules on 1:8 dry sand & cement mix on compacted sand fill. Pattern to be resolved on site with Architect. Brick edging to be set in concrete strip footing.

SHOWER FLOORS

To be waterproofed with ABE DURAFLEX, brushed or rolled on after screed including 150mm vertical band against walls in shower area and reinforced in corners with fiberglass membrane as per manufacturer's specifications, to take tiling as specified.

INSULATION

Class A1 fire rating, Polyester Ceiling Insulation 145mm 6m2 ISOTHERM or other fit for purpose insulation with a minimum R value of 3.7 to all ceilings except garage.

Provide piping insulation with a wall thickness of not less than 35mm and a minimum R value of 1.0 to all hot water pipes.

Provide white polyester fibre geyser blanket as per Rhino Plastics with a R value of 1.02 to all hot water storage vessels.

Refer to Energy report by specialist for more detail

HEATPUMP

Heatpumps as indicated to be connected on a separate power point that meets the rate requirements for heat pumps. Do not use the mains power switch to control the on and off switching of the heat pump. Installation to be undertaken by a qualified electrician.

SOLAR GEYSER

SANS 0400 compliant geyser in roof void with solar panel on metal roofing. Installation to be undertaken by a qualified electrician.

SKIRTING

Pack of 5 Pine Skirlings SSK Primed White T22mm x W70mm x L2400mm all to be painted, colour by architect.

CORNICE

25x25 Aluminium Shadowline cornice, Trim or similar approved

WATER SUPPLY PIPES

all plumbing pipes and fittings to be (Serco WP) PP-r or other fit for purpose type in accordance with SANS 15874 part 2,3 and 5b

RAINWATER GOODS

Provide seamless aluminium gutters and pvc rainwater down pipes to discharge stormwater into catch pits and under ground stormwater system.

All fascia's to be 225mm x 15mm nu tek board.

All excess stormwater on concrete roofs to be discharge into stormwater system by means of fullbores.

ROOF

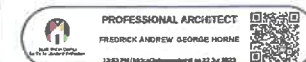
BIG SIX FIBRE CEMENT SHEETING on sisalation vapour barrier on 70 mm Lambdaboard (with underpurlin facing, long roof screws) on minimum 76mm purlins with 75 mm Aerolite glass wool blanket between purlins on exposed trusses, skimmed plasterboard ceiling underpurlins between trusses.

GAS INSTALLATION

gas line and installation fittings like regulators, change over valves, ball valves, pigtails, compression fittings and stop ends to be done by a registered LPG DEALER.

Gas installation to comply with SANS 10087 Part / 2004 capacity will not exceed 2 x 48 kilogram, and a change over device with 2 x 48 kilogram LPG gas will be installed.

Space heating to comply with Part V of the SANS 0400.



Revision History

RevID	ChID	Change Name	Date

ARCHITECTS



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HOUSE BOTHA

33 BUIEKRING ROAD
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 SA
 7600

Drawing Name

**Ground Floor AS PLANNED,
 Ground Floor DEMOLITION,
 Ground Floor NEW ELEMENTS,
 ROOF SPACE**

Drawing Status

Modified by

Date

Checked by

Date

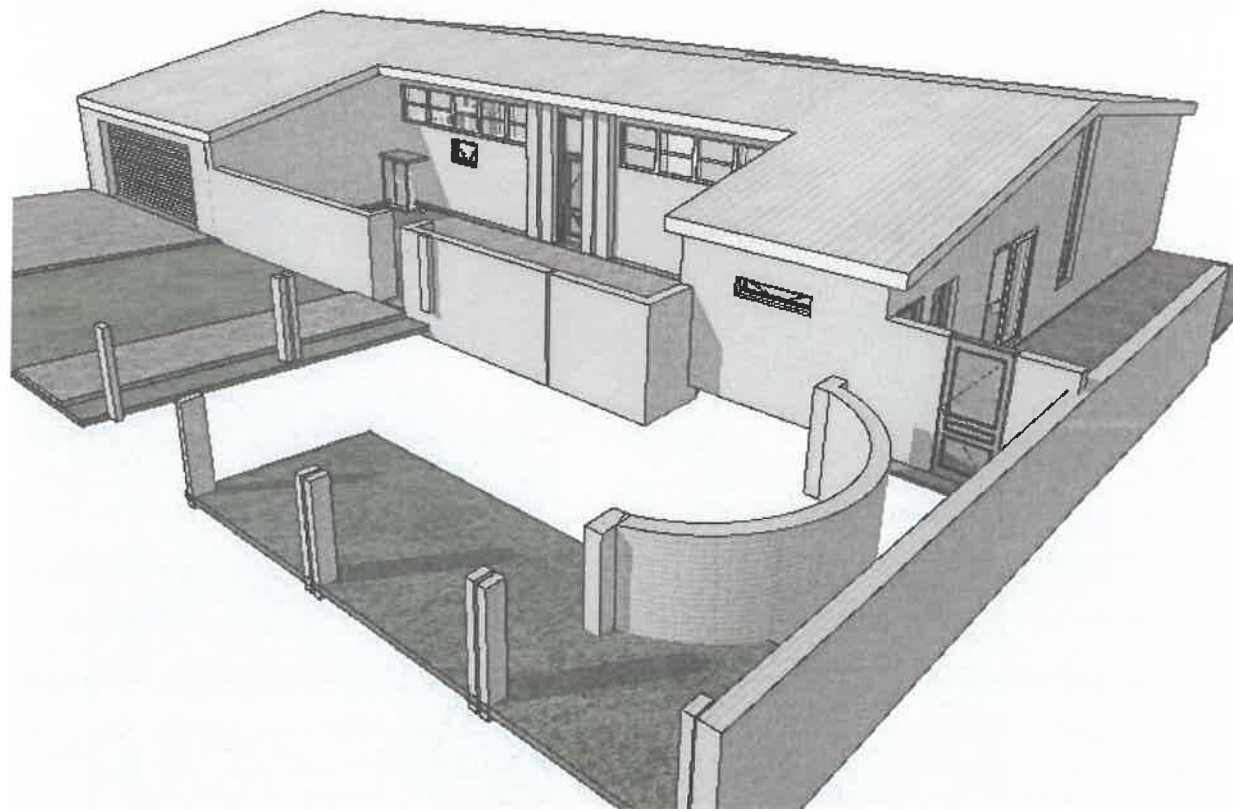
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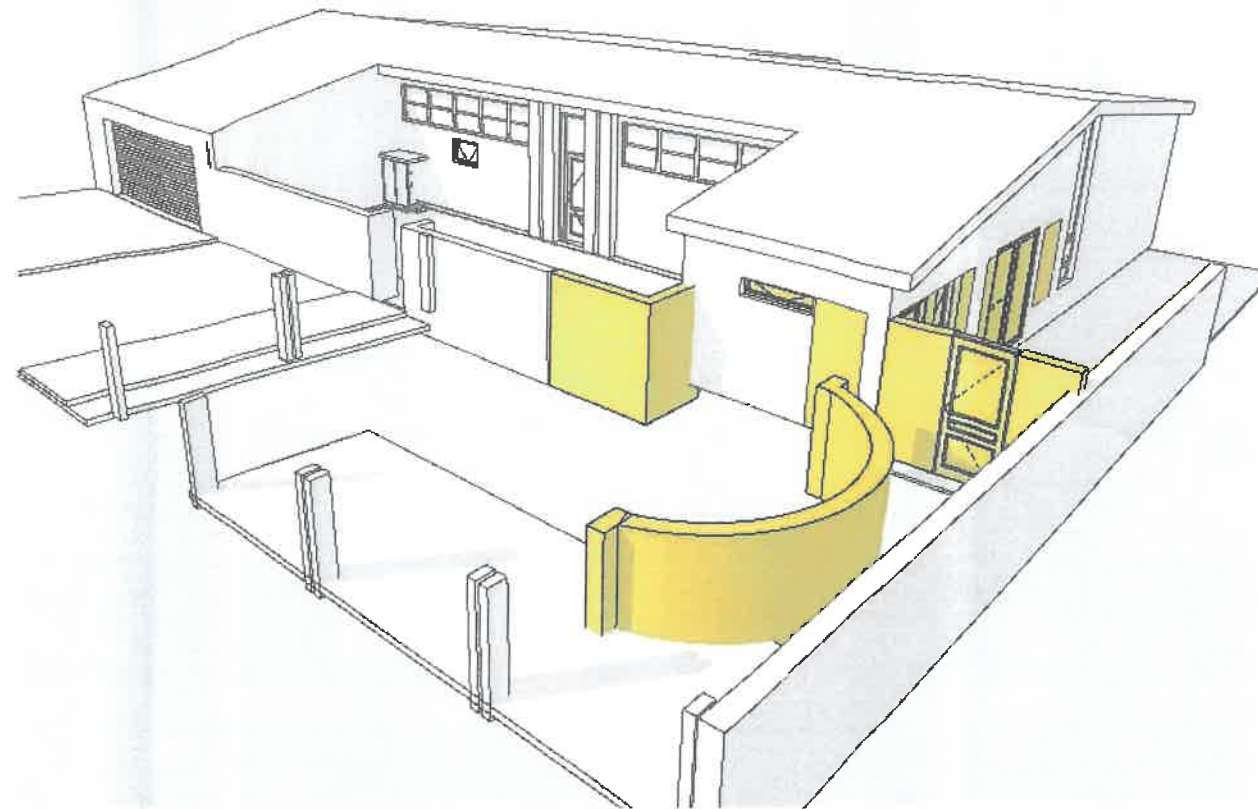
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Revision



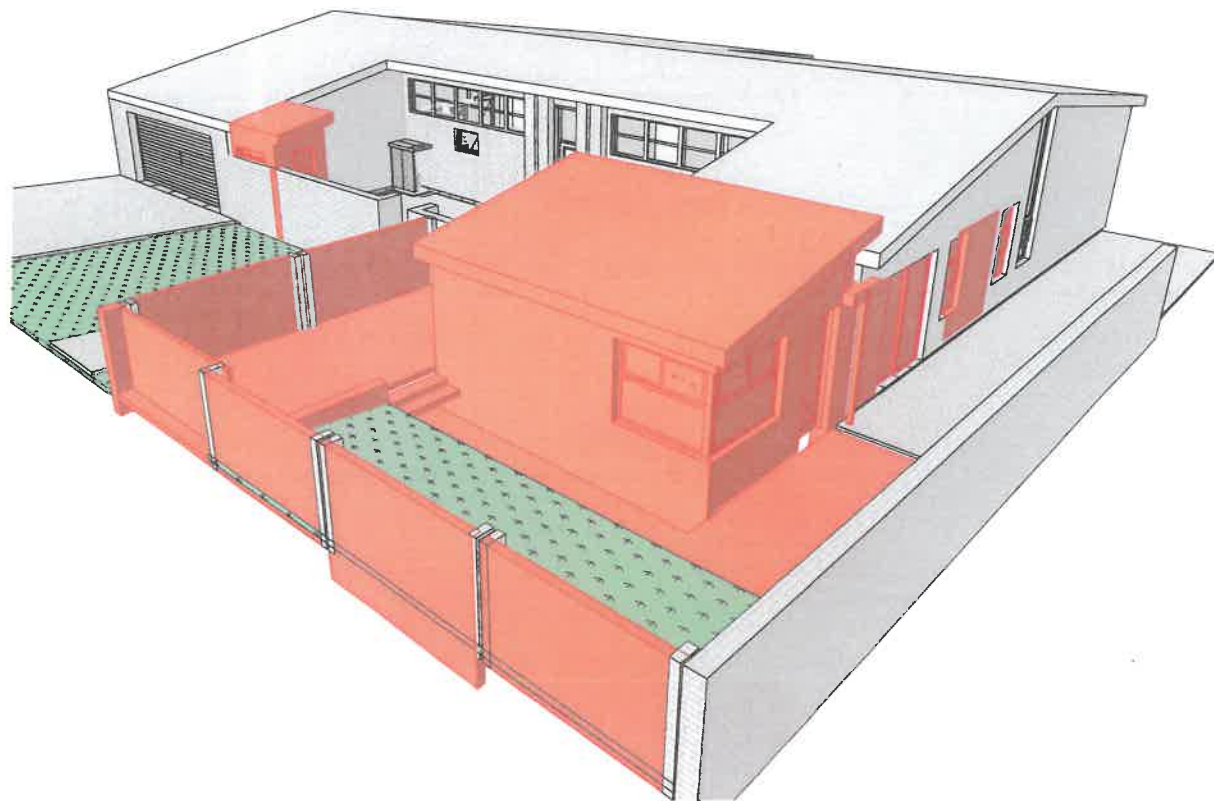
EXISTING Perspective

1:111.86



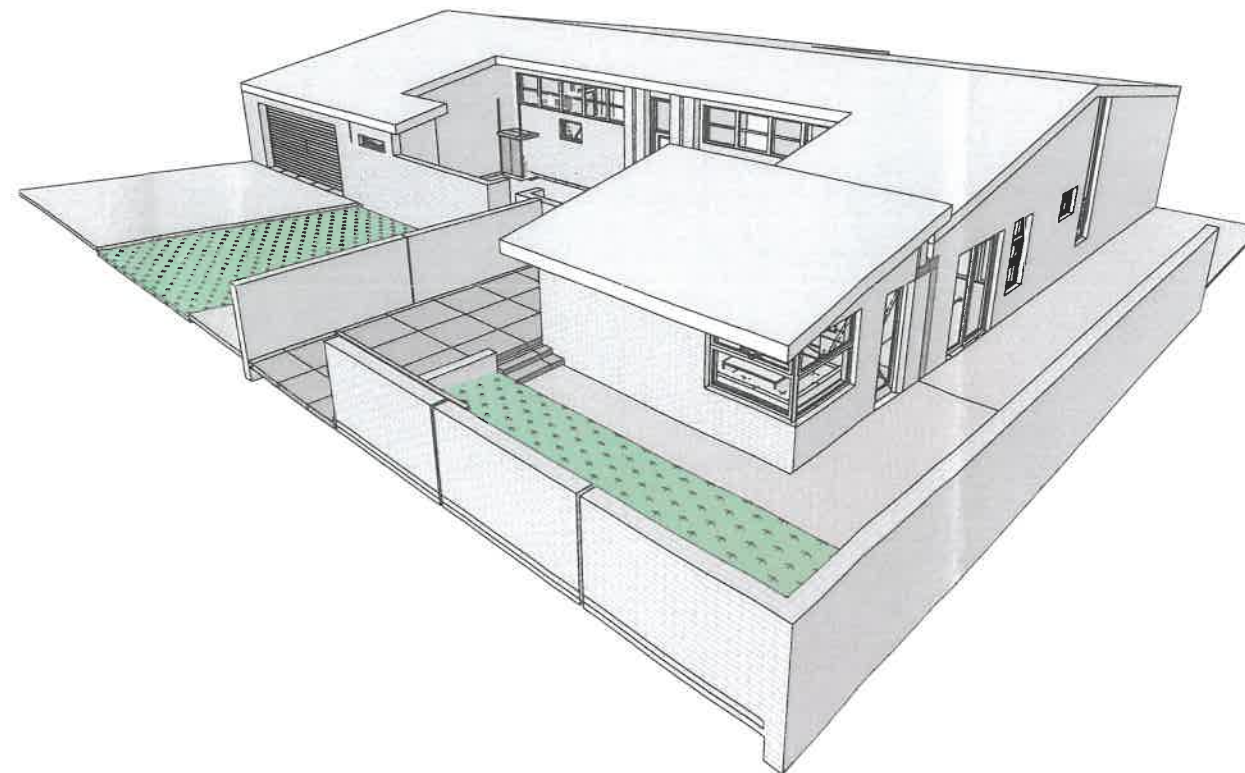
DEMOLITION Perspective

1:111.86



NEW WORK Perspective

1:182.46



AS PLANNED Perspective

1:198.62



Revision History			
RevID	ChID	Change Name	Date

ARCHITECTS



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Drawing Name
**EXISTING Perspective,
 DEMOLITION Perspective, AS
 PLANNED Perspective, NEW
 WORK Perspective**

Drawing Status

Modified by Date

Checked by Date

Drawing Scale
1:111.86, 1:198.62, 1:182.46

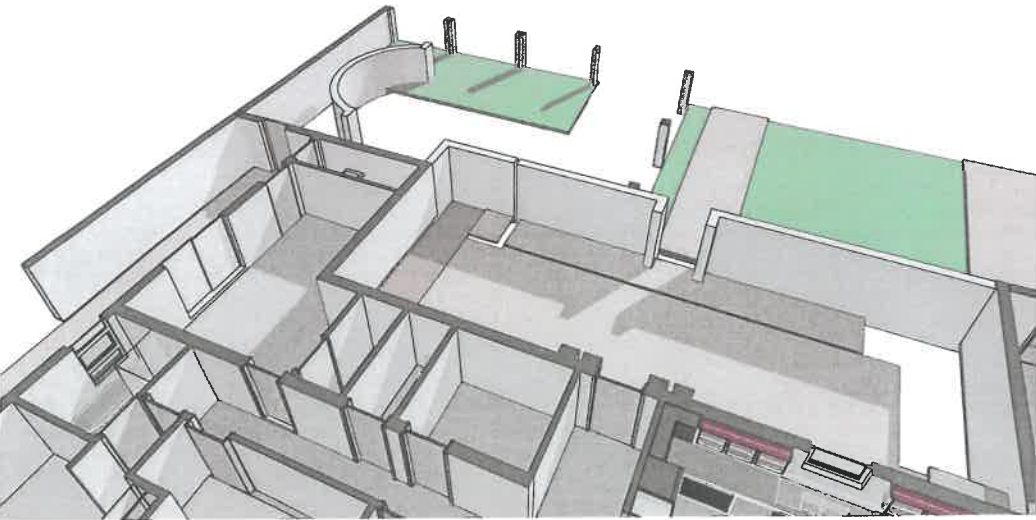
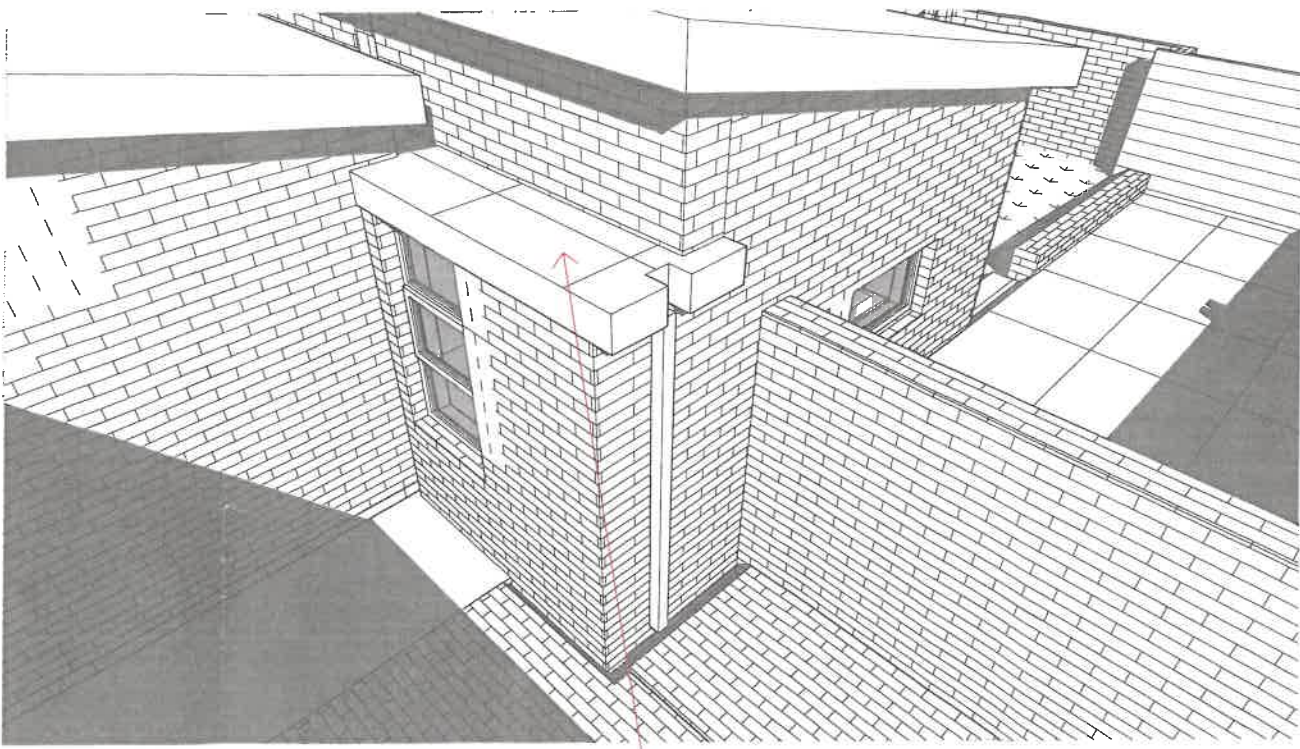
Layout ID Revision
02

All Openings Schedule													
Element ID	D01	D02	D02	D - 03	D - 03	W - 01	W - 01	W - 02	W - 03	W - 04	W - 04	WD - 002	WD - 004
Quantity	1	2	2	1	1	1	1	1	2	1	1	1	1
W x H Size	0.870x2.100	0.870x2.100	0.870x2.100	0.870x2.100	1.800x2.100	1.500x1.300	1.500x1.300	1.000x0.600	0.800x1.500	0.600x0.600	0.800x1.500	1.300x1.300	1.300x0.300
Orientation	L	L	R	R	R	L	R						
Sill height	0.000	0.000	0.000	0.000	0.000	0.800	0.800	0.900	0.600	1.500	0.600	0.800	0.000
2D Symbol													
3D Back View													
W/D Opening Surface Area on the Side Opposite to the Reveal Side	1.80	1.83	1.83	1.83	3.78	1.80	1.80	0.60	1.20	0.36	1.20	1.69	0.39
Description	Safety Glass Aluminium Palace section	Semi solid in Timber frame	Semi solid in Timber frame	Solid timber door p...	Safety Glass Aluminium Palace section	Palace section alu	Palace section alu	Palace section alu	Palace section alu	Palace section alu	Palace section alu	Palace section alu	Palace section alu

IES-02

All Openings Schedule

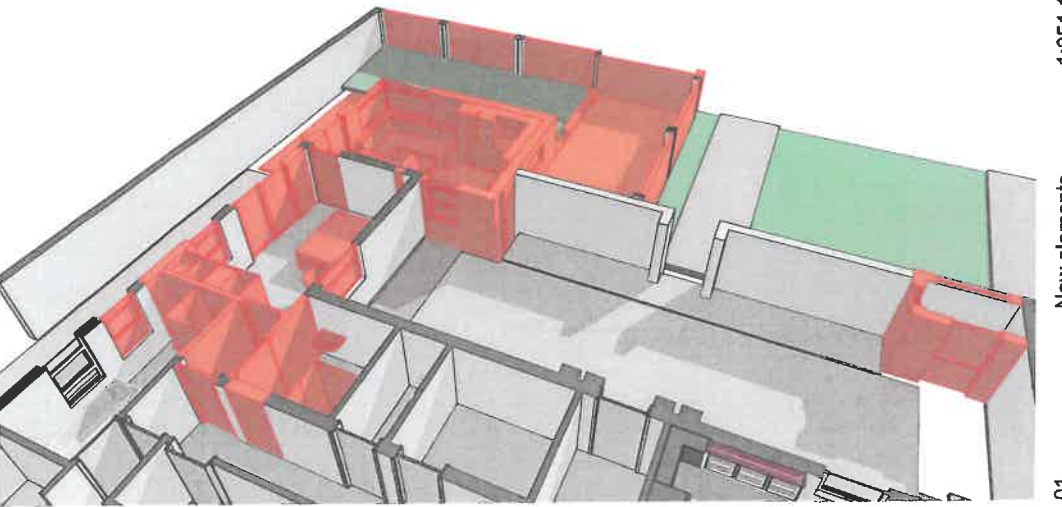
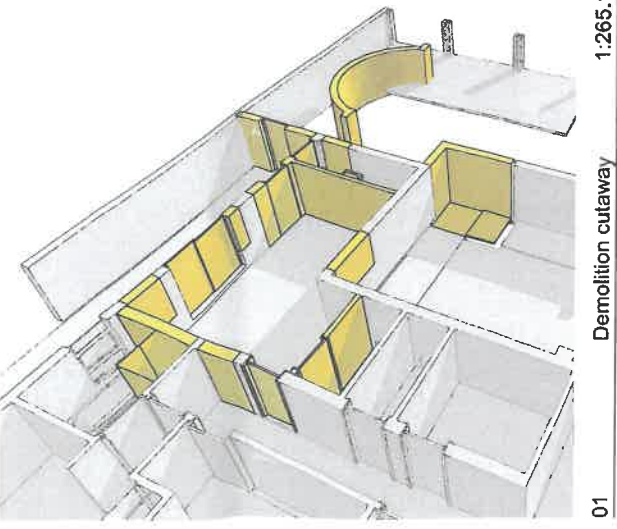
1:1



SLAB GUTTER

3D

1:212.07



CONCRETE GUTTER TO ENGINEER'S DETAIL. SCREEDED TO FALL TO HOPPER HEADS ON BOTH ENDS TO DOWNPIPES TO PAVED VALLEYS. TREATED CONCRETE AND DERBIGUM TORCH ON WATERPROOFING ACCORDING TO SPECIALIST SPECIFICATION



Revision History			
RevID	CHD	Change Name	Date

ARCHITECTS



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HOUSE BOTHA
33 BUIKERING ROAD
STELLENBOSCH
SA
7600

Drawing Name
New elements, Existing structure cutaway, Demolition cutaway, All Openings Schedule, 3D

Drawing Status

Modified by Date

Checked by Date

Drawing Scale
1:251.13, 1:265.10, 1:1, 1:212.07

Layout ID Revision
04