STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16323 (TP434/2023)
Our File Reference Number: Erf 5884, 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

APPLICATION FOR THE SUSPENSION OF RESTRICTIVE TITLE DEED CONDITION AND PERMANENT DEPARTURE : ERF 5884, 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 5884, Stellenbosch for:

2.1.1 An application in terms of Section 15(2)(f) of the said By-law for the suspension of restrictive title deed condition B6(b) as contained in Deed of Transfer No. T23400/2023 to permit:

a) The pergola to be **0m** in lieu of **4.6m** from the street building line (Swellengrebel Road),
b) The entrance hall to be **0m** in lieu of **4.6m** from the street building line (Swellengrebel Road),
c) The pool pump to be **0.2m** in lieu of **2.5m** from the rear building line adjacent to Erf 5881 & 5883,
d) The carport to be **0m** in lieu of **2.5m** from the side building line adjacent to Erf 5885.
e) The shed to be **0.55m** in lieu of **2.5m** from the side building line adjacent to Erf 5885.

2.1.2 A permanent departure in terms of Section 15(2)(b) of the said bylaw in order to permit:

a) The entrance structure to be **0m** in lieu of **4m** from the street building line (Swellengrebel Road).

b) To exceed the permissible height of the street boundary wall from **1,8m** to **3,9m.**

c) To allow for **less than 50%** permeability of the area of the boundary wall.

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 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.

2.2.2 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.

2.2.3 The development and building plans be generally in accordance with the site plan / floor layout plans as referenced on Drawing No. MUN -01.02, Elevations & sections Drawing No. MUN- 02.02 all dated 04/07/2023 and drawn by S.G Henning, attached as **Annexure A.**

2.2.4 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.

2.2.5 No structure or any portion thereof may encroach over the erf boundary.

2.2.6 A contravention penalty, as stipulated in terms of section 88(1)(g) of the Stellenbosch Municipal Land Use Planning Bylaw,2023 and the Stellenbosch Tariff Structure 2024/25, of R25000 is payable within 30 days from date of approval of the land use application, and prior to building plan approval. No occupancy certificate for the building construction will be issued unless proof of payment of the contravention penalty is submitted by the applicant.

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

3.1 The proposal is in keeping with the current land use of the subject property.

3.2 The encroachment of the building line does not undermine the 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 suspension of the restrictive conditions.

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

13/11/2024
DATE

COPIES TO:

Stellenbosch Interest group
Email: interestgroupstellenbosch@gmail.com

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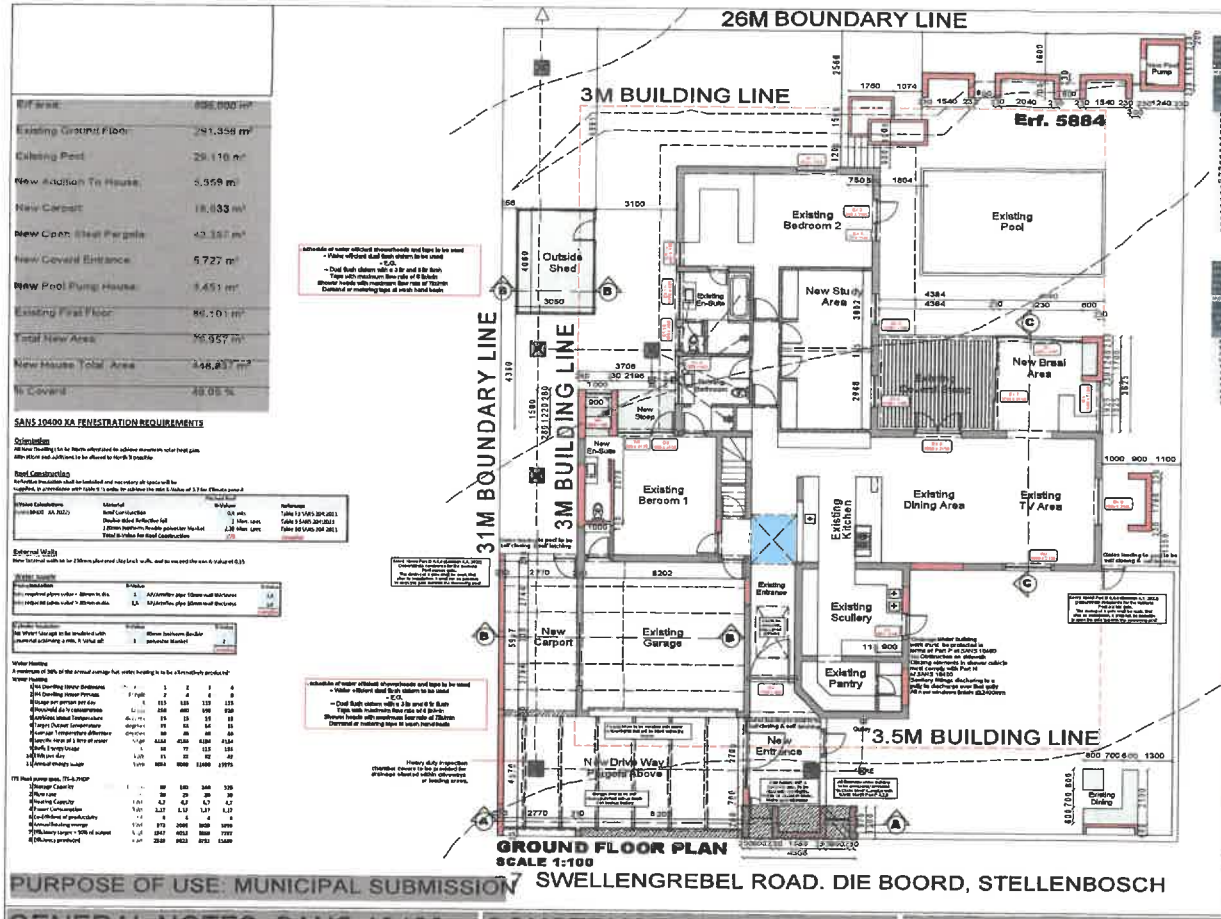
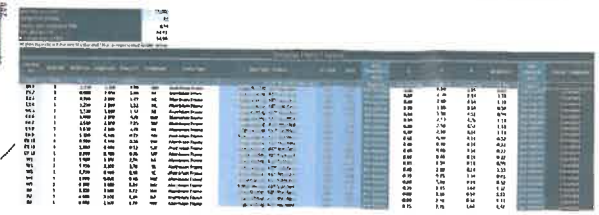
ANNEXURE A

FLOOR PLANS & ELEVATIONS



GROUND FLOOR PLAN
SCALE 1:100



FIRST FLOOR PLAN
SCALE 1:100

SOUT-E SCALE 1:100 | NORTH-W SCALE 1:100 | NORTH-E SCALE 1:100 | SOUTH-W SCALE 1:100

PURPOSE OF USE: MUNICIPAL SUBMISSION

7 SWELLENGREBEL ROAD. DIE BOORD, STELLENBOSCH

GENERAL NOTES: SANS 10400

CONTRACTOR TO TAKE NOTE OF ALL NOTES LISTED BELOW AND INCLUDED ON DRAWINGS TO ENSURE THAT THE RESULTING BUILDING COMPLIES WITH THE REQUIREMENTS AS STIPULATED IN THE SANS 10400 DOCUMENT.
CONTRACTOR WILL BE RESPONSIBLE TO PROVE HIS COMPLIANCE TO THESE NOTES BY MEANS OF PHOTOGRAPHIC OR PHYSICAL EVIDENCE THAT WILL BE EVALUATED BY THE ARCHITECT BEFORE PRACTICAL COMPLETION AND ISSUING OF THE OCCUPATION CERTIFICATE.

WINDOWS & DOORS
" All windows & doors ALUMINIUM.
VENTILATION:
Supply min. 10% Light area to each respective room Floor Area of which 5% is openable.

FLASHING
G.M.S. Flashing and counter flashing wherever roof butts against wall or at head and sides of parapet walls.
CEILING
6.4mm skimmed and painted rhinoboard ceilings with 76mm coved cornice on 38x38mm brandering @ 400mm c/c.

RAIN WATER GOODS
125mm Aluminum watertite gutters discharged to 100mm downpipes

HOT WATER CYLINDERS
Supply & fit 1 X 300 litre direct solar panel HWC & / or heat pump,
(HWC's to be installed in roof space)

INSULATION
120mm ISOTHERM flexible fibre glass blanket or similar -to comply with SANS 10400-XA - in ceiling space

CONSTRUCTION NOTE:

WALL CONSTRUCTION:
* 230mm hardbacked clay brick, wall construction with max. secured with butterfly wall ties @ a rate of 2.5 ties per 1 sqm. of face area.
* Weep holes at perpends @ 1000mm c/c.
* Top 3 courses below wall plate height & rising walls to floor level to be solid plus 3 courses brickforce.

PC LINTOLS:
* PC Lintels with min. 4 courses brickwork over with brickforce every course over all openings not exceeding 3m wide and to bear 230mm into wall. Openings over 3m to engineer's spec & detail. All to SANS 10400 PART K

WALL FINISHES
* To Arch & Client specks
* ITo Arch & Client specks

Colour to owners spec. & approval.

NOTE: ALL WORK TO BE CARRIED OUT STRICTLY IN ACCORDANCE WITH LOCAL AUTHORITY REGULATIONS AND SANS 10400 (APPL.OF N.B.R.)

ALL TIMBER TO COMPLYWITH THE REQUIREMENTS OF THE RELEVANT SABS & SANS STANDARDS WITH SPECIFIC REFERENCE TO SANS10082 OF 2007 ON TIMBER FRAME BUILDINGS.

SANS 10400 XA - CALCULATIONS

ROOF CONSRUCTION minimum R- VALUE = 3.7

Lean to roofs to Engineer Speck and details.
Make good all trades

MASONARY WALLS COMPLY TO R-VALUE 0.35 AS PER SANS 10400 -XA 4.4.3

HOT WATER SUPPLY :

SOLAR HEATING SYSTEMS need to comply with SANS 1037, SANA 10106, SANS 10254 & SANS 10252-1. These regs. regarding the actual system.

Requirements for water installations in buildings shall be in accordance SANS 10252-1:2004 and SANS 10252-1 (The installation of water systems)

All hotwater service pipes shall be clad with insulation with a minimum R- VALUE of 1 (25mm polyurethane foam / 40mm mineral wool) - (this is for pipes with an internal diameter of less than or equal to 80mm)

Thermal insulation if any, shall be installed in accordance with the manufacture's instructions.

SANS 10400 XA - CALCULATIONS

LIGHTING:
Lighting to comply with table12 in 204
Max energy demand ; 5W/m, & max energy consumption ; 5kWh /m,
Energy saving bulbs to be used throughout
BUILDING SEALING:
Building envelope shall be constructedto minimise air leakage. Ensure that wall-roof junctions are properly sealed. Chimneys of solid fuel burning fire places to have damper flaps to allow closing off of chimney. All doors leading from habitable rooms should be sealed with a foam rubber compressible strip. BASED ON THE STIPULATIONS AND REGULATIONS PRESCRIBED BY THE SANS 10400 DOCUMENT, THIS BUILDING COMPLIES TO THE PRESCRIPTIONS FOR AN ENERGY EFFICIENT BUILDING.
ALL CALCULATIONS ARE INCLUDED AND WERE DONE IN ACCORDDANCE WITH THE STIPULATIONS CONTAINED IN SANS 10400

Single safety glazing minimum 6.38mm thick.

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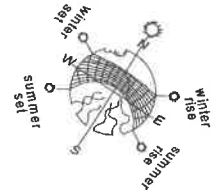
3. ANY FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED MEASUREMENTS AND LARGE SCALE DETAILS SUPERSEDE SMALL SCALE DRAWINGS.
4. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS &ABS 0400 AND ALL REQUIREMENTS OF MUNICIPAL AND LOCAL AUTHORITIES CONCERNED, TO BE ADHERED TO.
5. THE DESIGN ON THIS DRAWING IS THE PROPERTY OF THE ARCHITECTS AND COPYRIGHT THEREOF IS RESERVED BY THEM.

ARCHITECTURAL PROFESSIONAL:
Henry Enslin_Principal Architect_(SACAP Registered)



DOXAH

Address:
18 Van Ryneveld Street,
Strand, 7140
Call: 079 692 6128
or 072 233 8704
Principal:
H.Enslin PrArch 44336682

PROJECT No.	PROJECT NAME
2331	HOUSE BROWN

PROJECT DESCRIPTION:
New Additions & Alterations
On Erf. 5884
7 Swellengrebel Road,
Die Boord, Stellenbosch

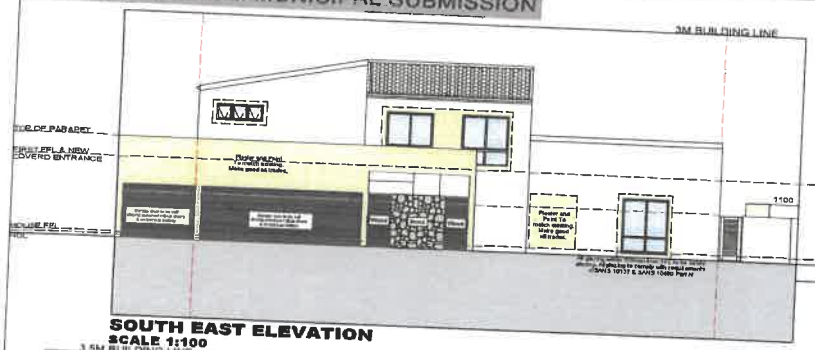
DRAWING No:	DRAWING TITLE:
MUN - 01.02	Floor Plans & Develop data

REV

PAPER SIZE:	
A1	01

DATE:	DRAWN BY
04.07.2023	S.G.HENNING PAD 42553449

PURPOSE OF USE: MUNICIPAL SUBMISSION



SOUTH EAST ELEVATION
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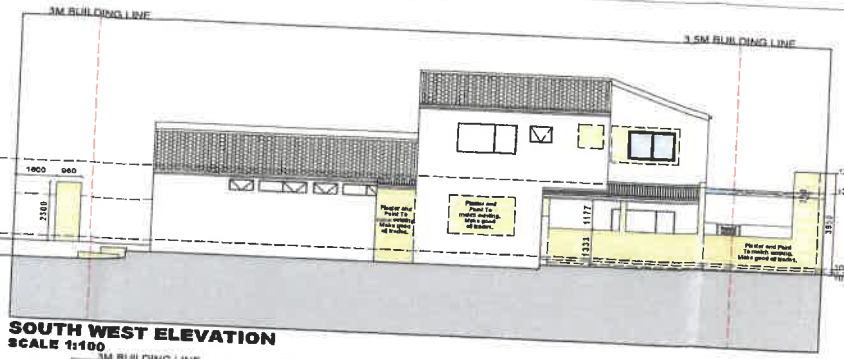

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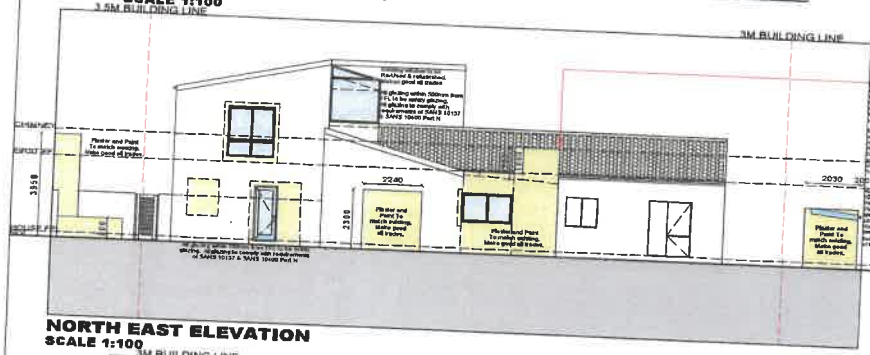

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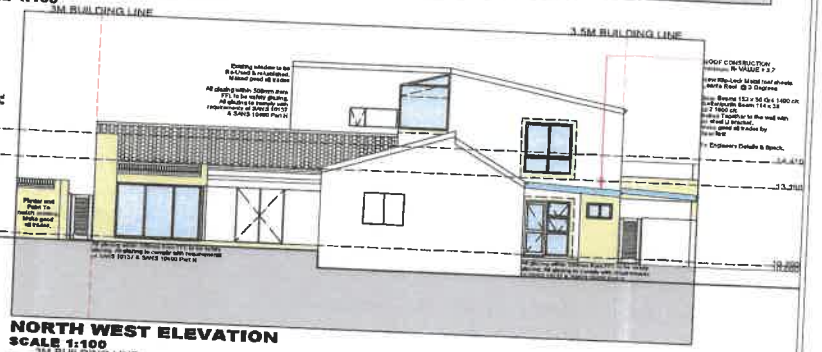
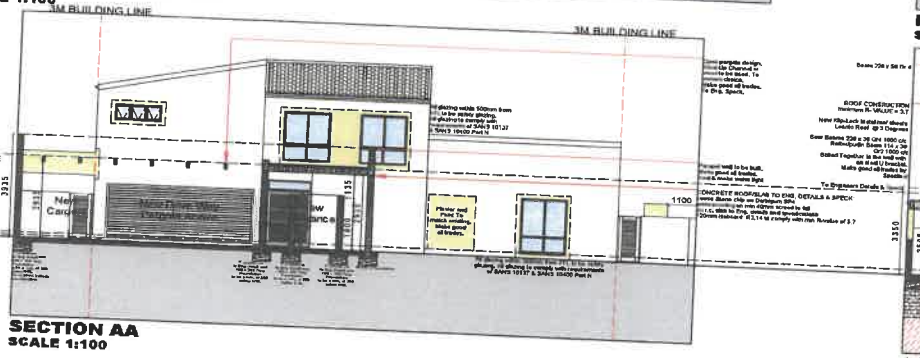
SCALE 1:100



NORTH WEST ELEVATION
SCALE 1:100



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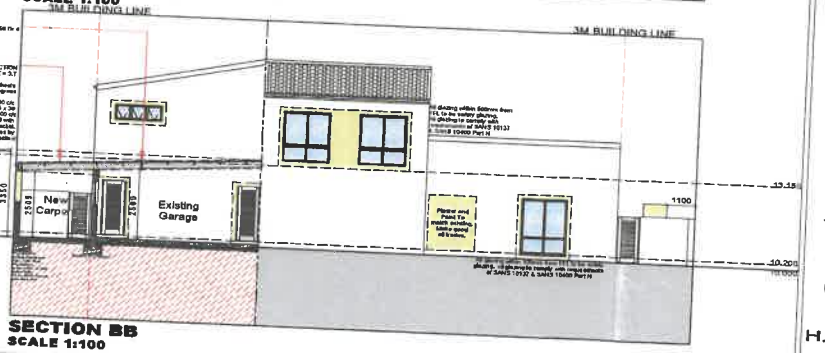

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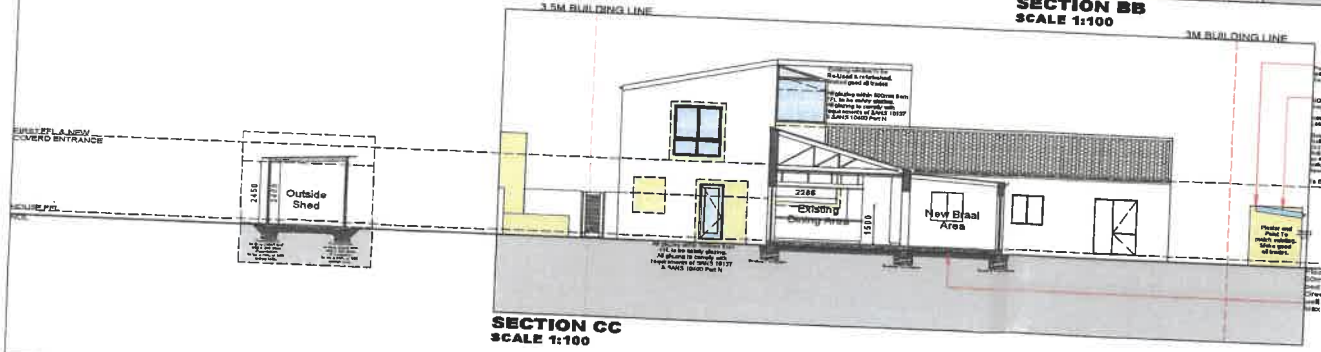

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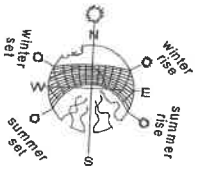

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