



STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16013 (TP448/2023)

Our File Reference Number: Erf 392 Jamestown

Your Reference Number:

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PER E-MAIL: [REDACTED]

Dear Mr Lombaard

APPEAL LODGED IN TERMS OF SECTION 79(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW: APPLICATION FOR PERMANENT DEPARTURE ON ERF 392, JAMESTOWN.

1. This Municipality's decision letter dated 28 February 2024, refers. The appeal process has now been concluded.
2. The Appeal Authority resolved on 05 June 2024 that the appeal submitted against the refusal of the Authorised Decision Maker dated 23 February 2024, in respect of the application for permanent departure on Erf 392, Jamestown, **BE DISMISSED** and that the subject decision **BE CONFIRMED** in terms of Section 81(7)(b) of the Stellenbosch Municipal Land Use Planning By-law, as follows:
3. That the application for a permanent departure in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-law to relax the common building line (adjacent to Erf 389) from 1m to 0m in order to accommodate the existing timber deck on Erf 392, Jamestown as indicated on drawing no. JT392_001, dated 23 May 2023 and drawn by Newton Fincham Architects.

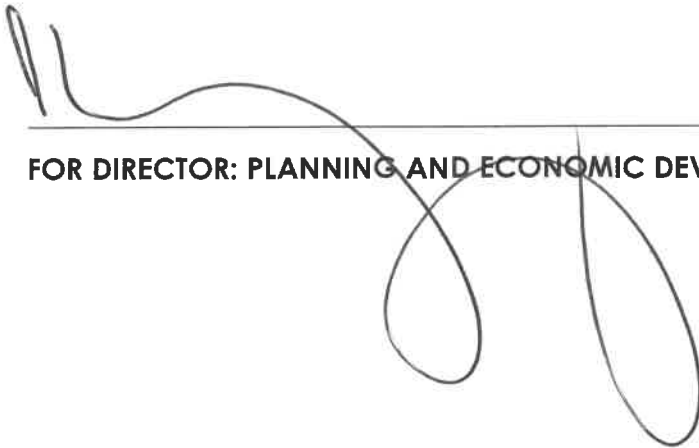
BE REFUSED.

4. Reasons for the decision:

4.1. Structures for active living space, especially with overlooking features which depart from the applicable building lines, or which is located 0m from common boundaries are not desirable due to the impact that it will have on the privacy of the neighbouring property, the sense of place and the resulting crowdedness of the surrounding low density residential built environment.

4.2. All relevant information was considered in respect of the rationality of the decision and reasons provided for the decision and it was found that there are consequently no compelling grounds submitted that would warrant the Appeal Authority to uphold the Appeal.

Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

10/7/2024
DATE:

