STELLENBOSCH
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Application Number: LU/17672 (TP906/2024)
Our File Reference Number: Erf 7726, Stellenbosch
Your Reference Number:
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MA[redacted]

Sir / Madam

APPLICATION FOR PERMANENT DEPARTURE: ERF 7726, 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 for permanent departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw,2023 for the relaxation of the common building line from 1m to 0m (adjoining Erf 7727 Stellenbosch) and to increase the coverage from 70% to 83.75% to accommodate the proposed new braai area and garage on Erf 7726, Stellenbosch.

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

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

3.1 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.

3.2 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.

3.3 The development and building plans be generally in accordance with the site plan and floor plans as referenced on Drawing No. 2406/#Building ID/0-001, dated 10 March 2025 and drawn by Avron Hine Architects, attached as **Annexure A.**

3.4 No windows or door openings are permitted in a wall facing a common boundary where such wall is erected closer than 1m to the common boundary.

3.5 The following conditions imposed by Directorate: Infrastructure Services dated 1703/2025, attached as **Annexure B** be adhered to:

3.5.1 The owner must ensure that no engineering services running through the said property are obstructed and such that maintenance is unable to take place.

3.6 The demolition permit be submitted for approval prior to approval of building plans for the proposed development.

3.7 Building plans 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.

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

4.1 The proposal is in keeping with the current use and the additions are compatible with the surrounding uses.

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

DATE 24/4/2025

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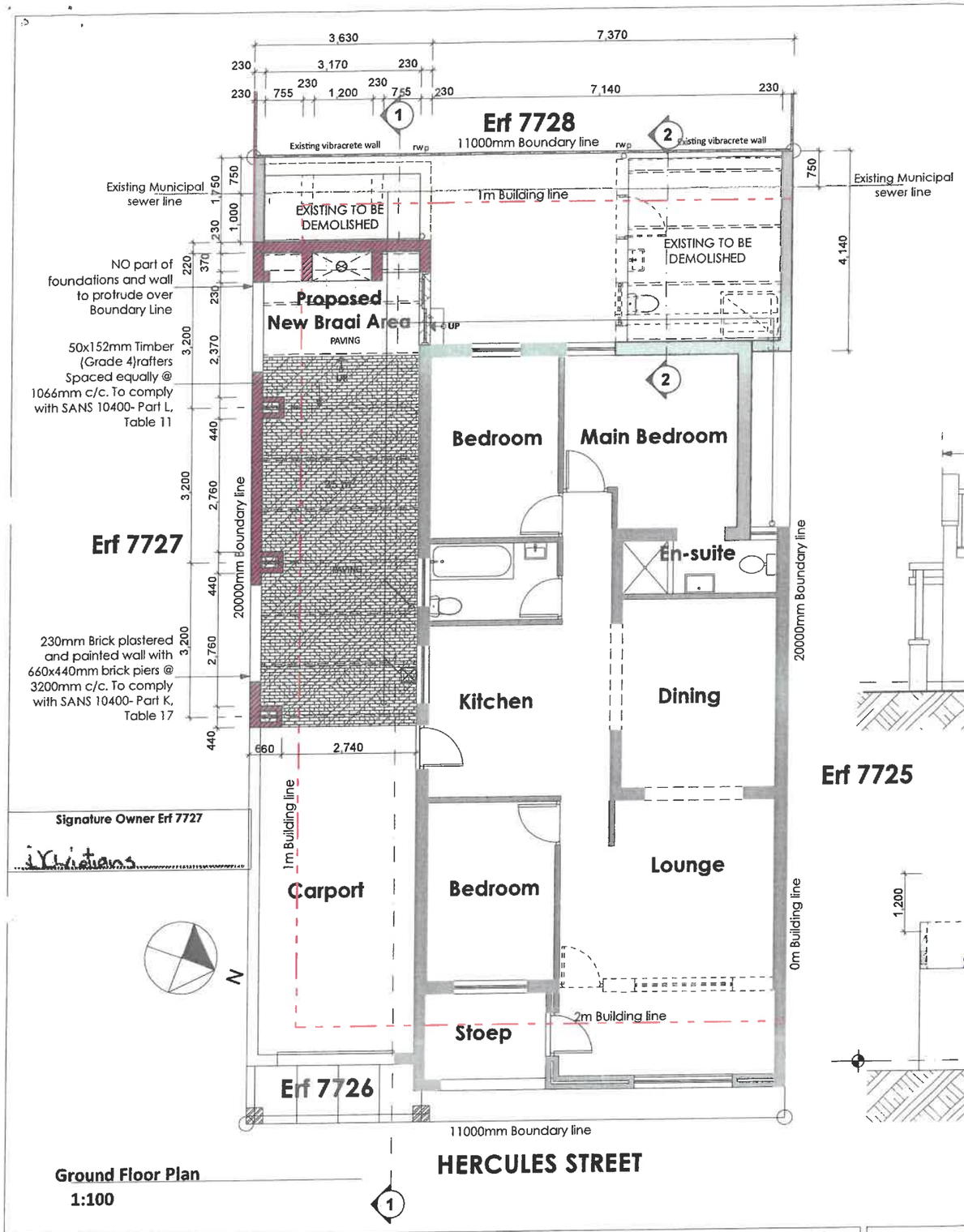
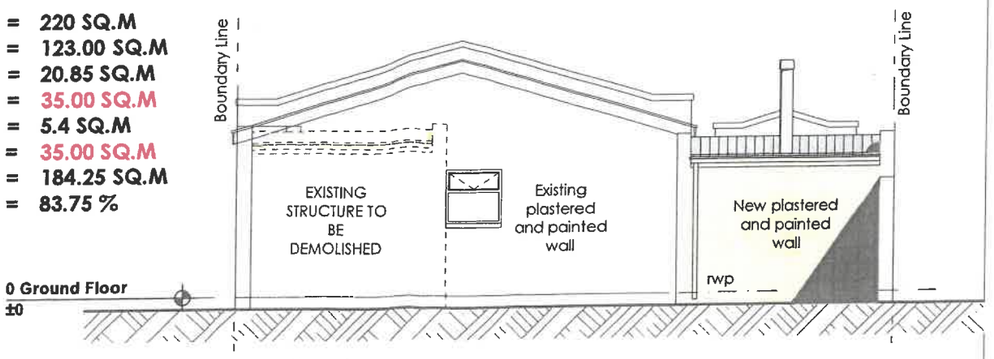
ANNEXURE A

SITE PLAN

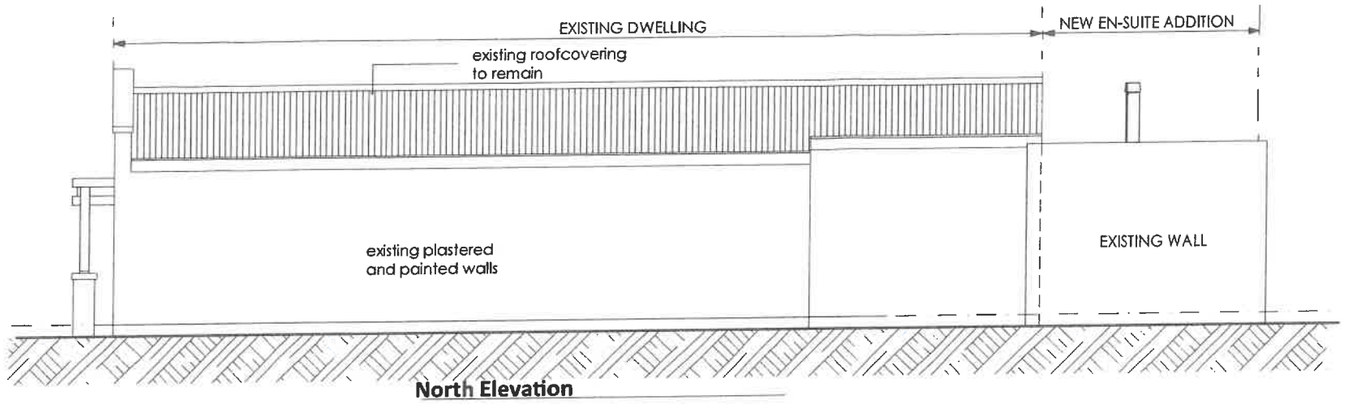


Ground Floor Plan
1:100

ERF AREA	=	220 SQ.M
HOUSE AREA	=	123.00 SQ.M
CARPORT	=	20.85 SQ.M
NEW CARPORT	=	35.00 SQ.M
STOEP	=	5.4 SQ.M
TOTAL NEW	=	35.00 SQ.M
COVERAGE AREA	=	184.25 SQ.M
COVERAGE	=	83.75 %

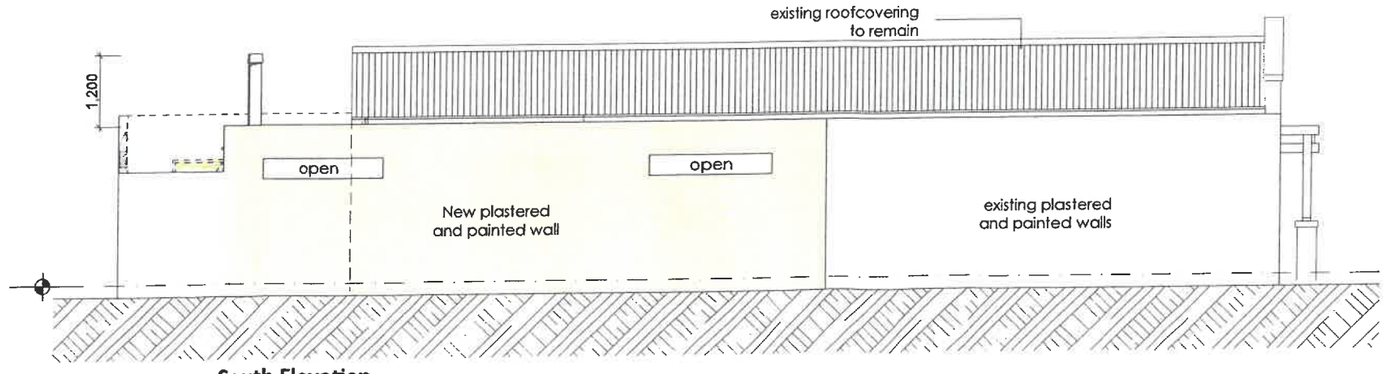


West Elevation
1:100



North Elevation
1:100

Erf 7725



South Elevation
1:100

Signature Owner Erf 7727

Registered Owner/Authorized Agent: .....

ORIGINAL DOCUMENT DATE: 2025/03/10

REVISIONS:

NO	DESCRIPTION	DATE

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AHAT Solutions (Pty) Ltd
[redacted]
Email: avron@1archite[redacted]10326 : SACAP

PROJECT: HOUSE NOBLE

APPLICATION FOR APPROVAL OF AS-BUILT STRUCTURES, ERF 7726, HERCULES STREET, CLOETESVILLE, STELLENBOSCH

DRAWING TITLE: Site & Ground Floor Plan, Elevations

PROJECT No: 2406 [redacted]
DRAWING No: [redacted] DATE: 2025/03/10
DRAWN BY: CHECKED BY: Avron

Council Submission

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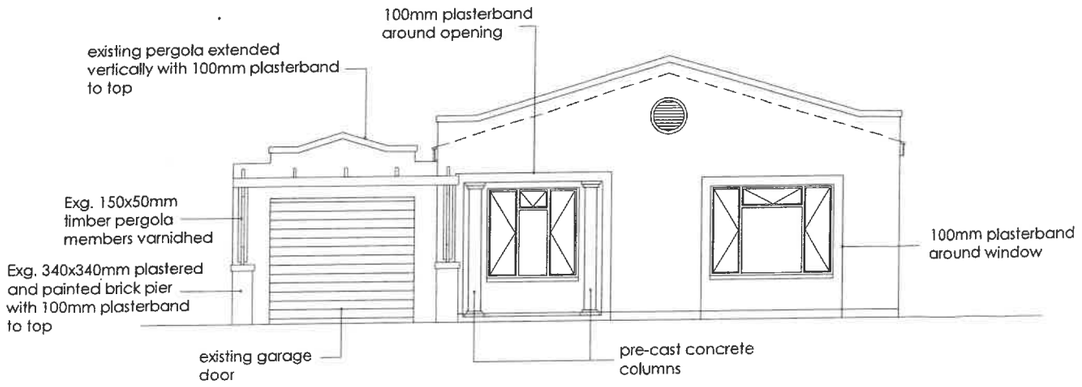
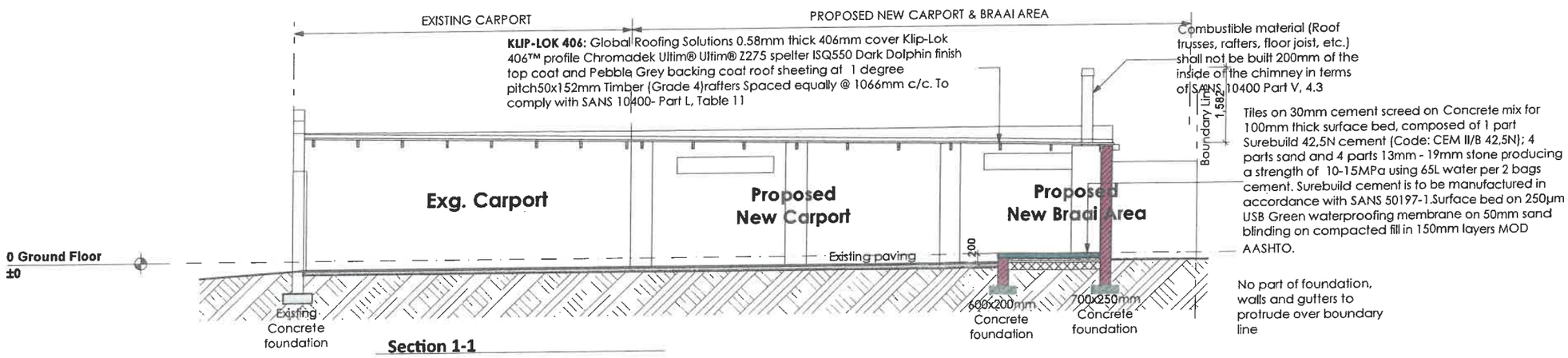


East Elevation

1:100



Section 1-1

1:100

Registered Owner/Authorized Agent: .....

ORIGINAL DOCUMENT DATE:	2025/03/10

REVISIONS:

NO	DESCRIPTION	DATE

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AHAT Solutions (Pty) Ltd
[redacted]
Cell : +27 [redacted]

PROJECT:
HOUSE NOBLE

APPLICATION FOR APPROVAL OF AS-BUILT STRUCTURES, ERF 7726, HERCULES STREET, CLOETESVILLE, STELLENBOSCH

DRAWING TITLE:
Sections & Elevation

PROJECT No: 2406	SCALE: 1:100 @ A3
DRAWING No: 2406/#Building ID/0-002	DATE: 2025/03/10
REVISION:	DRAWN BY: / CHECKED BY: Avron

Council Submission

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ANNEXURE B

COMMENT FROM DIRECTOR:

INFRASTRUCTURE SERVICES DEPARTMENT

STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

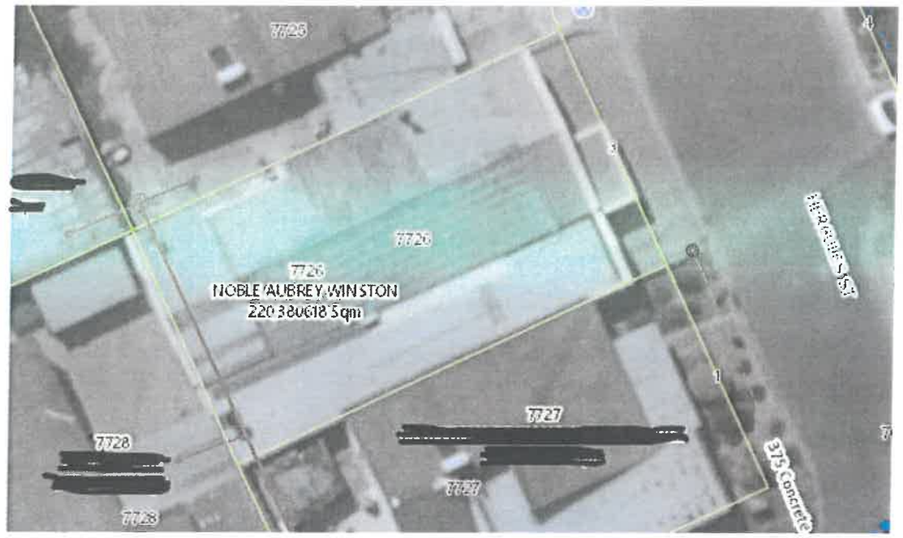
CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Bulelwa Mdoda**
From ▫ Van:	**Principal Technician: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Kurt Titus**
Date ▫ Datum:	**17 March 2025**
Our Ref ▫ Ons Verw:	**Civil LU 2830**
Town Planning Ref:	**LU/17672**
Re ▫ Insake:	**Erf 7726, Stellenbosch: An application for a permanent departure in terms of Section 15(2)(b) of the Stellenbosch Land Use Planning Bylaw, 2023 to permit the proposed new braai area to be 0m in lieu of 1m from the common building (adjoining Erf 7727 Stellenbosch) and to permit the coverage to increase to 91.8% in lieu of 70% on Erf 7726 Stellenbosch.**

The application is recommended for approval, subject to the following condition:

1. Civil Engineering services

1.1 The owner must ensure that no engineering services running through the said property are obstructed and maintenance is unable to take place.
(See image of the municipal sewer midblock passing through the property)



Ktitus

Kurt Titus
Principal Technician: Development (Infrastructure Services)

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