



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/17327 (TP764/2024)

Our File Reference Number: Farm 263, 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 FOR CONSENT USE AND PERMANENT DEPARTURE: FARM 263, STELLENBOSCH DIVISION

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:

That the application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 for the following:

2.1 Consent Use in terms of Section 15(2)(o) of the said By-Law for an additional Use that exceeds the zoning scheme parameters for an agricultural industry (<2000m²) in order to construct a wine cellar that exceeds the street and common building lines on Farm 263, Stellenbosch Division,

2.2 Departure in terms of Section 15(2)(b) of the said By-Law to relax the street building line from 5m to 0,5m and common building line from 5m to 1m (adjacent to Farm 266/8) in order to accommodate the proposed wine cellar on the basement level and ground floor and to accommodate the proposed additions to the existing house,

2.3 Departure in terms of Section 15(2)(b) of the said By-Law to relax the common building line from 5m to 0m (adjacent to Farm 259) in order to accommodate the proposed wine cellar on the basement level & ground floor, spiral staircase on the ground & 1st floor and the proposed balcony on top of a portion of the proposed wine cellar as well as to accommodate the proposed additions to the existing house,

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 the said Bylaw:

3.1. The approval only applies to the proposed consent use and departure under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws 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 agricultural industry shall be limited to $\pm 144,50\text{m}^2$ (proposed wine cellar and fermentation area) as indicated on the building plan referenced 01330-carla – stb263-20231002 Page 1 & 2 of 2, dated 18 November 2023 and drawn by Exact Plan.

3.4. The primary use must still remain agricultural with agricultural industry operating as a secondary use,

3.5. Building plans for the proposed building additions & wine cellar must be generally in accordance with the building plan as referenced drawing no. 01330-carla – stb263-20231002 Page 1 & 2 of 2, dated 18 November 2023 and drawn by Exact Plan and must be submitted to this Municipality for consideration prior to any building work being undertaken,

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

4.1. The impact that the proposed wine cellar will have on surrounding area is minimal as the use of the building is ancillary to the existing agricultural activity (vineyards).

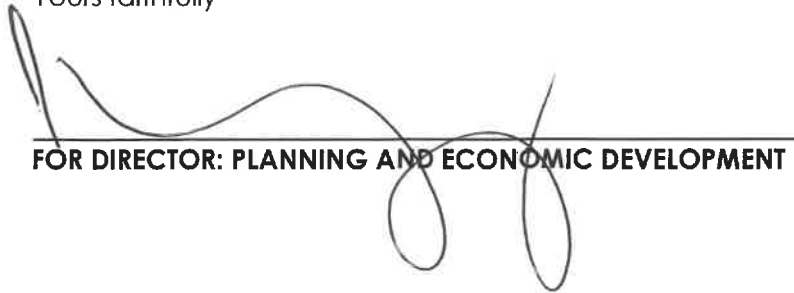
4.2. The agricultural viability of the farm will not be affected by the proposal as the proposed structures will be located within the existing farm werf.

4.3. The proposal will enhance the economic viability of the farm and have no negative impact on the surrounding land 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

COPY TO:

Department of Agriculture: Elsenburg

E-mail: Brandon.layman@westerncape.gov.za / Cor.VanderWalt@westerncape.gov.za

Annexure A:
Building Plans

LOCAL AUTHORITY APPROVAL:

SPECIFICATIONS:

SUBSTRUCTURE

Foundations: 300mm concrete foundations to external / load bearing walls to be 700x250mm and slab thickening to internal walls to be 600x200mm. No foundation may project beyond slab boundary. All water to discharge away from foundations and towards road side. Depth and size of foundations to suit ground conditions. Foundation walls: All foundations walls to have brickwork in every course. Expansion joints to be provided as required. All foundation walls to be filled with concrete up to floor level. Columns: Foundations: Foundations to brickwork columns to be min 600x900x300mm.

SUPER STRUCTURE

Floor Construction: Floor: 100mm concrete slab on 250mm DPC lap joints, sealed and turned up around the perimeter of and for the full length of the slab on 50mm sand binding on min 150mm well compacted subgrade.

Suspended Floor: precast concrete floor to engineer detail.

External envelope: Walls: 200mm supporting wall with 50mm cavity, 115mm clay ROK or equal approved with brickwork to every 5th course. Slipped DPC to be provided to all external walls. Provide min 400mm brickwork between all bricks and wall plate / rafter and provide cavity wall ties at 2.5 ties per m². All openings less than 3000mm wide to have precast concrete lintels over. External masonry walls to achieve min C_p value of 80h.

Windows and doors: All windows and doors to have aluminium frames, all sliding and folding-and-stacking doors to be fitted with single low e glazing, the aggregate conductance and solar heat gain of the glazing shall not exceed the values obtained by multiplying the net floor area with the constants for conductance (1.4) and solar heat gain (0.19), as per fenestration schedule. All glazing to comply with requirements of SANS 10137 and SANS 10400 part 1 - access doors and sidelights to have safety glass. Windows lower than 500mm from floor, windows lower than 1800mm above pitch line of stairs and shop fronts to be safety glass.

Roof: Pitched Roof not applicable.

Flat Roof: Chime-saddle roof sheathing with Kloplok profile at 2° on a 40mm thick 405 multi-purpose underlay on 76x50mm rafters at max 900mm c/c on 152x50mm rafters at max 900mm c/c. Rafters to be secured to wall with galvanised T-bar brackets. All rafters to be DPC wrapped where built into brickwork.

Rafter/rafter Gables: Seamless aluminium G-Gee gutters fixed to 22x22mm hardwood batten boards to discharge into seamless aluminium down pipes in accordance with manufacturers specifications. Roof Assembly: The roof assembly shall achieve a min total r-value of upward heat flow not less than 2.7.

the roofing material has a r-value of 0.25 (total).

the skin plastered ceiling has a r-value of 0.06.

135mm "therm-guard" cellulose fibre insulation has a r-value of 3.35.

total 3.79.

Internal Division: Walls: 115mm and 230mm clay ROK brickwork or equal approved.

Doors: All internal timber doors to be paneled timber doors, painted white. Balustrades: Balustrades to be min 1m high with max vertical openings of 100mm.

Finishes: External: Walls: All walls to be smooth plastered and painted to owner (preliminary specification by Picasso).

Patios / Courtyards: cement paving on 50mm sand binding on well compacted subgrade. All overhead storm water to be taken away from building and towards roadsides.

Internal: Walls: Generally plastered with 1 coat plaster, skinned and painted to owner detail.

Floors: Tiles, carpet or timber (as specified by client) on screed. Finished floor level to be min 150mm above NGI.

Ceilings: No ceiling to garage. 30x38mm ceiling bradders at max 350mm c/c fixed to rafter or wall trusses, with 5/8mm gypsum ceiling boards to be skinned and painted with 135mm Therm-guard insulation fitted to specialist contractor.

Joinery: All built in cupboards, vanity units and kitchen cupboards to owner design and colour specifications.

SERVICES: Electrical: All electrical installations to comply with local authority requirements and SANS 10400. Distribution, reticulation and lighting as per electrical layout provided.

Plumbing: All plumbing installations to comply with local authority requirements and SANS 10400. Batching hot water system to remain as is - no new connections to be made. All exposed pipes to and from hot water cylinder and central heating system shall be insulated with pipe insulation. Internal diameter of pipe < 50mm - r-value to be min 1 and > 50mm - r-value to be min 1.5. Hot water vessels shall be insulated with a material achieving a min r-value of 2.0.

Ventilation and Lighting: All areas to comply with municipal regulations and SANS 10400 LLA, min 5% of floor area ventilation and min 10% of floor area lighting.

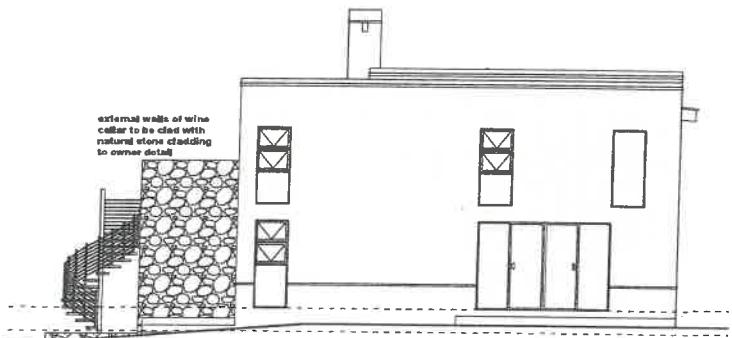
Drainage: All soil drains to be closed system 110mm PVC pipes with min fall of 1:60. All vent pipes to be 50mm PVC pipes. All heights pertaining to drainage to be checked and confirmed on site prior to installation. All drains to have min 600mm inside radius. All drains below building to be encased in 150mm concrete all round.

DEFINITION OF BASEMENT STOREY:

- ANY STOREY OF DIVISION OF A STOREY WITH A CEILING LEVEL WHICH PROTRUDES LESS THAN 1M AT ANY POINT ABOVE EXISTING GROUND LEVEL
- THE WINE CELLAR IS COMPLETELY SUBMERGED BELOW THE EXISTING GROUND LEVEL (MIN 450mm MIN BELOW) AND THUS COMPLIES WITH THE DEFINITION OF A BASEMENT STOREY
- THE WINE CELLAR WILL PRODUCE WINE FROM THE GRAPES HARVESTED ON THE 1525m² OF VINEYARDS ON THE PROPERTY, INDICATED IN GREEN ON THE SITE PLAN

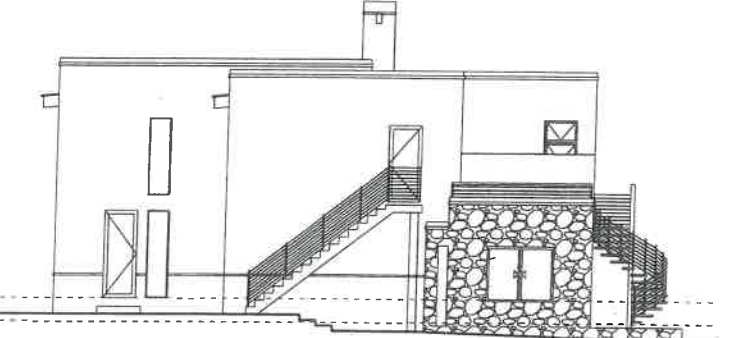
BASEMENT FLOOR PLAN

SCALE 1:100



SOUTH WEST ELEVATION

SCALE 1:100

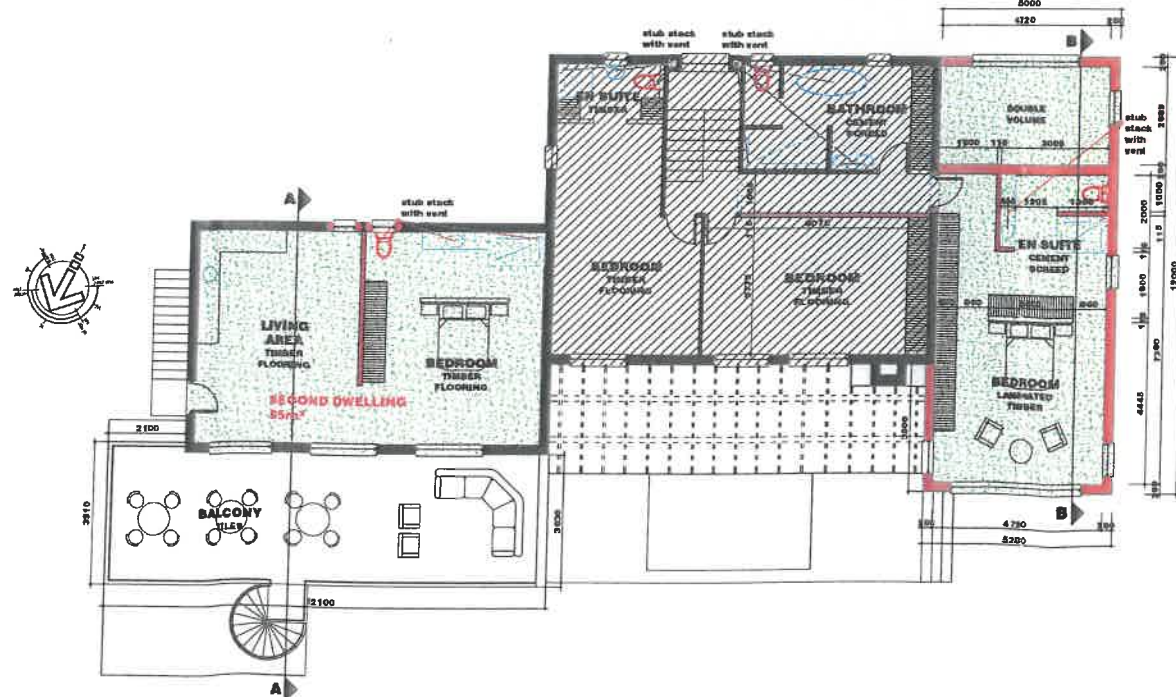


NORTH EAST ELEVATION

SCALE 1:100

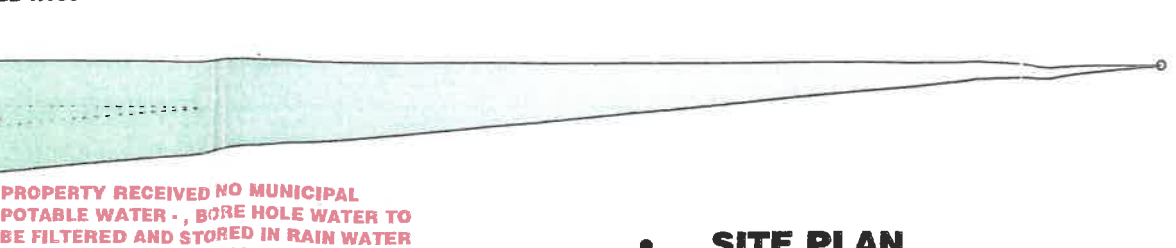
GROUND FLOOR PLAN

SCALE 1:100



FIRST FLOOR PLAN

SCALE 1:100



SITE PLAN

SCALE 1:400



PROPERTY RECEIVED NO MUNICIPAL POTABLE WATER - BORE HOLE WATER TO BE FILTERED AND STORED IN RAIN WATER TANKS, WITH PUMP TO SUPPLY DWELLING

PARAMETERS:

EXISTING:	
ground floor	186.00m ²
first floor	80.89m ²
TOTAL:	266.89m ²
PROPOSED:	
extension to ground floor	64.50m ²
extension to first floor	110.70m ²
basement level:	85.40m ²
TOTAL:	256.40m ²
TOTAL AREA:	542.85m ²
TOTAL FOOTPRINT:	269.50m ²
SITE AREA:	2162.00m ²
COVERAGE ALLOWED:	50.00%
COVERAGE ACTUAL:	12.00%

PLEASE NOTE:
THESE ARE MUNICIPAL DRAWINGS ONLY AND MAY NOT BE USED AS CONSTRUCTION DRAWINGS.
ANY DISCREPANCIES SHOULD BE BROUGHT TO THE DRAUGHTSPERSON'S ATTENTION PRIOR TO CONSTRUCTION.
THE CONTRACTOR IS TO CHECK AND CONFIRM ALL DIMENSIONS AND LEVELS PRIOR TO THE SETTING OUT OF ANY BUILDING WORKS.

HOUSE FERREIRA

CLIENT:	MS C FERREIRA
PROPERTY:	REMAINDER OF FARM 263 STELLENBOSCH
ADDRESS:	KLOOF ROAD STELLENBOSCH
DRAWING:	COUNCIL SUBMISSION

REVISIONS:

A	change done	date	person
B	change done	date	person
C	change done	date	person
D	change done	date	person

DRAWING NUMBER:

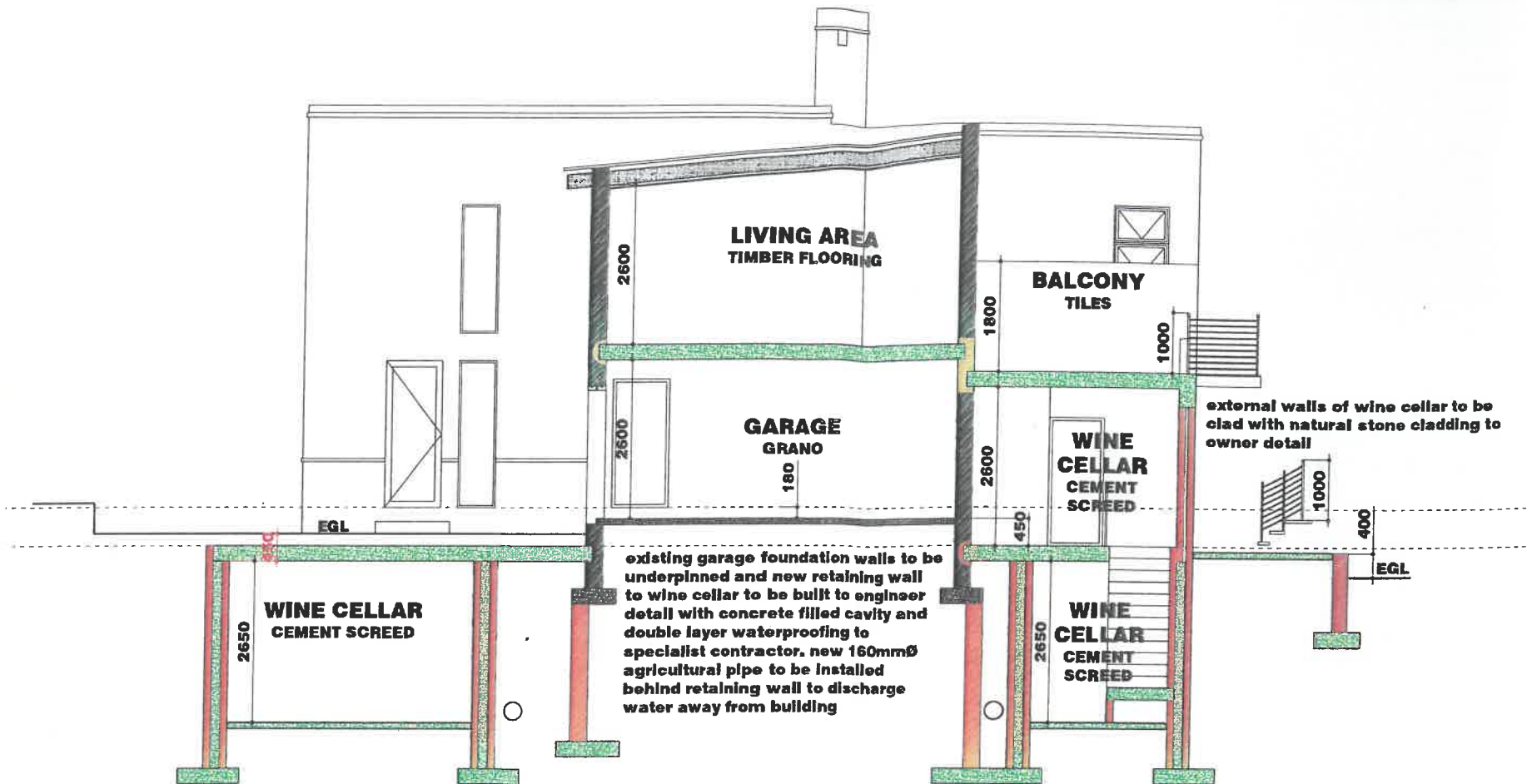
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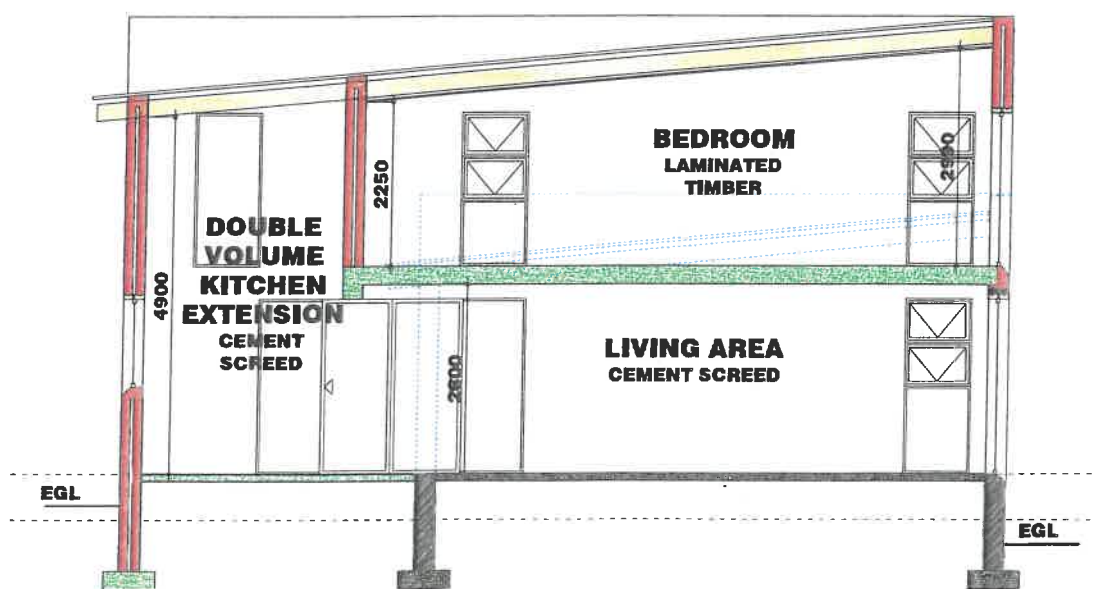
E-FACT PLAN

MICHELLE DE BRUYN
SACAP REG NO: PAD 24744614
102 DE HULK WAY
PENHILL ESTATE
TEL: [REDACTED]
EMAIL: [REDACTED]
COPYRIGHT SUBSISTS OVER THIS DRAWING AND REMAINS THE PROPERTY OF THE DESIGNERS.

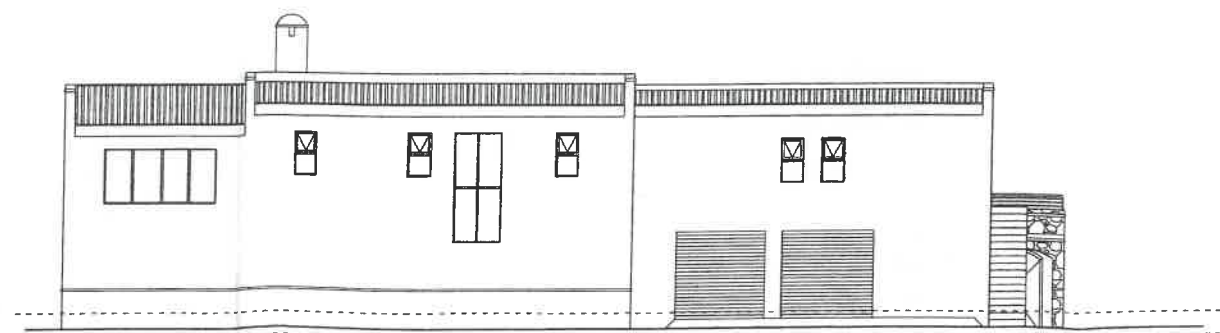
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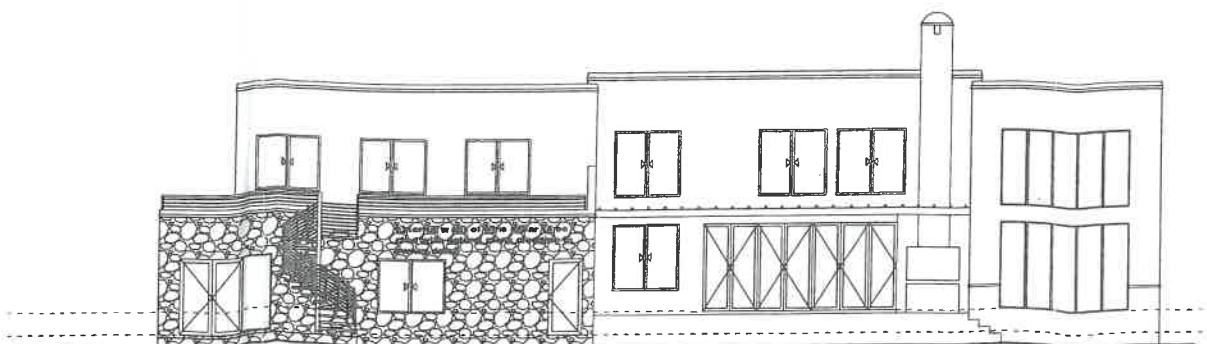
SECTION A-A
 SCALE 1:50



SECTION B-B
 SCALE 1:50



SOUTH EAST ELEVATION
 SCALE 1:100



NORTH WEST ELEVATION
 SCALE 1:100

PARAMETERS:

EXISTING:	
ground floor	196.80m²
first floor	90.65m²
TOTAL:	286.45m²
PROPOSED:	
extension to ground floor	64.50m²
extension to first floor	110.70m²
basement level	81.20m²
TOTAL:	256.40m²
TOTAL AREA:	542.85m²
TOTAL FOOTPRINT:	289.50m²
SITE AREA:	2162.00m²
COVERAGE ALLOWED:	50.00%
COVERAGE ACTUAL:	12.00%

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ADDRESS:	KLOOF ROAD STELLENBOSCH
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• D	change done	date	person

DRAWING NUMBER:

01330-carla - slb263-20231002

SCALE:	PAGE:	DATE:
as shown	2 of 2	2023-11-18

EXACT PLAN

MICHELLE DE BRUYN
 SACAP REG NO: PAD 24744614

102 DE HULK WAY
 PENHILL ESTATE

TEL: [REDACTED]
 EMAIL: [REDACTED]

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