



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15859(TP437/2023)

Our File Reference Number: Erf 2797, 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 PERMISSION REQUIRED IN TERMS OF THE ZONING SCHEME AND CONSENT USE
ON ERF 2797, 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 applications in terms of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 on Erf 2797, Stellenbosch for:
 - a) **Permission required in terms of the zoning scheme** in terms of Section 15(2)(g) for an additional use to construct a **second dwelling unit**; and
 - b) **Consent use** in terms of Section 15(2)(o) to utilize the proposed second dwelling unit as a **commune** for student accommodation;

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

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

- 2.2 The approval only applies to the proposed application 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.

- 2.3 The development must be undertaken generally in accordance with the site plan as referenced **CCT-P-1913, REV-01, dated 13 December 2023 & 02 May 2023, and drawn by BBS Town and Regional Planning Consultant** and attached as **ANNEXURE B**.
- 2.4 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.
- 2.5 Building plans must be generally in accordance with the site plan as referenced **CCT-P-1913, REV-01, dated 13 December 2023 & 2 May 2023, and drawn by BBS Town and Regional Planning Consultant** and attached as **ANNEXURE B**.
- 2.6 A landscaping plan, indicating vegetation and garden space areas, be submitted with the building plans.
- 2.7 The residential character of the dwelling house shall not be altered in such a manner that, in the opinion of Council, may detract from the character of a dwelling house.
- 2.8 The land use shall not create any undue noise or be a nuisance to the neighbourhood and that precautionary measures be taken in order to avoid environmental noise pollution in terms of the Noise Control Regulations (PN627 dated 20 November 1998) made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No 73 of 1989).
- 2.9 A maximum of five (5) persons may be accommodated in the commune.
- 2.10 No vehicles of the residents or visitors to the property may be parked in the street at any time;
- 2.11 The conditions imposed by **Manager: Electrical Services** as contained in their memo dated 03 October 2023, be complied with (see **ANNEXURE F**).
- 2.12 The conditions imposed by the **Director: Engineering Services** as contained in their memo dated 18 January 2024, be complied with (see **ANNEXURE H**).
- 2.13 Sufficient on-site parking must be provided in accordance with the provisions of the subject Zoning Scheme Bylaw and to be illustrated on the subject site development plan of the development to the satisfaction of the Municipality.
- 2.14 Owner to reside on the property.

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

- 3.1 The proposal will result in a sensible increase in density which will have minimal impact on the amenities of the adjoining property owners.
- 3.2 The residential character of the area will not be impacted on by the proposed use as the primary use of the property will still be residential.
- 3.3 The proposal would also be of an appropriate scale that would relate to the surrounding townscape and land use character of the area.

3.4 Adequate onsite parking has been provided for the proposed use without impacting on the existing residential character of the property or surrounding area.

3.5 The proposal will not pose a traffic hazard.

4. Matters to be noted:

4.1 That consent use may be withdrawn in terms of Section 90 (C) of By-law if any under impacts results from this approval or if not comply with the conditions of approval.

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 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. The following prescribed information is accordingly required:

a. The personal particulars of the Appellant, including:

a) First names and surname

b) ID number

c) Company of Legal person's name (if applicable)

d) Physical Address

e) Contact details, including a Cell number and E-Mail address

7. Reference to this correspondence and the relevant property details on which the appeal is submitted.

7.1 The grounds of the appeal which may include the following grounds:

a) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)

b) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

7.2 Whether the appeal is lodged against the whole decision or a part of the decision.

7.3 If the appeal is lodged against a part of the decision, a description of the part.

7.4 If the appeal is lodged against a condition of approval, a description of the condition.

7.5 The factual or legal findings that the appellant relies on. The relief sought by the appellant.

7.6 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

7.7 That the appeal includes the following declaration by the Appellant:

- a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
- b) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

8. 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

9. 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.

10. The 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

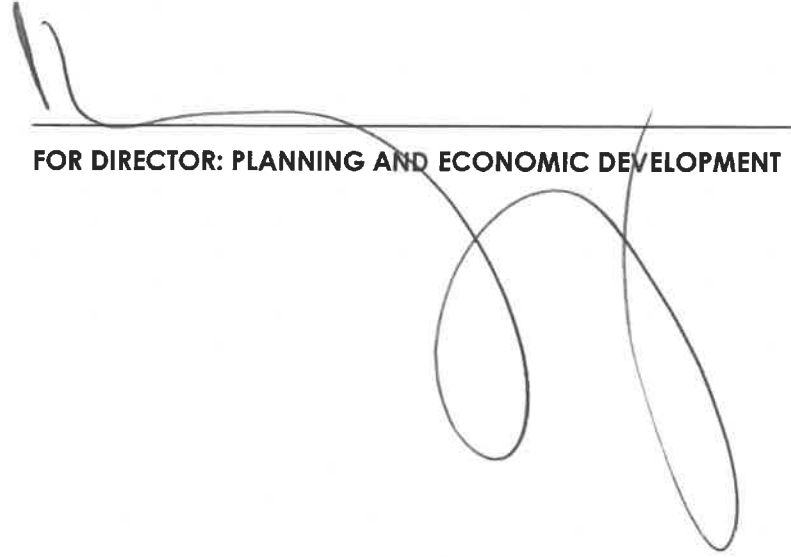
11. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

- (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.

12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

13. 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



A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

11/4/2024.
DATE:

COPIES TO:

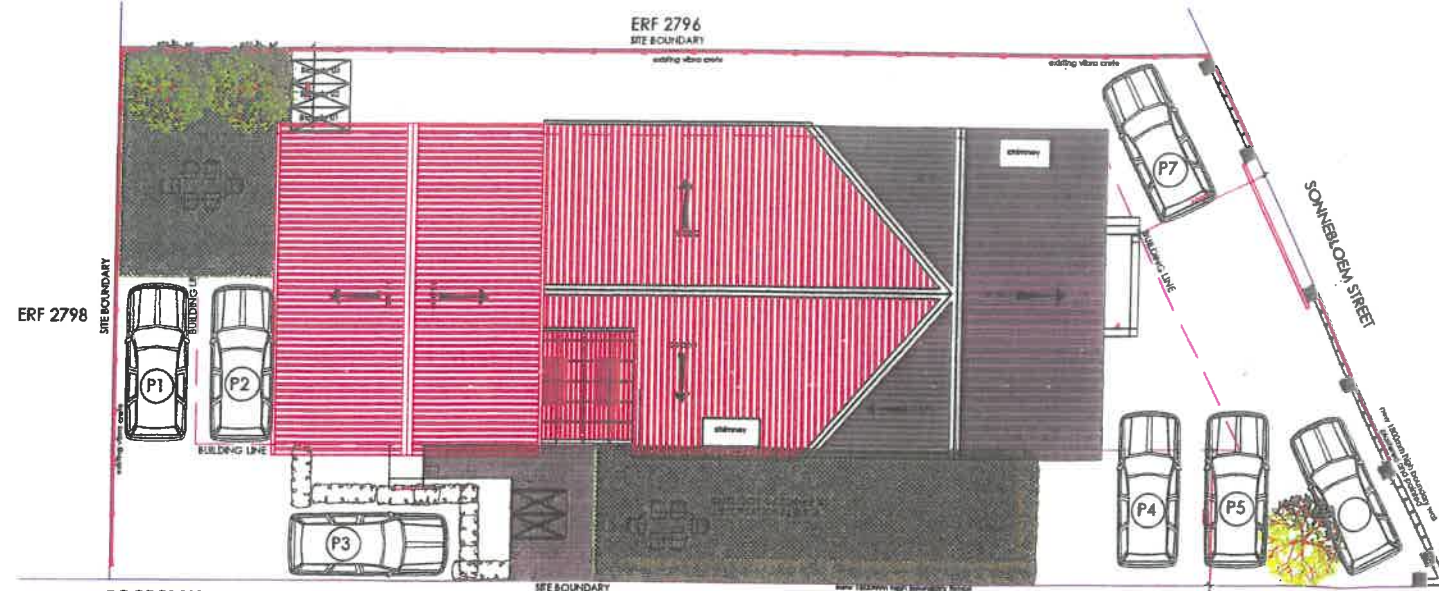
Justin Newman

Email: justincnewman@gmail.com

ANNEXURE B

PERMISSION REQUIRED IN TERMS OF THE ZONING
SCHEME AND CONSENT USE: ERF 2797, IDAS
VALLEY, STELLENBOSCH

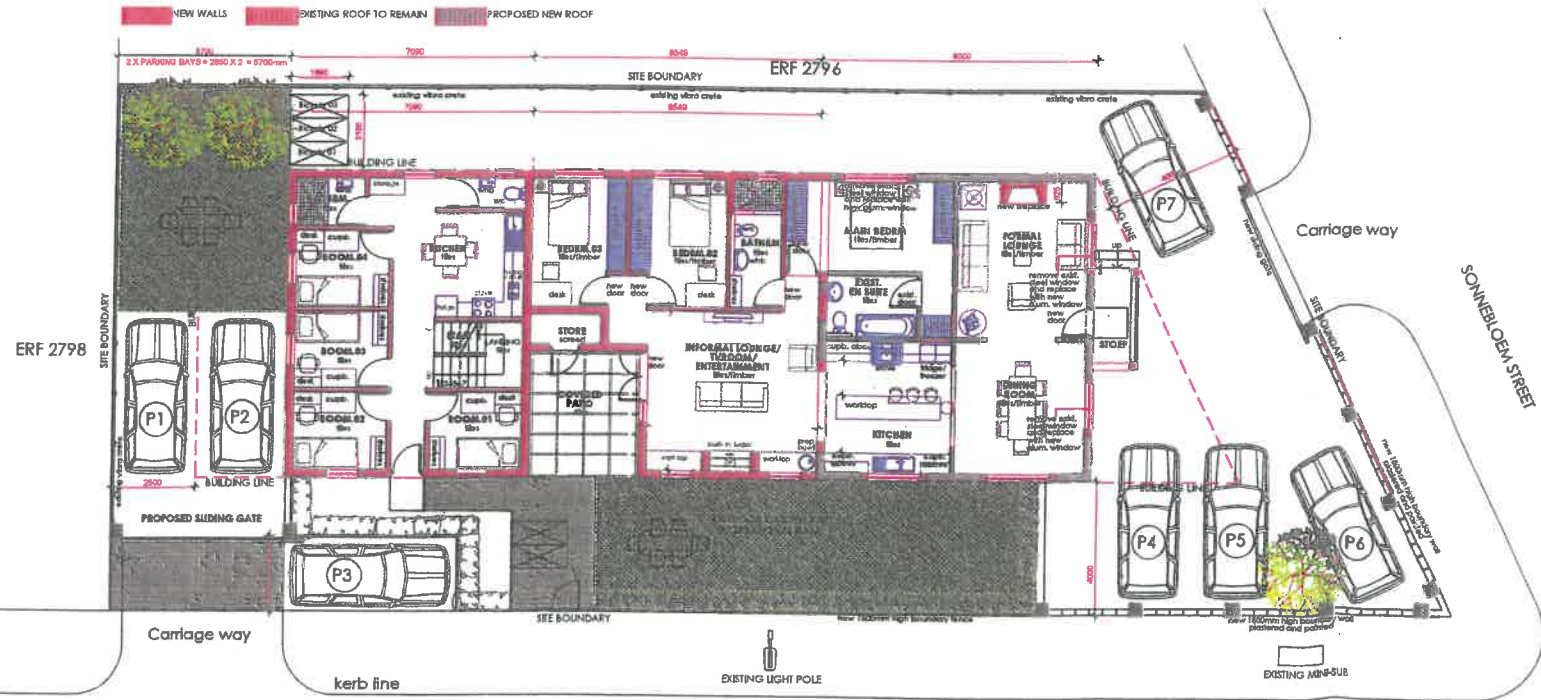
SITE DEVELOPMENT PLAN



ROOF PLAN
Scale 1:100

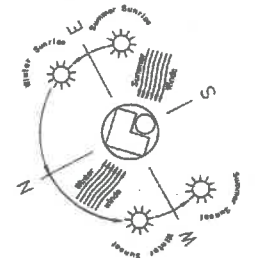
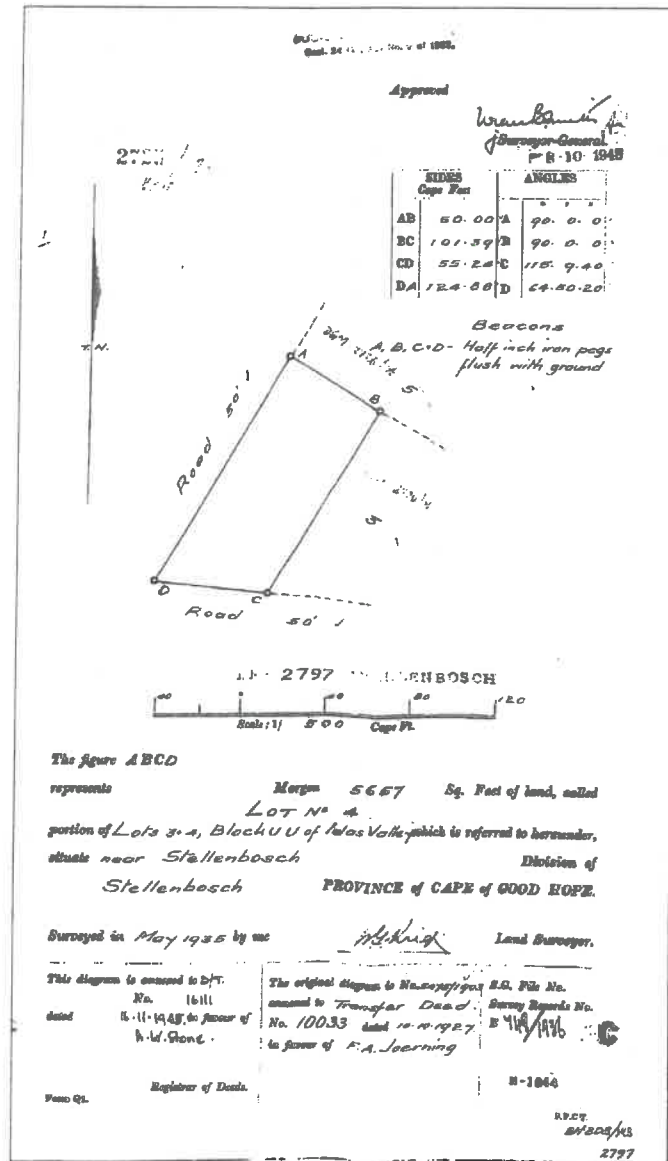


FIRST FLOOR PLAN
Scale 1:100



GROUND FLOOR PLAN
Scale 1:100

AREA CALCULATIONS:	
ERF SIZE	558.5 m ²
EXISTING MAIN HOUSE	73.2 m ²
NEW ADDITIONS:	
GROUND FLOOR:	
PROPOSED ADDITIONS	130.70 m ²
COVERED PATIO	12.45 m ²
COVERED FRONT STOEP	10.60 m ²
FIRST FLOOR:	
PROPOSED ADDITIONS	65.00 m ²
TOTAL PROPOSED AREA (INCLUDING COVERED PATIO & STOEP)	218.75 m ²
TOTAL AREA (INCLUDING EXISTING & PROPOSED)	291.95 m ²
TOTAL COVERED AREA (INCLUDING EXISTING & NEW)	237.50 m ²
COVERAGE (%)	42.5 %
PARKING:	
PARKING REQUIRED	7 BAYS
PARKING PROVIDED	7 BAYS



BBS
TOWN AND REGIONAL PLANNING CONSULTANT
SACPLAN REG: C/2020/2020
EMAIL: bbs@bbs.co.za

CLIENT NAME:
Mr. & Mrs. DU TOIT

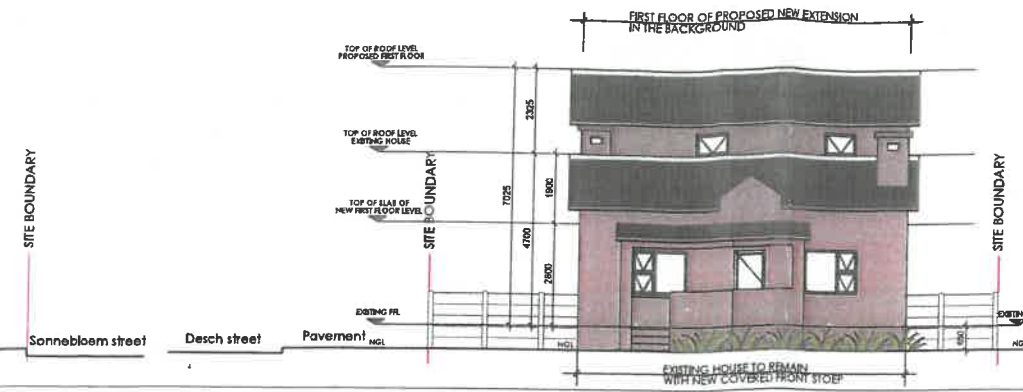
PROJECT NAME:
**PROPOSED COMMUNE
ERF 2797 IDAS VALLY
STELLENBOSCH**

DRAWING TITLE / NUMBER:
**-SITE DEVELOPMENT PLAN-
PLANS & AREA
CALCULATIONS**

PROJECT NO.:	CCT-P-191B	DRAWN BY:	BBS
REVISION NO.:	REV-01	DATE:	13/12/2023

DRAFT FOR PRE-SUBMISSION

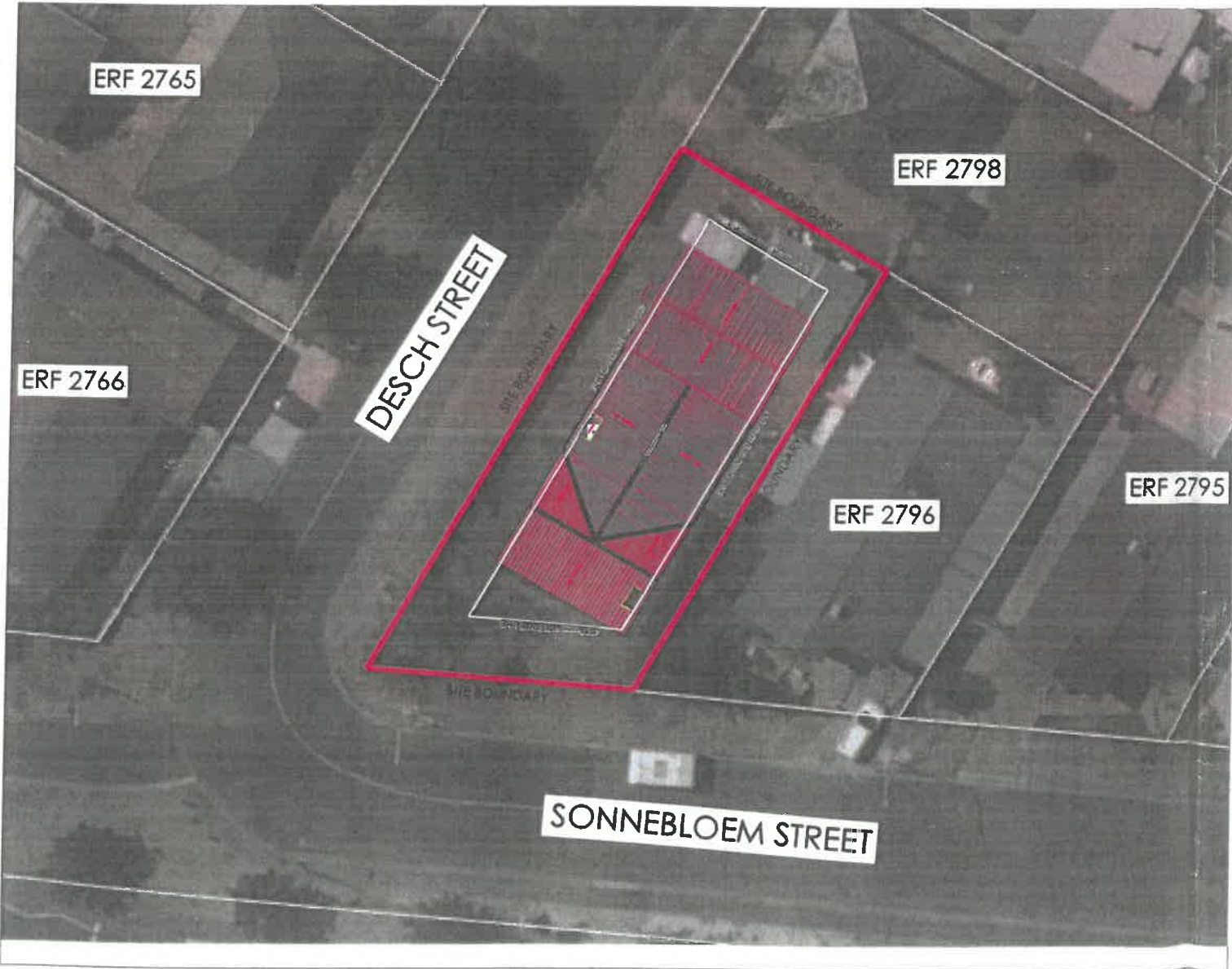
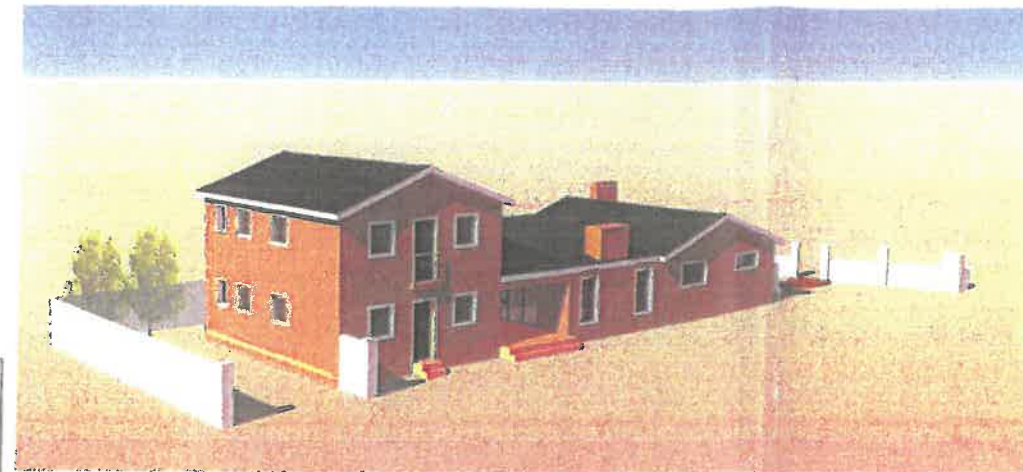
This drawing and all the information contained thereon is property of Bradley Simpson and may not be copied or disclosed to a third party without their written consent.



Area of land unit	Street boundary building lines (m)	Common boundary building lines (m)	Coverage	Height
Up to 250m ²	2m	1m (see 2(e) below)	70%	2 storeys
251m ² to 500m ²	3m	1m	The greater of 175m ² or 60%	2 storeys
501m ² to 1500m ²	4m	2,5m (see 2(c) below)	The greater of 300m ² or 50%	2 storeys
Greater than 1500m ²	4m	2,5m (see 2(c) below)	The greater of 750m ² or 40%	2 storeys

SG Erf Info
 Select | Focus | Add Graphic Feature
 Erf Nr: 2797
 Area (SQM): 558.5
 SG Code: C06700220000279700000
 SG Region: STELLENBOSCH
 Township: STELLENBOSCH
 Legal Status: Registered
 Working Status: Current
 SG Diagrams: [Click to download](#)

SG Street Parcel Info
 ID: RE/163
 SG Code: C06700000000016300000



BBS
 TOWN AND REGIONAL PLANNING CONSULTANT
 SACPLAN REG: C/9113/2020
 EMAIL: [REDACTED]

CLIENT NAME:
Mr. & MRS. DU TOIT

PROJECT NAME:
**PROPOSED COMMUNE
 ERF 2797 IDAS VALLY
 STELLENBOSCH**

DRAWING TITLE / NUMBER:
**-SITE DEVELOPMENT PLAN-
 LOCATION, SG DIAGRAM &
 ELEVATIONS**

PROJECT NO.: **CCT-P-1913** DRAWN BY: **BBS**
 REVISION NO.: DATE: **02-05-2023**

DRAFT FOR PRE-SUBMISSION

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

ANNEXURE F

**PERMISSION REQUIRED IN TERMS OF THE ZONING
SCHEME AND CONSENT USE: ERF 2797, IDAS
VALLEY, STELLENBOSCH**

**COMMENT FROM THE MANAGER:
ELECTRICAL SERVICES**

ERF 2797, Idasvalley
No Comment
1.
CONDITIONS:
2. Electricity Supply to new Additional Dwelling should be fed from the main Distribution Board, which is situated outside the main building.
3. If the current electricity supply is not adequate, an application for an increase in electricity supply must be submitted to Stellenbosch Municipality: Electrical Engineering Services.
4.
5. Appropriate caution shall be taken during construction, to prevent damage to existing electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages?

ERF 

Date 03/10/2023

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

04 OCT 2023
RECEIVED

FILE NR:
E& 2797 S
SCAN NR:
COLLABORATOR NR: 757118

ANNEXURE H

**PERMISSION REQUIRED IN TERMS OF THE ZONING
SCHEME AND CONSENT USE: ERF 2797, IDAS
VALLEY, STELLENBOSCH**

**COMMENT FROM THE DIRECTOR:
ENGINEERING SERVICES**



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Salome Newman
From ▫ Van: Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Ilze Fillies
Date ▫ Datum: 18 January 2024
Our Ref ▫ Ons Verw: Civil LU 2562
Town Planning Ref: LU/15899
Re ▫ Insake: Erf 2797, Stellenbosch: Application is made in terms of Section 15(2)(g) of the Stellenbosch Municipal Land Use Planning By-law, 2023 for a permission required in terms of the zoning scheme for an additional use to construct a second dwelling unit on Erf 2797, Idas Valley, Stellenbosch. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 for a consent use to utilize the proposed second dwelling unit as a commune for student accommodation on Erf 2797, Idas Valley, Stellenbosch.

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

This approval is based on the revised application for a 5-bedroom commune and the amended parking layout as per drawing Site Development plan Floor plans & area calculations Rev-01 dated 13 December 2023 by BBS Town and Regional planning consultants.

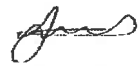
Civil Engineering services

1.1 The existing water and sewer connections must be utilized.

1.2 Any changes to the existing municipal infrastructure will be on the account of the owner.

2. Development Charges (DCs)

- 2.1 The following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage and will be amended based on the detail information provided on subsequent applications ie building plans / A final calculation will be provided prior to payment.
- 2.2 The DC's were calculated by using the 2023/2024 tariff structure. If DC's are paid after 30 June 2024 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.
- 2.3 The appropriate DC's are payable before building plan approval.
- 2.4 The appropriate DC's are payable before the facility is put to its approved use (where building plans are not applicable).



Ilze Fillies

Principal Technician: Development (Infrastructure Services)

N:\2.0 DEVELOPMENT\01 Land Use applications\2562 (IF) Erf 2797 Stellenbosch (LU-15899)\2562 Erf 2797 Stellenbosch (LU-15899)
- Copy.doc



Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION

Application Number:	2562 (IF) Erf 2797, Stellenbosch (LU-15899)
Development Name:	
Date:	18 January 2024
Financial Year:	2023/2024
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	Erf 2562
DC Parameters Reference:	Site Development plan Floor plans and area calculation Rev 01 dated 13 December 2024 by BBS Town and Regional planning consultants

SUMMARY OF DC CALCULATION

Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Total
Unit(s):	M/day	M/day	ha°C	t/week	trips/day		persons	
Total Increased Services Usage:	0,54	0,45	0,012	0,045	3,75		3	
Total Service Usage Reduction:	0	0	0	0	0,0		0	
Total Service Usage after Reduction:	0,54	0,45	0,01200	0,045	3,8		3	
Charges before adjusting for positive only, before Deductions	R 16 922,40	R 15 520,85	R 2 485,89	R 4 401,52	R 22 632,14	R 61 962,60	R 11 572,73	R 73 535,63
Charges adjusted for positive only, before Deductions	R 16 922,40	R 15 520,85	R 2 485,89	R 4 401,52	R 22 632,14	R 61 962,60	R 11 572,73	R 73 535,63
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -
Total Development Charges Payable (excluding VAT):	R 16 922,40	R 15 520,85	R 2 485,89	R 4 401,52	R 22 632,14	R 61 962,60	R 11 572,73	R 73 535,63
VAT:	R 2 538,36	R 2 326,13	R 372,90	R 690,23	R 3 394,82	R 9 294,44	R 1 735,91	R 11 030,34
Total Development Charges Payable (including VAT):	R 19 460,76	R 17 846,97	R 2 858,89	R 5 091,75	R 26 026,96	R 71 257,34	R 13 308,64	R 84 565,98

APPLICANT INFORMATION

Application Processed by:	Ize Filles
Signature:	
Notes:	

Stellenbosch Town

Land Use Category	Unit Type	Existing Usage				Proposed New Usage				Development Charge Level (per m ²)	Development Charge Level (per m ²)				Sub Total (incl. Eng. Levellers)	Contingency	Total
		Area (m ²)	Unit Amount	Value	Area (m ²)	Unit Amount	Value	Area (m ²)	Unit Amount		Area (m ²)	Unit Amount	Area (m ²)	Unit Amount			
Residential	Single Residential >100m ²																
Residential	Single Residential >50m ²																
Residential	Single Residential >25m ²																
Residential	Single Residential <25m ²																
Residential	Second Dwelling																
Residential	Less Formal Residential																
Residential	3 Map Residential																
Residential	Apartment																
Residential	Retirement Village																
Residential	Old age home																
Accommodation	Student Accommodation/Convents/Hostels																
Accommodation	Guest House																
Accommodation	Converted Guest House																
Accommodation	Hotel Residential																
Commercial	General Offices																
Commercial	Office																
Commercial	Retail/Shop																
Commercial	Restaurant																
Commercial	Outdoor Function / Picnic Area																
Commercial	Conference Facility/Place of assembly																
Commercial	Hotels/Clinic/Medical Rooms																
Commercial	Universities/College																
Commercial	School/Day Care																
Industrial	Industrial - light																
Industrial	Industrial - heavy																
Industrial	Warehousing/Light Manufacturing																
Industrial	Storage Facilities																
Non-Residential	Open Space/Natural Environment/Utility Site																
Other	Roads and Parking																
Other	To be calculated																
Other	(Based on equivalent demand)																
	Total Area	0															

Category	Charges before adjusting (i.e. positive only, before Deductions)	Charges adjusted for positive only, before Deductions	Deductions per service (from usage reductions)	Discount Deduction (%)	Additional Deduction per service - from Service Agreement (if any)	Sub Total after Adjustments and Deductions (including VAT)	VAT	Total Development Charges
Charges before adjusting (i.e. positive only, before Deductions)	R 16 922,40	R 15 520,85	R 2 485,00	R 4 401,82	R 22 832,14	R 81 982,90	R 11 972,73	R 79 955,83
Charges adjusted for positive only, before Deductions	R 16 922,40	R 15 520,85	R 2 485,00	R 4 401,82	R 22 832,14	R 81 982,90	R 11 972,73	R 79 955,83
Deductions per service (from usage reductions)								
Discount Deduction (%)	Percentage: 0,00%							
Additional Deduction per service - from Service Agreement (if any)								
Sub Total after Adjustments and Deductions (including VAT)	R 16 922,40	R 15 520,85	R 2 485,00	R 4 401,82	R 22 832,14	R 81 982,90	R 11 972,73	R 79 955,83
VAT	R 2 938,36	R 2 258,13	R 372,90	R 660,23	R 3 394,82	R 4 254,44	R 1 720,91	R 11 003,34
Total Development Charges	R 19 860,76	R 17 778,97	R 2 857,90	R 5 062,05	R 26 226,96	R 86 237,34	R 13 693,64	R 99 930,98

