



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11358

Our File Reference Number: Erf 5747, 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: ERF 5747, 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 is made in terms of Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated October 2015, on Erf 5747, Stellenbosch, for the following:
 - 2.1.1 **Consent Use** in terms of Section 15 (2) (o) of the said by-law, to utilize the existing property as a Guest house;

BE APPROVED in terms of Section 60 of the by law and subject to the following conditions in terms of Section 66 of the said Bylaw:

2.1.2 Conditions of approval

- a. The approval applies only to the application under consideration as indicated on Drawing No: 2015/61/01, drawn by D Lakey Draughting Services, dated September 2015, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
- b. The development shall be implemented substantially in accordance with the Site Development Plan referenced as Drawing No: 2015/61/01, drawn by D Lakey Draughting Services, dated September 2015, and attached as **Annexure C**.

- c. 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.
- d. The conditions imposed by the **Cape Winelands District Municipality** as contained in their letter dated 24 November 2020, attached as **Annexure G**, to be complied with.
- e. The guest house should remain within the existing buildings and be restricted to 6 bedrooms.
- f. Sufficient on-site parking must be provided at a ratio of 1 parking bay per bedroom (6 parking bays in total).
- g. The land use shall not create any undue noise or be a nuisance to the neighborhood 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).
- h. The existing water connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water Services Department.
- i. The existing sewer connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water Services Department.
- j. Any changes to any existing civil engineering services of Stellenbosch Municipality is for the account of the owner.
- k. Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans or as may be agreed on in writing with the Director of Infrastructure Services.

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

- i. The application would not negatively affect aesthetic appearance of the property or surrounding environment and the primary use of the property will still remain residential.

3. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, 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.

4. 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:
 - (I) First names and surname;
 - (II) ID number;
 - (III) Company of Legal person's name (if applicable)
 - (IV) Physical Address;
 - (V) Contact details, including a Cell number and E-Mail address;
- (b) Reference to this correspondence and the relevant property details on which the appeal is submitted.
- (c) The grounds of the appeal which may include the following grounds:
 - (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
 - (ii) 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.
- (d) whether the appeal is lodged against the whole decision or a part of the decision;
- (e) if the appeal is lodged against a part of the decision, a description of the part;
- (f) if the appeal is lodged against a condition of approval, a description of the condition;
- (g) the factual or legal findings that the appellant relies on;
- (h) the relief sought by the appellant; and
- (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;

(j) That the appeal includes the following declaration by the Appellant:

- (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
- (ii) 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.

5. 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

6. 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.

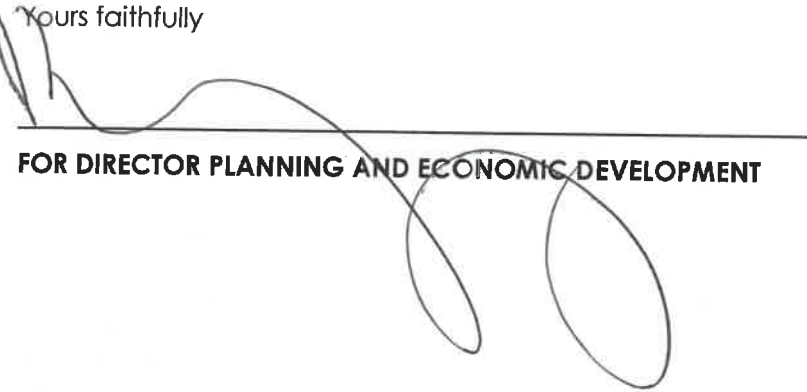
7. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).

8. An applicant who lodge 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.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. Kindly note the above decision is suspended, and in the case of any approval, 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



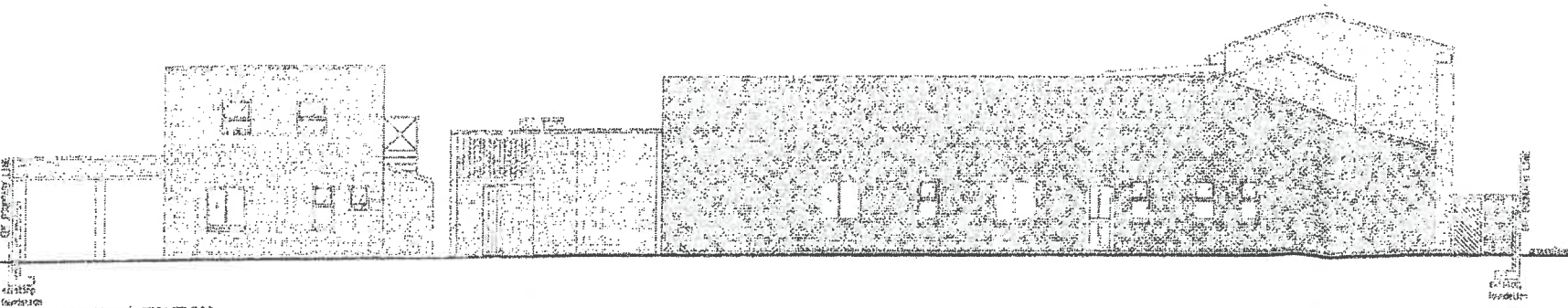
FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

26/7/2022
DATE:

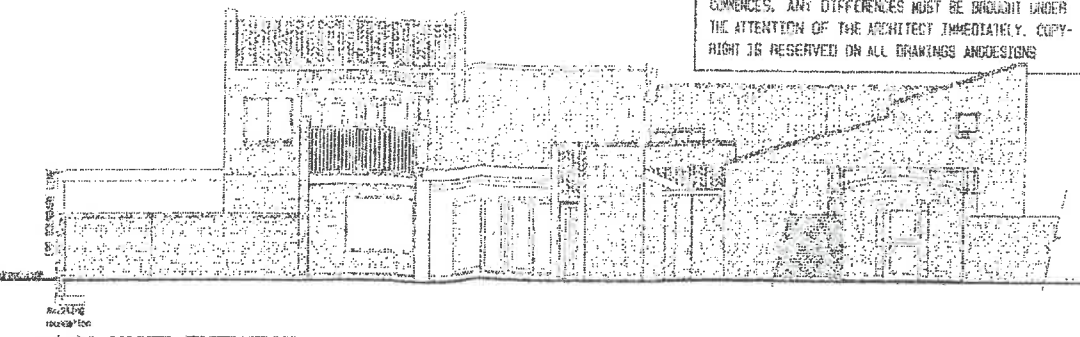
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[REDACTED]
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ANNEXURE C: SITE DEVELOPMENT PLAN

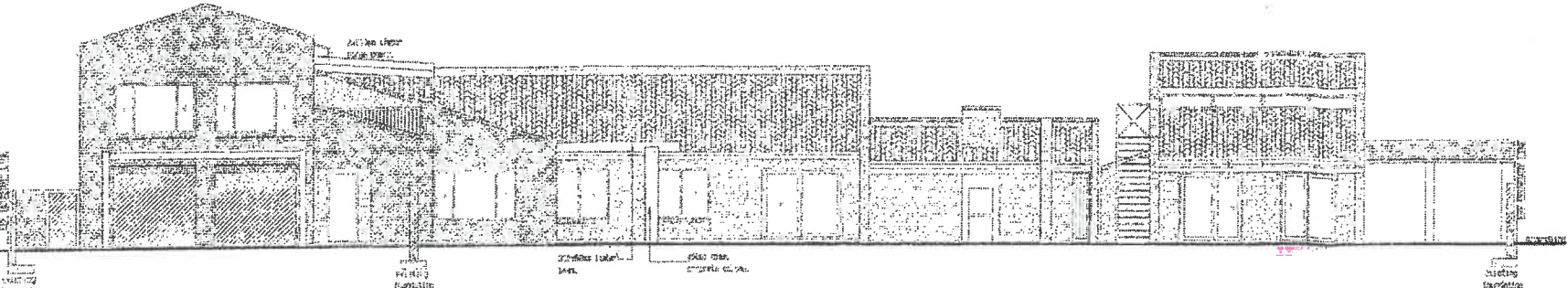
ALL DRAWINGS AND DIMENSIONS MUST BE CORRELATED BEFORE ANY MATERIALS ARE ORDERED OR BUILDING WORK COMMENCES. ANY DIFFERENCES MUST BE BROUGHT UNDER THE ATTENTION OF THE ARCHITECT IMMEDIATELY. COPYRIGHT IS RESERVED ON ALL DRAWINGS AND DESIGNS.



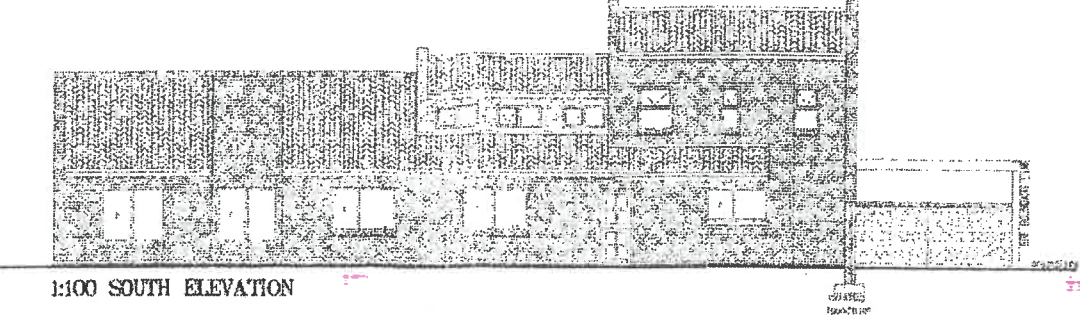
1:100 WEST ELEVATION



1:100 NORTH ELEVATION

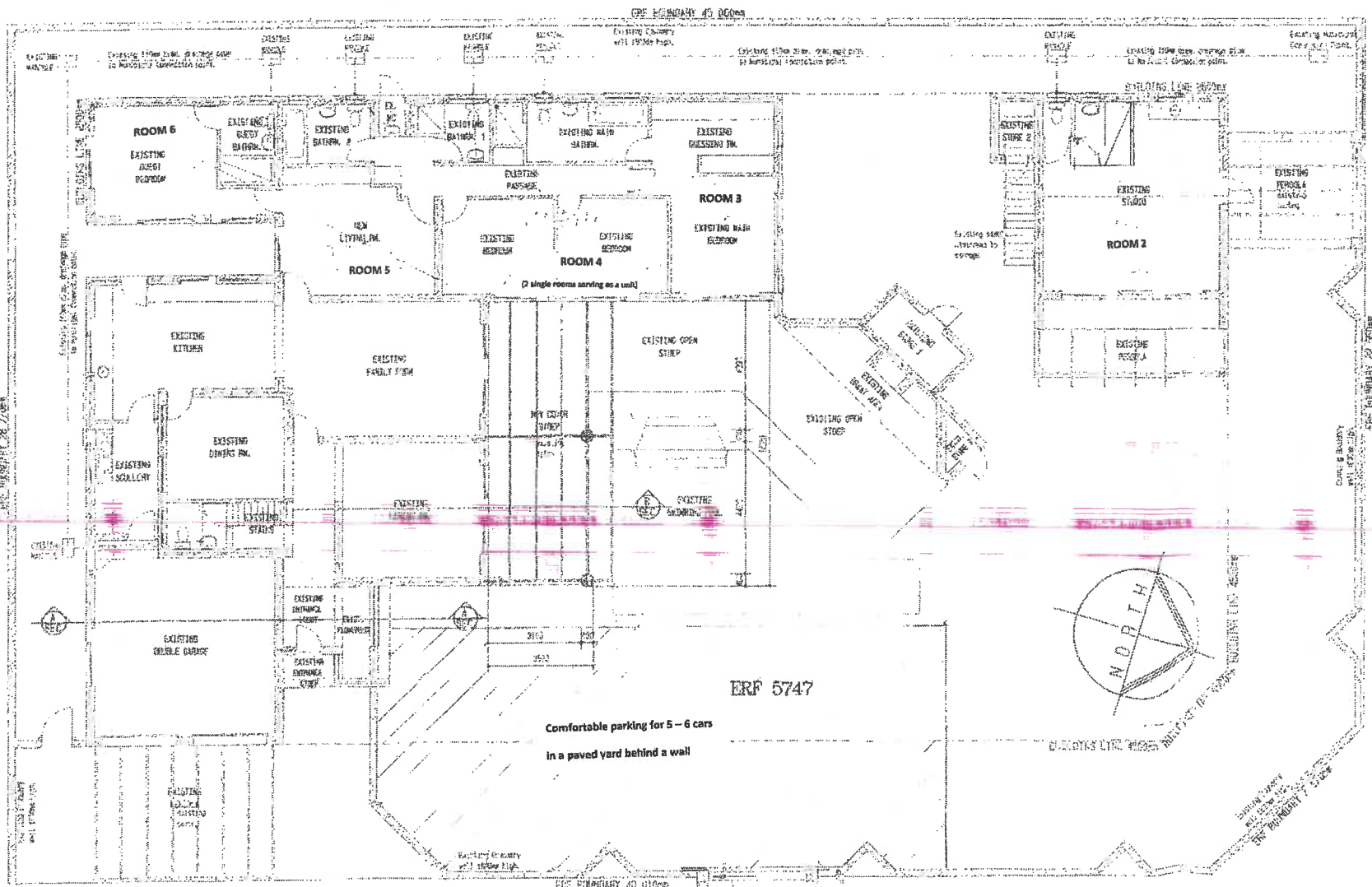


1:100 EAST ELEVATION

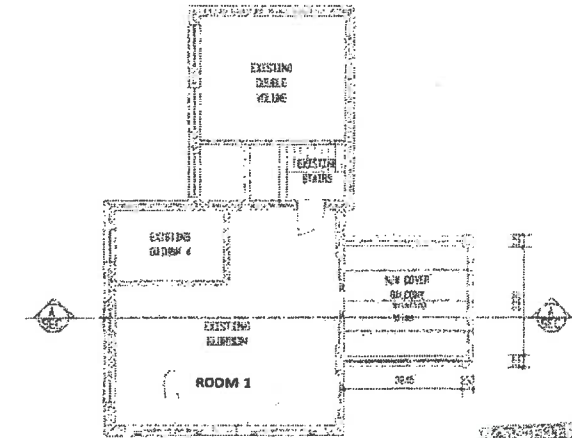


1:100 SOUTH ELEVATION

ERF 5746

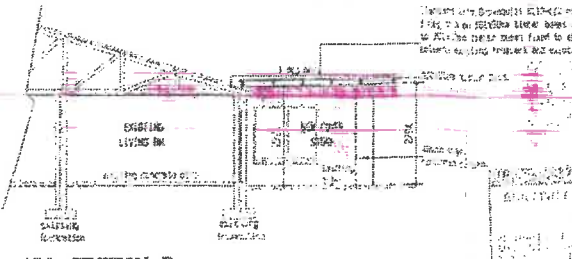


1:100 SITE- & GROUND FLOOR PLAN

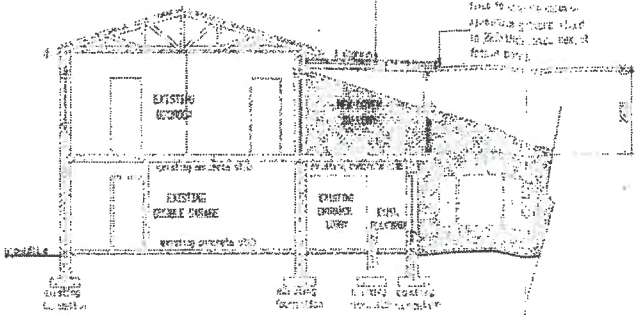


1:100 FIRST FLOOR PLAN

DEVELOPMENT DATA:	
SITE AREA	1256sqm
NEW ADDITIONS:	
NEW COVER STOEP	38sqm
NEW COVER BALCONY	12sqm
TOTAL	50sqm
EXISTING DWELLING:	
GROUND FLOOR	355sqm
FIRST FLOOR	87sqm
TOTAL	462sqm
OVERALL TOTAL	514sqm
COVERAGE PER SQM	450sqm
EXISTING COVERAGE	31%
ADDITIONS COVERAGE	4%
TOTAL	35%



1:100 SECTION B



1:100 SECTION AA

PLAN NUMBER
EJ/1504

D LAKEY
DRAUGHTING SERVICES
12 TAATBOS CLOSE CELL: 072902334
THE RIDGE EMAIL: lekeydrik@gmail.com
1045 VALLEY
STELLENBOSCH
7600

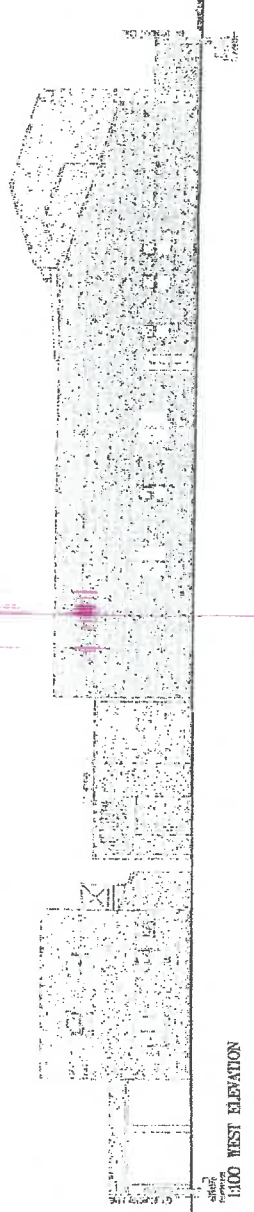
SACAP NO. D2280

GENERAL PROJECT
ALTERATIONS & ADDITIONS
ERF 5747
DIE BOORD STELLENBOSCH

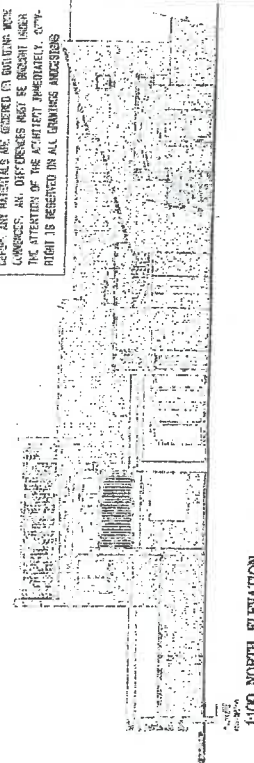
TEKENING / DRAWING
MUNICIPAL DRAWINGS
SITE- & GROUND FLOOR PLAN
FIRST FLOOR PLAN
ELEVATIONS

DESIGNED	REV.	TEKENING Nr.
D. LAKEY		DRAWING No.
DATE		2015/01/01
AS SHOWN	SEPT. 2016	DATE

ALL SERVICES AND DIMENSIONS MUST BE OPERATED IN ACCORDANCE WITH THE CITY OF STELLERENBOSCHE MUNICIPAL REGULATIONS AND BY-LAWS. THE ATTENTION OF THE APPLICANT IS DRAWN TO THE FACT THAT THE RIGHT IS RESERVED IN ALL DIMENSIONS AND SERVICES.



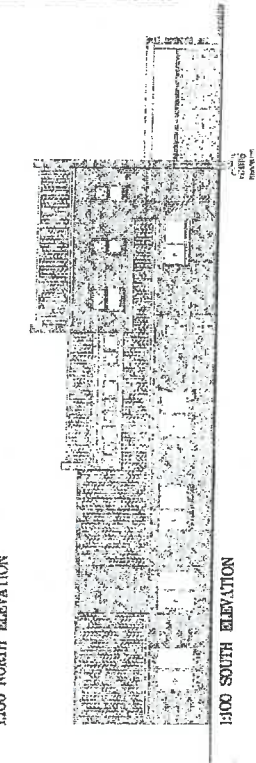
1:100 WEST ELEVATION



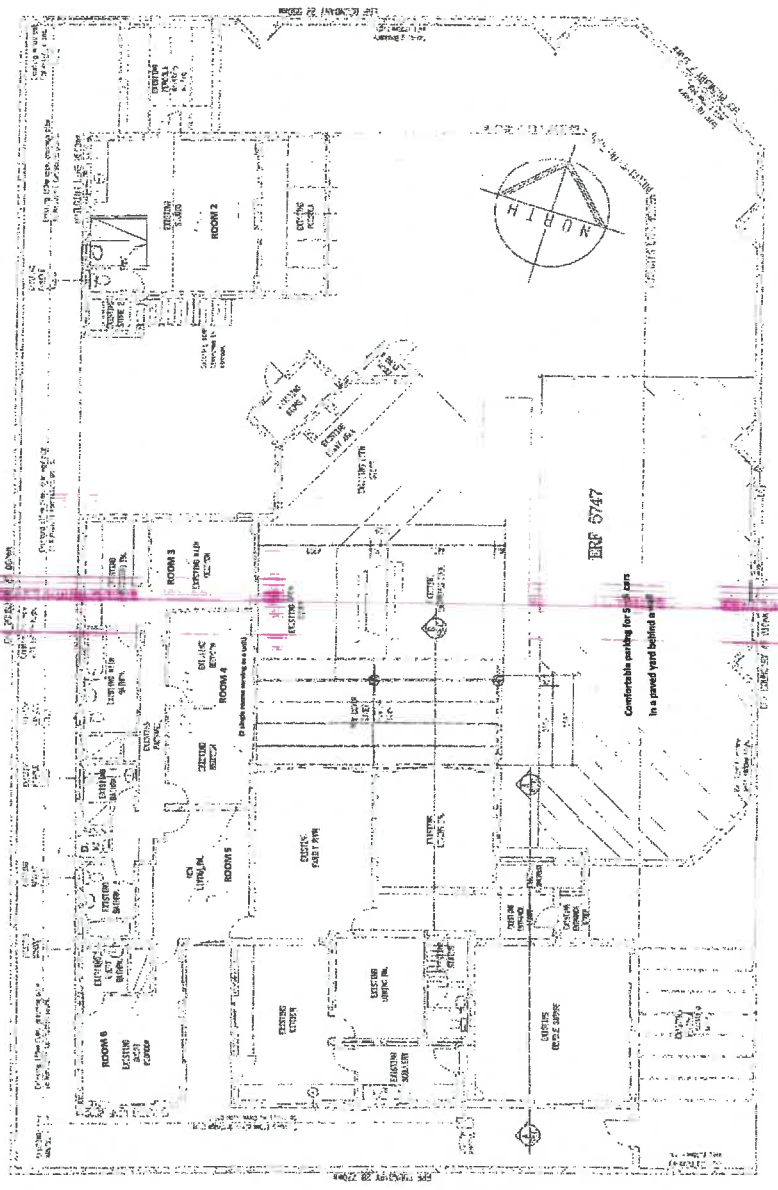
1:100 NORTH ELEVATION



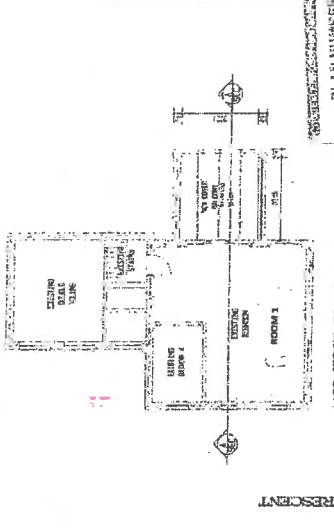
1:100 EAST ELEVATION



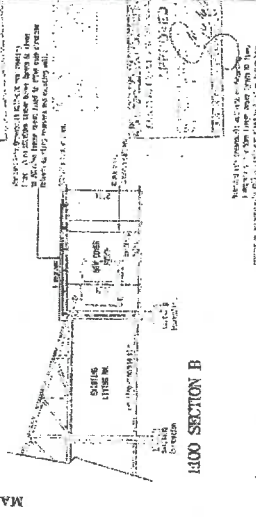
1:100 SOUTH ELEVATION



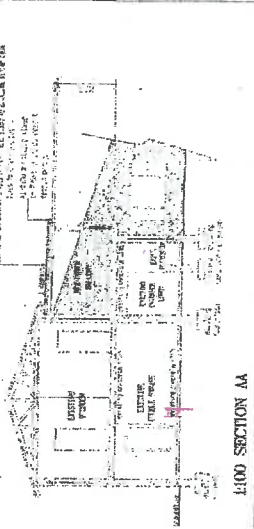
1:100 SITE- & GROUND FLOOR PLAN



1:100 FIRST FLOOR PLAN



1:100 SECTION B



1:100 SECTION AA

PROJECTIONS DATA:

12866sqm
380sqm
1200sqm
800sqm
3000sqm
8700sqm
46200sqm
51400sqm
49000sqm
312
385

NEW ADDITIONS:
 NEW COVER STOOP
 NEW COVER BALCONY
 EXISTING SHELLING
 GROUND FLOOR
 FIRST FLOOR

OVERALL TOTAL
 AREA PER SIDE
 EXISTING COVER
 ADDITIONS COVER

D LAKEY
 DRAUGHTING SERVICES
 11 TULLOCH LANE
 THE RIDGE
 JANS VALLEY
 STELLENBOSCH
 7820
 GULL: 082882030
 EMAIL: d@dalakey.com

SACAP NO.D2290
 ALTERATIONS & ADDITIONS
 ERF 5747
 THE BOORD STELLENBOSCH

MUNICIPAL DRAWINGS
 SITE- & GROUND FLOOR PLAN
 FIRST FLOOR PLAN
 ELEVATIONS

REV.	DATE	BY	CHKD.	SCALE
1	2015/6/01	D.LAKEY		

TEKERING NR.
 DRAWING NO.
 2015/6/01

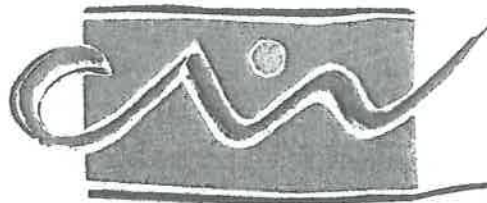
ERF 5748

ERF 5747

NO. 1 LOVELL AVE.

Continuable parking for 10 cars in a paved yard behind a wall

ANNEXURE G: COMMENT: CAPE WINELANDS DISTRICT MUNICIPALITY



CAPE WINELANDS DISTRICT
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

MEMORANDUM TO/ AAN : N.Momoti
(Directorate Planning Economic & Development: Stellenbosch Municipality)
Official / Beampte : Mr T. Hector
Your ref/ U vrew. : ERF 5747, Stellenbosch
Ref No / Verw. No : 15/2/6/1
Date / Datum : 2020-11-24

FILE NR:	
SCAN NR:	E 5747 S
COLLABORATOR NR:	ENBOSCH 698864

APPLICATION FOR LAND USE: ERF 5747, STELLENBOSCH

There are no objections from an Environmental Health point of view to this application, subject to compliance with the following:

1. All sewage / wastewater must be disposed of in such a manner that it does not create a health nuisance. Must be connected to the existing municipal system.
2. The applicant should apply for the Refuse Removal Service from Stellenbosch Municipality or alternately an adequate waste removal service must be used. Refuse bins must be strategically placed and accessible to the public.
3. In the event where food will be prepared or handled and or served to the public, the applicant **must apply in writing** to the Municipal Health Services Department of the Cape Winelands District Municipality for a Certificate of Acceptability in terms of Regulation 962 of 23 November 2012.
4. Strict adherence to all COVID-19 related guidelines and Regulations to be observed.
5. In the event where any noise generating activity will be conducted on the premises, the onus lies on the owner to ensure that the necessary noise evaluation is carried out and that the results are submitted to local authority (SANS 10103 of 2003)
6. An adequate water supply that complies with the national standards for drinking water (SANS 0241:2001) must be provided. It is advised that bottled water also be made available to the participants of this event.
7. The applicant must also take cognizance of the Municipal Health By-Law of the Cape Winelands District Municipality Chapter 4, Section 12 of Provincial Gazette Extraordinary no. 6696 of February 2010. This Section of the Notice outlines the requirements for an accommodation establishment.

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

25 NOV 2020

RECEIVED

Yours faithfully



T.Hector
for MUNICIPAL MANAGER