



# STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11350

Our File Reference Number: Farm 1456, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

**PER E-MAIL:** [emilevdm@adept.co.za](mailto:emilevdm@adept.co.za)

Sir

## **APPLICATION FOR A TECHNICAL APPROVAL AND CONSENT USE: FARM 1456, STELLENBOSCH DIVISION**

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 By-Law, promulgated notice number 354/2015, dated 20 October 2015, on Farm 1456, Stellenbosch namely:

- 2.1.1 Application for a Technical approval on Farm 1456, Stellenbosch, in terms of Section 15(2)(g) of the Stellenbosch Municipal Land Use Planning By-Law (2015), promulgated by notice number 354/2015, dated 20 October 2015, to utilize 3 ensuite bedrooms on the first floor of the existing dwelling house for guest house purposes with ancillary use on the ground floor;
- 2.1.2 Application for Consent Use on Farm 1456, Stellenbosch, in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law (2015), promulgated by notice number 354/2015, dated 20 October 2015, to utilize the garden area of the manor house ( $\pm 520\text{m}^2$ ) for small private functions and  $\pm 1000\text{m}^2$  of the property for informal parking purposes as noted on the site plan attached as **Annexure C**.

**BE APPROVED** in terms of Section 60 of the said Bylaw, subject to the following conditions of approval in terms of Section 66 of the said Bylaw:

## 2.2 **Conditions of Approval**

- a. The approval applies only to the applications under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- b. The number of bedrooms be limited to 8 bedrooms in total as initially approved in 2013;
- c. The  $\pm 1000\text{m}^2$  of the property to be used for informal parking purposes may not be provided with any form of hard top surface to ensure it has a minimal visual impact on its surroundings;
- d. The owner /manager of the guest house must reside on the property.
- e. Building plans must be submitted to the Municipality for approval and the position of the informal parking area must also be indicated on the building plan.

## 2.3 **The reasons for the above decision are as follows:**

- a. The proposed use of a portion of the existing dwelling unit for guest house purposes is not out of character with the surrounding rural area as a number of guest house have been approved in this area;
  - b. No additional buildings will be constructed to facilitate the proposed use;
  - c. The total number of guest rooms will not be increased by the approval of this application;
  - d. Sufficient on-site parking will be available on the property;
  - e. The increase in traffic in the area will be insignificant as the number of guest rooms will not increase and the area used for functions will be on an adhoc basis.
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 consent use 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](mailto:landuse.appeals@stellenbosch.gov.za)
6. An applicant 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



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**FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

4/5/2021  
**DATE:**



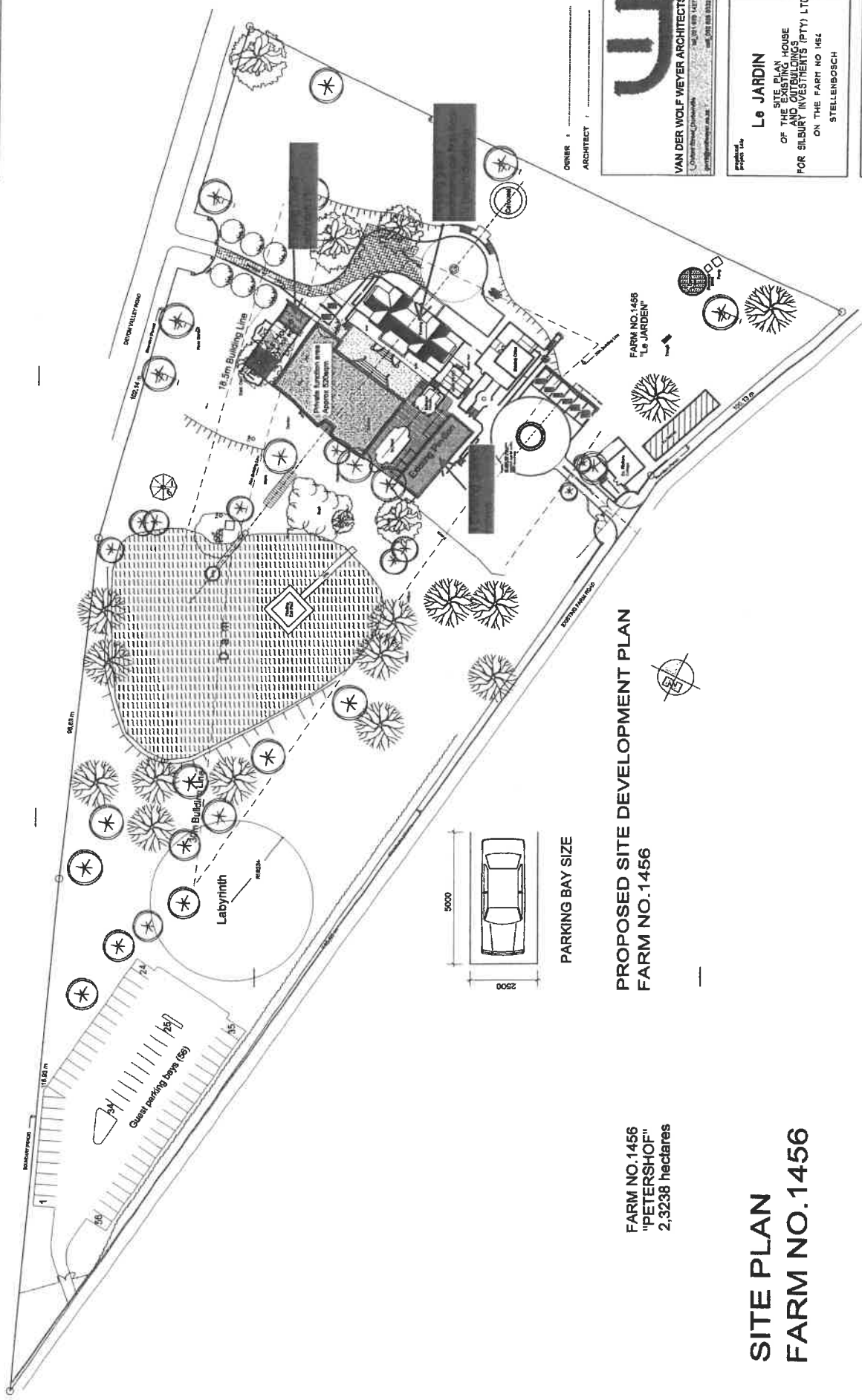


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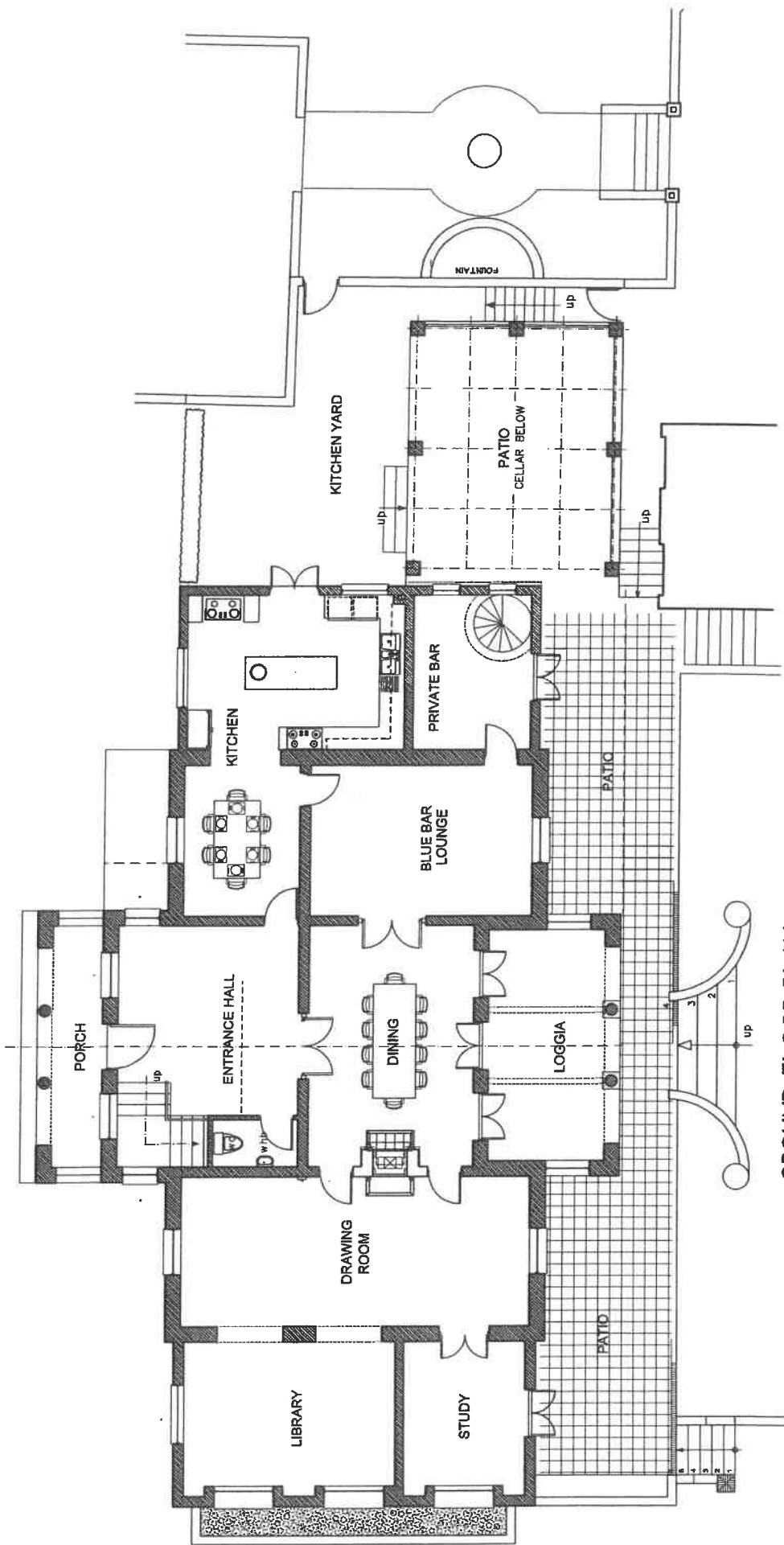
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## **ANNEXURE C**

All dimensions of masonry and other structures shown on this plan are in millimeters unless otherwise stated. All dimensions of trees are in meters unless otherwise stated. All dimensions of buildings are in meters unless otherwise stated. All dimensions of roads are in meters unless otherwise stated. All dimensions of walls are in millimeters unless otherwise stated. All dimensions of fences are in millimeters unless otherwise stated. All dimensions of other structures are in millimeters unless otherwise stated.



**VAN DER WOLF WEYER ARCHITECTS**  
 L. van der Wolf Weyer Architects  
 Private Practice  
 145, 147, 149, 151, 153, 155, 157, 159, 161, 163, 165, 167, 169, 171, 173, 175, 177, 179, 181, 183, 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, 205, 207, 209, 211, 213, 215, 217, 219, 221, 223, 225, 227, 229, 231, 233, 235, 237, 239, 241, 243, 245, 247, 249, 251, 253, 255, 257, 259, 261, 263, 265, 267, 269, 271, 273, 275, 277, 279, 281, 283, 285, 287, 289, 291, 293, 295, 297, 299, 301, 303, 305, 307, 309, 311, 313, 315, 317, 319, 321, 323, 325, 327, 329, 331, 333, 335, 337, 339, 341, 343, 345, 347, 349, 351, 353, 355, 357, 359, 361, 363, 365, 367, 369, 371, 373, 375, 377, 379, 381, 383, 385, 387, 389, 391, 393, 395, 397, 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, 419, 421, 423, 425, 427, 429, 431, 433, 435, 437, 439, 441, 443, 445, 447, 449, 451, 453, 455, 457, 459, 461, 463, 465, 467, 469, 471, 473, 475, 477, 479, 481, 483, 485, 487, 489, 491, 493, 495, 497, 499, 501, 503, 505, 507, 509, 511, 513, 515, 517, 519, 521, 523, 525, 527, 529, 531, 533, 535, 537, 539, 541, 543, 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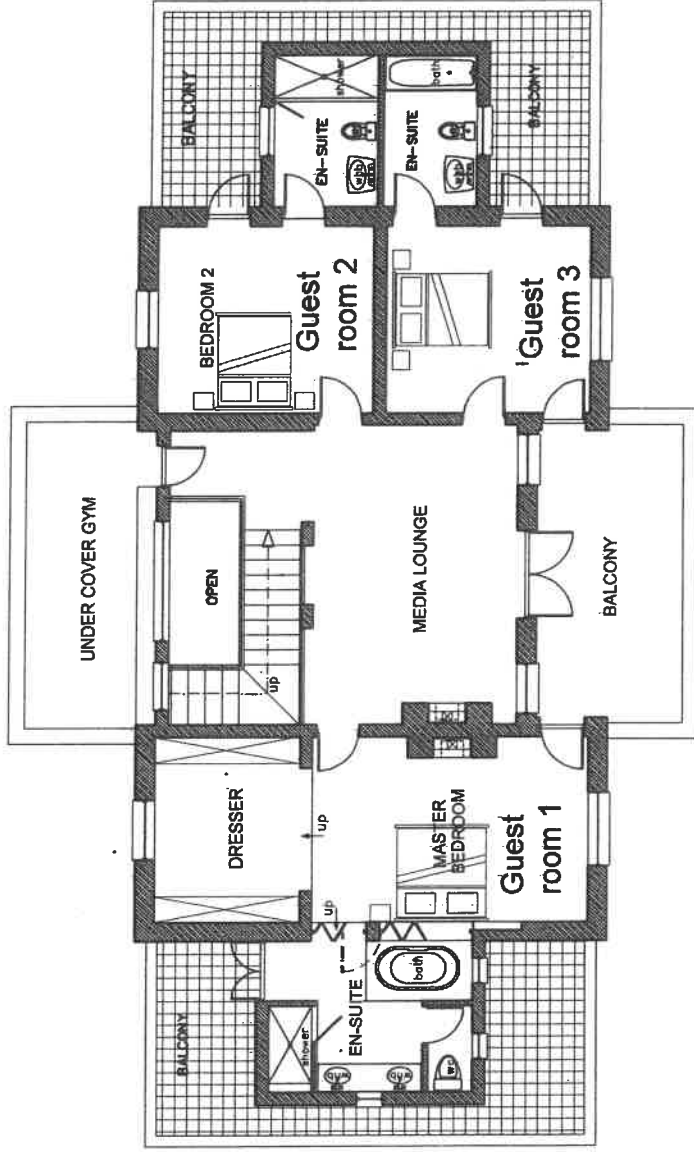


**GROUND FLOOR PLAN**

Floor area = 234 m<sup>2</sup>  
 Porch = 10 m<sup>2</sup>  
 Loggia = 20 m<sup>2</sup>

# "Le JARDIN" MANOR HOUSE





**FIRST FLOOR PLAN**

Floor area = 159 m<sup>2</sup>  
 Balconies = 76 m<sup>2</sup>

**"Le JARDIN"  
 MANOR HOUSE**

