

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTRESTED AND AFFECTED PARTIES

FOR COMMENT

Neem asseblief kennis dat hierdie kennisgewing in Afrikaans hieronder volg.

Affected person's Name: XXXXXXXX

Affected persons Physical Address: XXXXXXXX

Affected person's Title: XXXXXXXX

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: Winery Road, Raithby, Stellenbosch

Application Property Number: Erf 177

Applicant: Mrs. NE Overbeek /
Prohaus Developments SA CC
0837282770 nikki.overbeek@outlook.com

Owner: Prohaus Developments SA CC
0837282770 nikki.overbeek@outlook.com

Application Reference: LU/ 11454

Application Type: Consent Use – Municipal Land Use Planning By-law, 2015

Detailed description of land use or development proposal, including its intent and purpose:

Application is made for a Consent Use in terms of Section 15(2) (o) of the Stellenbosch Municipal Land Use Planning By-law, 2015 to use an existing barn for Tourist Facilities (Restaurant and Craft & Art area) on Erf 177, Raithby.

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address:
<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: (**Mrs. NE Overbeek – nikki.overbeek@outlook.com**).

The comments must be submitted within 30 days (**60 days if it is an state entity**) from the date of this notice to be received on or before the closing date of 28 May 2021 (**09 June 2021 if it is an state entity**).

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at **083 728 2770** during normal office hours.

Yours faithfully

Mrs. NE Overbeek
(Prohaus Developments SA CC)

AFRIKAANSE WEERGAWE VAN ADVERTENSIE: (bladsy 3 en 4)

**KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GEITRESEERDE EN GEAFFEKTEERDE PARTYE VIR
KOMMENTAAR.**

Naam van geaffekteerde persoon: XXXXXXXX

Fisiese adres van geaffekteerde persoon : XXXXXXXX

Titel van geaffekteerde persoon: XXXXXXXX

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom: Winery Road, Raithby, Stellenbosch

Aansoek eiendom beskrywing: Erf 177

Aansoeker: Mev. NE Overbeek /
Prohaus Developments SA CC
0837282770 nikki.overbeek@outlook.com

Eienaar: Prohaus Developments SA CC
0837282770 nikki.overbeek@outlook.com

Aansoek Verwysing: LU/ 11454

Tipe Aansoek: vir vergunningsgebruik -
Verordening van Grondgebruikbeplanning, 2015

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoek word gedoen ingevolge artikel 15 (2) (o) van die verordening op grondgebruikbeplanning van Stellenbosch Munisipaliteit, gedateer 2015, vir vergunningsgebruik om n bestaande pakhuis vir toeristegeriewe (Restaurant en handwerken en kunsarea) op Erf 177, Raithby.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres: [<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>]. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.

- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - Dat die insette voldoende inlgting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg:
(Mev. NE Overbeek – nikki.overbeek@outlook.com).

Die kommentaar moet binne 30 dae **(60 dae indien dit 'n staatsentiteit sal wees)** vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van 28 May 2021 **(09 June 2021 indien dit 'n staatsentiteit sal wees)**.

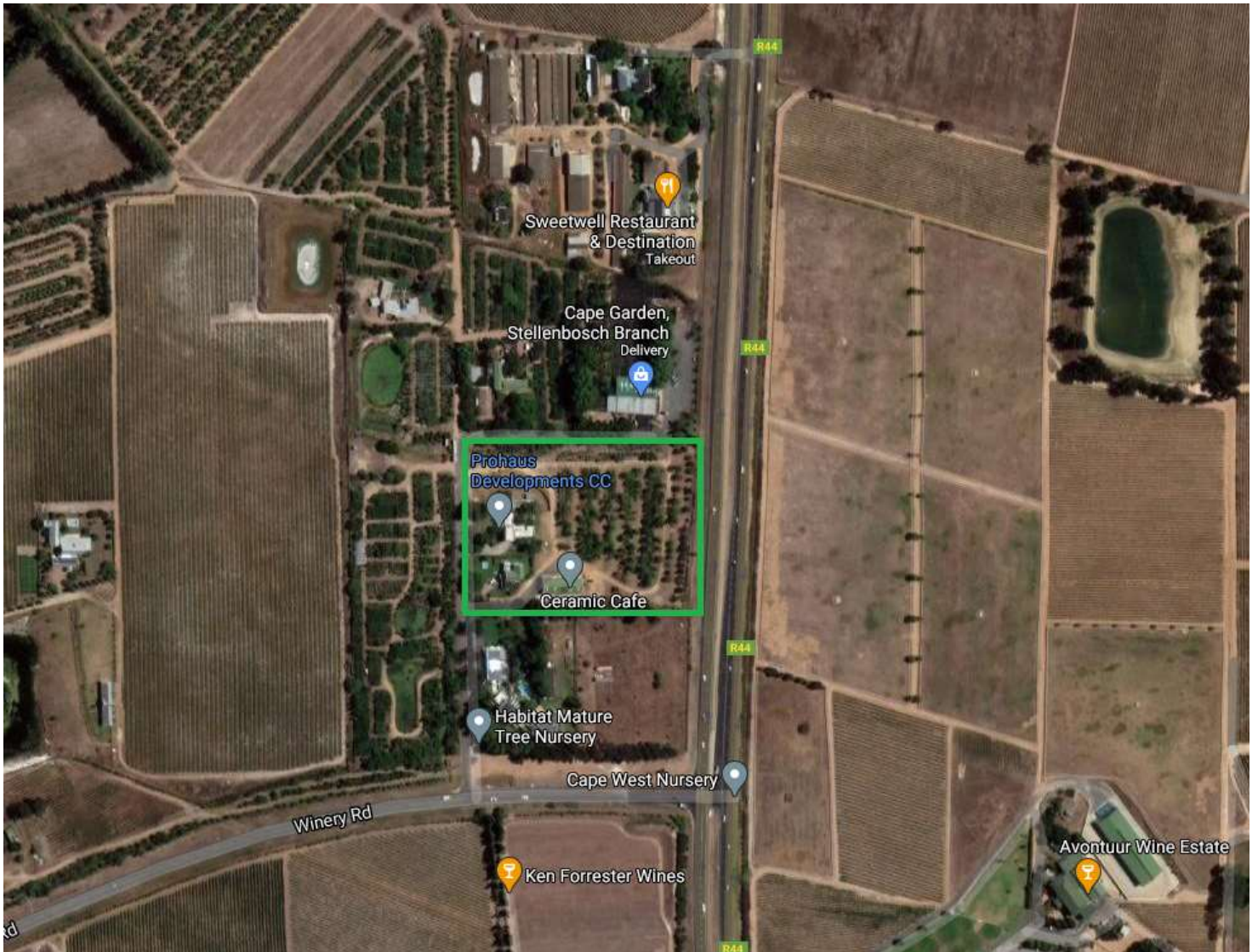
Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **083 728 2770** gedurende normale kantoor ure

Die uwe

Mev. NE Overbeek
(Prohaus Developments SA CC)

LOCALITY PLAN – ERF 177, RAITHBY



APPLICATION FOR:	LOCAL AUTHORITY CONSENT USE APPLICATION FOR TOURIST FACILITIES FOR AN EXISTING BARN & PORTION OF ERF
PROPERTY DESCRIPTION:	ERF 177, WINERY RD, STELLENBOSCH
MUNICIPAL AREA:	STELLENBOSCH MUNICIPALITY
SITE NAME:	PROHAUS DEVELOPMENTS SA CC

APPLICANT:	MRS NICOLETTE E. OVERBEEK
ON BEHALF OF / FOR:	
OWNER:	PROHAUS DEVELOPMENTS SA CC
DATE:	DEC 2019
CONTACT DETAILS	Cell:0837282770 / 0723332644
	Email: nikki.overbeek@outlook.com





Address : Erf 117 Winery Road, Stellenbosch, Western Cape, 7600 – P O Box 697 Somerset Mall, Cape Town
,7137 – Contact 083 728 2770/ 072 333 2644 Email: nikki.overbeek@outlook.com
Company Registration 2004/016348/23

The Municipal Manager
Stellenbosch Municipality
Stellenbosch Land use and Development
PO Box
Street
Stellenbosch
7600

Amended - 12 NOVEMBER 2020

Dear Sir/Madam

CONSENT USE APPLICATION FOR TOURIS FACILITIES ON A PORTION OF ERF 177, RAITHBY, STELLENBOSCH.

Please find attached our motivation and all the relevant documentation for a consent use application for permission of tourist facilities on a portion of Erf 177, Raithby, Stellenbosch.

The proposed service will be greatly beneficial to the tourist of the western cape, residents of Helderberg area and the surrounding communities. Along the Route 44; there are various things to do in for tourism and entertainment such a markets ,wine estates, restaurants but limited in arts and crafts and this proposal aims to improve it.

I hereby file this application as a matter of urgency, for the business has been in operation since 01 December 2019. We ask that penalty is pardoned based on what was advised by the Stellenbosch Land and Development Department that; an online application as such would be possible from November 2019, however we see that this is not possible yet.

I trust the information provided is adequate and could be favorably considered.
Please notify us should any additional information be required. We look forward to your positive consideration of this application.

Yours faithfully

Mrs. N E Overbeek
Authorised Representative of
Prohaus Developments SA

1 APPLICATION

Erf 177, Raithby Stellenbosch is zoned Agriculture in accordance with the Stellenbosch Zoning Scheme and provision is made for tourist facilities in this zone under consent use.

We therefore apply for a consent use application in terms of Section 15 (o) of the Stellenbosch Municipal Land Use By-law in order to use the existing Barn (Warehouse) for tourist facilities.

2 DESCRIPTION OF PROPERTY

The property is a rural unit measuring 2.46 Hectares in extent. The property comprises of open space land which stores trees for the erf adjacent, two dwelling houses and a warehouse building. The property belongs to Prohaus Developments SA CC and is held under deed of transfer number T9837/2004 The title deed contains no restriction that prevents the use for tourist facilities.

3 SURROUNDING AREA

The property is located in Raithby, Stellenbosch Winery Road & adjacent R44 which is the Major road passing to Stellenbosch. Surrounding land uses are mainly medium density with agricultural, single dwellings, tree and garden nurseries and wine estates and restaurants, with busy activities of larges trucks, tractors and agricultural and other service trade activities.

4 PROPOSAL

4.1 Development

This application is for the permitted use of the existing barn (warehouse building) for the purpose of tourist facilities with the objective of creating variety in the area, ensuring sustainability and providing diversified income to land owner, without adversely impacting on the primary use of the land for agricultural purposes.

Clay Art Café (Pty) Ltd, a company that is currently planning to use the existing barn; is promising tourist and family entertainment service of clay art and painting with a combination of a small restaurant.

4.2 Access

Access to the site will be gained from the servitude road off the Winery road. There is an existing road leading to the proposed site position.

4.3 Parking

The will be sufficient parking for staff and visitors around the barn as demarcated in the site plan.

5. MOTIVATION

Over recent years the R44 has become a very popular route for tourist and family entertainment various attractions to mention a few is the famous Mooiberge strawberry farm, the Route 44 market, the Blaauwklippen market along with the various wine estate an restaurants garden centers and nurseries.

This consent use application for the Clay Art Café is supported on the following grounds:

The service provider's motivation for this application is to increase interest in activities THINGS TO DO along the R44 response to an increase in tourist and residential estates and in the surrounding area and greater demand on the existing entertainment.

The proposed service will not interfere with the current use of the property and there are no negative impacts on the surrounding dwellings, land uses and environment. It does however provide an essential service to tourists the surrounding community and shall adhere to the guidelines of the local authorities of Stellenbosch.

Special consideration is given to geographical aspects and is positioned to ensure optimum exposure to the busy Route 44. At the same time, special attention is also given to ensure that there is minimal impact on the local, social, physical, natural and visual environments. Access to the premises is also off the Winery road and not the actual R44.

6 CONCLUSION

This consent use application for a proposed objective will be greatly beneficial to the tourist of the Western Cape, residents of Helderberg area and the surrounding communities. Along the Route 44; there are various things to do in for tourism and entertainment such a markets ,wine estates, restaurants but limited in arts and crafts and this proposal aims to improve it.

The proposed objective for tourist facilities is in line with the activities currently taking place along the R44 and will have a minimal impact on the surrounding property. It will also provide diversified income to land owner.

We trust that this application will meet your requirements and will receive your positive consideration.

Mrs. N E Overbeek
Authorised Representative of Prohaus
Developments SA CC

