

AHG Town Planning
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Town Planning

Public Notice

Your ref.:

Our ref.: **Erf 278 JT**

Date: **2021-08-20**

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

KENNISGEWING VAN GRONDONTWIKKELINGSAANSOEK AAN GEÏNTERESEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.

Die volgende grondgebruiksaansoek in terme van die Stellenbosch Munisipaliteit Verordening op Grondgebruikbeplanning, 2015, verwys:

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

AANSOEKER | APPLICANT: AHG TOWN PLANNING
PO Box 2992, Somerset West, 7129
Email: leon.jubilius@ahq-property.co.za
Tel no: **082 782 0374** (Leon Jubilius)

EIENAAR | OWNER: KAREN VAN STADEN

AANSOEK NO | APPLICATION NR: LU/12668

TIPE AANSOEK / TYPE OF APPLICATION: Onderverdeling
Subdivision

EIENDOMSBEKRYWING | PROPERTY DESCRIPTION: Erf 278 JAMESTOWN
Erf 278 JAMESTOWN

FISIESE LIGGING | PHYSICAL LOCATION: Parfaite Straat in Jamestown
Parfaite Street in Jamestown

AHG Town Planning (Pty.) Ltd. – Reg. 2006/017729/07
Directors: L Jubilius TRP(SA) BA M.TRP; JHM Nieuwoudt Pr.Eng. M. Eng (STELL),
HA Meyer B.Eng (STELL),
Non-Executive: Prof MM Loubser BA LLB D Phil (Oxon), AJ Nieuwoudt TRP(SA) BA M.TRP



Part of the AHG Group of Kingdom Companies

AANSOEK BESONDERHEDE:

Die aansoek onder oorweging is 'n aansoek in terme van artikel 15(2)(d) van die Stellenbosch Munisipaliteit Verordening op Grondgebruikbeplanning, 2015 (geproklameer op 20 Oktober 2015, kennisgewing-nommer 354/2015) en behels die **onderverdeling van Erf 278** in twee gedeeltes, naamlik Gedeelte A, groot 448m² en 'n Restant van 573m² groot.

Kennis geskied hiermee in terme van die genoemde Verordening dat die 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-notice/land-use-applications-advertisements>

Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie beskikbaar te stel.

Kommentaar en/of besware kan vervolgens ingedien word op die aansoek in terme van Artikel 50 van die tersaaklike Verordening. Dit moet aan die volgende vereistes voldoen en die genoemde besonderhede 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 inligting 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 by:

leon.jubilius@ahq-property.co.za

APPLICATION DETAILS:

The application under consideration is an application in terms of section 15(2)(d) of the Stellenbosch Municipality Land Use Planning By-law, 2015 (promulgated 20 October 2015, notice number 354/2015) and entails the **subdivision of Erf 278** into two portions namely: Portion A measuring 448m² and a Remainder measuring 573m² in extent.

Notice is hereby given in terms of the said By-law 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:

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. This must meet with the following requirements and contain the required 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 to:

leon.jubilius@ahq-property.co.za

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die sluitingsdatum van 20 September 2021.

Deur 'n beswaar, kommentaar of vertoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

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 **082 782 0374** tussen 08h00 en 17h00 op weksdae.*


The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of 20 September 2021.

By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

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 **082 782 0374** between 08h00 and 17h00 on weekdays.*

Die Uwe
Yours faithfully,



LEON JUBILIUS Pr. Pln
Reg. no. A/1061/1998

LOCALITY



Source: Western Cape Dept of Agriculture (CapeFarmMapper)

PROJECT:

Subdivision:
Erf 278 Jamestown

SCALE:

n.t.s

DATE:

22 April 2021

ahG

 Town Planning

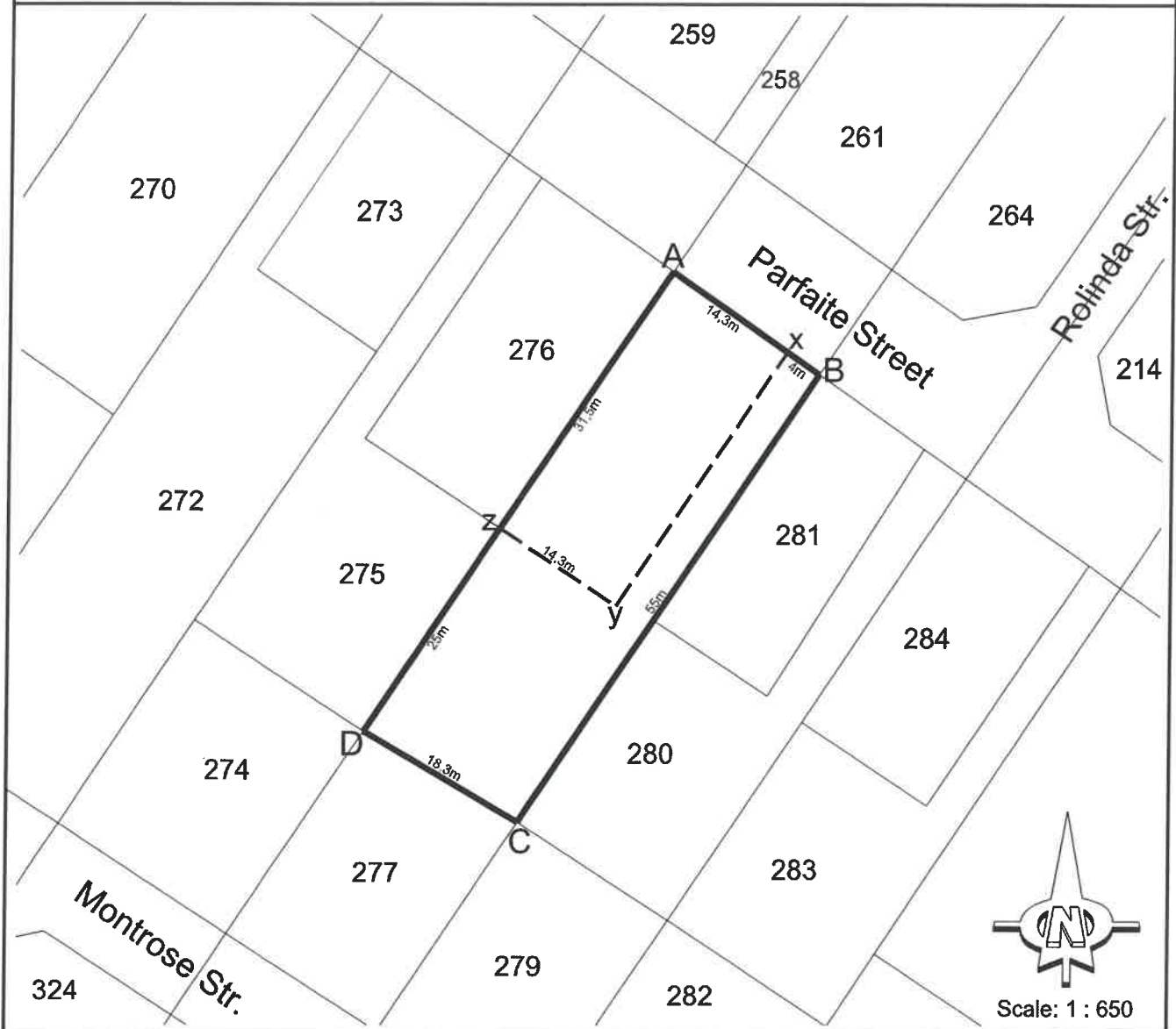
Town and Regional Planners

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SUBDIVISION



Notes:

1. The figure ABCD represents Erf 278 Jametown, measuring 1021 m² in extent
2. Proposed subdivision:
 - 2.1 The figure AxyzA represent the proposed subdivision measuring 448 m² in extent.
 - 2.2 The figure xBCDzyx represent the proposed Remainder measuring 573 m² in extent.
3. All sizes and dimensions are approximate and subject to final survey
4. The properties fall under the jurisdiction of the Stellenbosch Local Municipality

Project:

PROPOSED SUBDIVISION
Erf 278 Jametown

Date: 22 April 2021

Ref: Erf 278 JT Rev 1

ahG

Town Planning

Town and Regional Planners

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 Somerset West
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1. GENERAL INFORMATION

1.1 INTRODUCTION

AHG Town Planning was appointed by the new owner of Erf 278, Jamestown to apply on her behalf for the subdivision of the property into two portions.

The purpose of the report is to outline the proposed subdivision and motivate the different aspects involved in order to obtain the approval of Stellenbosch Municipality.

1.2 LOCALITY

Erf 278 is situated in Parfaite Street in Jamestown. A Locality Plan is included.

The site falls within the jurisdiction area of the Stellenbosch Local Municipality.

1.3 TITLE ASPECTS

The transfer of the property into the name of the new owner took place on 21 April 2021. The new Title Deed is not yet available for download from the Deeds office and a copy of the draft Title Deed and confirmation letter from the transferring attorney is included.

1.3.1 PROPERTY DESCRIPTION

According to the draft title deed included, the property is described as:

*RESTANT ERF 278 JAMESTOWN
IN DIE MUNISIPALITEIT EN AFDELING STELLENBOSCH
WES-KAAP PROVINSIE*

1.3.2 CONVEYANCE CERTIFICATE

A Conveyance Certificate was not prepared. It can however be prepared on request.

1.3.2 SIZE

The property is **1021 m²** in extent.

1.3.3 OWNERSHIP

The property is now registered in the name of **KAREN VAN STADEN, ID nr 841206 0245 080**

1.3.4 MORTGAGE BONDS:

There are no bonds registered against the title of the property.

1.3.5 TITLE DEED CONDITIONS:

There are no conditions of title prohibiting the proposed subdivision.

1.4 EXISTING ZONING AND LAND USE

In terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019, Erf 278 is zoned "**Conventional Residential Zone**".

The property is currently vacant.



The above aerial photo shows the property in the contexts of its surrounding environment

1.5 SURROUNDING ZONING AND LAND USE

The application site is located within a residential area. Abutting the application site on all sides are single residential erven. Both neighbouring properties on either side has also been subdivided to similar sizes.

2. THE APPLICATION

2.1 APPLICATION I.T.O PREVAILING LEGISLATION

In terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019, Erf 278 is zoned "*Conventional Residential Zone*".

- *Application is made In terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-law, 2015 for the subdivision of Erf 278, Jamestown.*

2.2 PROPOSED DEVELOPMENT

The new owner is planning an architectural designed new family dwelling on the erf which will be located on the remainder, while she intends to sell the subdivided portion to a prospective buyer in the future.

It is proposed to subdivide the property (currently 1021m²) into two portions measuring 573 m² and 448 m² respectively, similar to the 2 adjacent properties which has also been subdivided in the past.

3. MOTIVATION

3.1 OVERVIEW AND NEED FOR DEVELOPMENT

As stated above, our client purchased the property with a view to subdivide the property in order to sell the subdivision to a different person, while retaining the remainder to develop a dwelling house for herself.

It is clear from the aerial view on the previous page that the ruling erf size in Jamestown is much smaller than the application property. The need for smaller erven is also evident given the number of subdivision applications handled by just this firm alone in the past 2 -3 years, and by just looking at the similar subdivisions which have already taken place in the immediate area. Jamestown is perceived as still one of the more affordable suburbs in Stellenbosch and properties are in high demand due to its excellent central and highly accessible location and the amazing mountain views visible from nearly every vantage point in the neighbourhood. From a densification point of view, this phenomenon is also very encouraging, placing less pressure on developing areas outside the existing urban edge.

3.3 DESIRABILITY OF THE PROPOSED DEVELOPMENT

3.3.1 ACCESSIBILITY & PARKING

The property is situated on Parfaite Street and the 2 portions will both take access as indicated. A 4m wide panhandle will secure access to the proposed remainder

In terms of parking provision, the zoning scheme requires two parking bays per residential unit. This will easily be achievable given the size of the proposed portions.

3.2.2 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013

Section 7 stipulates principles that apply to spatial planning, land development & land use management. Under the principles of spatial sustainability and efficiency:

- Under the principle of spatial sustainability that: spatial planning must (*inter alia*) protect prime and unique agricultural land and promote land development in locations that are sustainable **and limit urban sprawl** and result in communities that are viable.
- Under the principle of efficiency that: land development optimises the use of **existing resources and infrastructure**.

The location of the property within the existing build up area of Jamestown ensures that the proposed development is compliant with these principles.

3.2.3 WESTERN CAPE LAND USE PLANNING ACT, 2014.

Chapter 6 stipulates principles that apply to land use planning. Under the principles of spatial sustainability:

land use planning should (*inter alia*) —

- (i) promote land development that is **spatially compact**, resource-frugal and within the fiscal, institutional and administrative means of the relevant competent authority in terms of this Act or other relevant authority;
- (ii) ensure that special consideration is given to the **protection** of prime, unique and high potential **agricultural land**;
- (vi) promote land development in locations that are sustainable and **limit urban sprawl**;

Under the principles of spatial efficiency:

- (a) land development should **optimise** the use of ***existing resources, infrastructure, agriculture, land, minerals and facilities***;
- (b) integrated cities and towns should be developed, whereby—
 - (i) the social, economic, ***institutional*** and physical aspects of land development is integrated;
 - (ii) land development in rural and urban areas in support of each other is promoted;
 - (iii) the **availability of residential and employment opportunities in close proximity** to, or **integrated** with, each other is **promoted**;
 - (iv) a **diverse combination of land uses** is **promoted**;
 - (v) the phenomenon of **urban sprawl** in urban areas is **discouraged** and the development of **more compact towns** and cities with **denser habitation** is promoted;
 - (vi) historically distorted spatial patterns of settlement are corrected; and
 - (vii) the quality and functionality of the public spatial environment is promoted;

The above selected extracts, with relevant **emphasis added**, indicates the support and legislative requirement for well-planned and coordinated densification. This application is therefore deemed compliant with this legislative principles.

3.3.4 AVAILABILITY OF ENGINEERING SERVICES

The property is linked to existing municipal service infrastructure and the application will have little additional service capacity requirements, new service connections will be provided for the additional portion created.

3.3.5 IMPACT ON THE ENVIRONMENT:

The proposed subdivision will be in line with the property sizes in the immediate area. It is our opinion that the addition of a well-designed new dwelling to this vacant property will bring much needed renewal and further enhance the character of the area.

3.3.6 PUBLIC PARTICIPATION

The adjacent property owners will be notified of the proposed subdivision as per the requirements of the By-law and notifications send per registered mail.

Any neighbour who feels that their rights are affected will have an opportunity to make a representation or lodge an objection. This is however not anticipated since the development of this vacant property is expected to enhance the area and is viewed as n positive addition to the street scape.

4. SUMMARY AND CONCLUSION

Application is made for the subdivision of this fairly large erf into two portions. The owner intends to submit a building plan for the construction of house for herself and would then like to sell the subdivision to a prospective buyer.

The information provided supports the fact that the proposed subdivision will be desirable in this area and of little significance in terms of impact to the rest of the area or the neighbours.

* * *