

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

Sir / Madam

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

Application Property Address: 67 Reservoir Street, Franschhoek, 7690

Application Property Number: Erven 3271, 3844 and 3845, Franschhoek

Applicant: TV3 Projects (Pty) Ltd – C Heys (contact details: 021 861 3800)

Owner: Eric de Wit & Jantje Kerstra de Wit – C Heys (contact details: 021 861 3800)

Application Reference: LU/15548

Description of Proposed Development:

- Application is hereby made i.t.o. Section 15.2(e) of the Stellenbosch Municipality Planning By-Law, 2015 for the consolidation of Erven 3271, 3844 and 3845, Franschhoek.
- Application is hereby made i.t.o. Section 15.2(d) of the Stellenbosch Municipality Planning By-Law, 2015 for the subdivision of the consolidated erf into two erven – a Portion A ($\pm 978\text{m}^2$) and a Portion B ($\pm 649\text{m}^2$).
- Application is hereby made i.t.o. Section 15.2(o) of the Stellenbosch Municipality Planning By-Law, 2015 for a consent use to permit a guest house on the new erf (Portion B).
- Application is also made i.t.o. Section 15.2(b) of the Stellenbosch Municipality Planning By-Law, 2015 for a permanent departure to relax the common boundary building lines from 2.5m to 1m (to accommodate the existing building).

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_portal/planning-notice/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: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **3 July 2023**.

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 021 861 3800 during normal office hours.

Yours faithfully

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

KENNISGEWING VAN GROND ONTWIKKELINGSAANSOEK AAN GEINTERESSEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR

Meneer / Dame

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

Adres van aansoek eiendom: Reservoirstraat 67, Franschhoek, 7690

Aansoek eiendom beskrywing: Erwe 3271, 3844 en 3845, Franschhoek

Aansoeker: TV3 Projects (Pty) Ltd – C Heys (kontak besonderhede: 021 861 3800)

Eienaar: Eric de Wit & Jantje Kerstra de Wit – C Heys (contact details: 021 861 3800)

Aansoek Verwysing: LU/15548

Tipe aansoek:

- Aansoek word hiermee gemaak in terme van Afdeling 15.(2)(e) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2015 vir die konsolidasie van Erwe 3271, 3844 en 3845, Franschhoek.
- Aansoek word hiermee gemaak in terme van Afdeling 15.(2)(d) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2015 vir die onderverdeling van die gekonsolideerde erf – in 'n Gedeelte A ($\pm 978\text{m}^2$) en 'n Gedeelte B ($\pm 649\text{m}^2$).
- Aansoek word hiermee gemaak in terme van Afdeling 15.(2)(o) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2015 vir 'n vergunningsgebruik vir 'n gastehuis op die nuwe erf (Gedeelte B).
- Aansoek word hiermee gemaak in terme van Afdeling 15.(2)(b) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2015 vir 'n afwyking ten einde die gemeenskaplike builyn vanaf 2.5m na 1m te verslap (ten einde die bestaande gebou te akkommodeer).

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_portal/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 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 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 as volg: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za

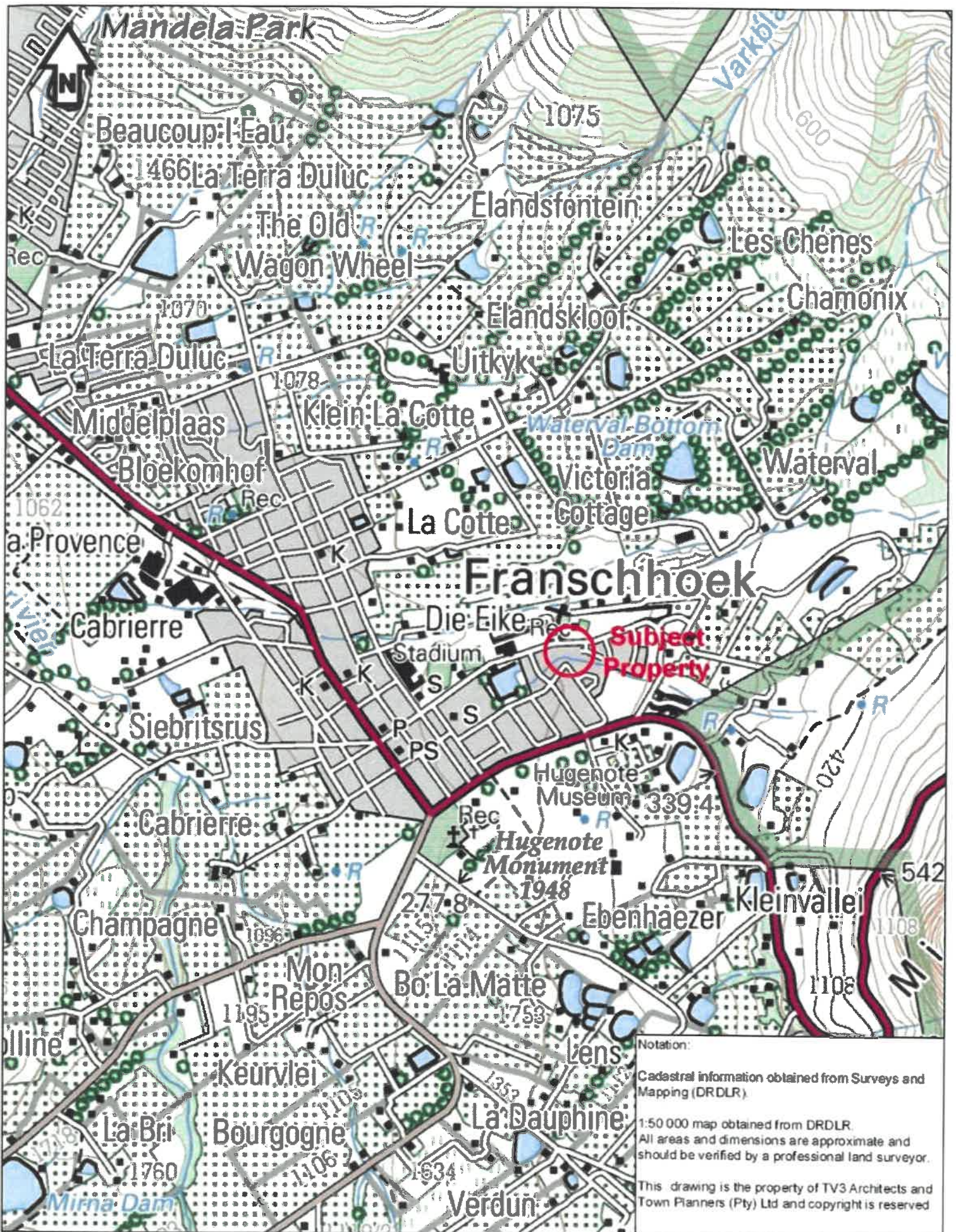
Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitingsdatum van **3 Julie 2023**.

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 021 861 3800 gedurende normale kantoor ure.

Die uwe

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD



Notation:
 Cadastral information obtained from Surveys and Mapping (DRDLR)
 1:50 000 map obtained from DRDLR
 All areas and dimensions are approximate and should be verified by a professional land surveyor.
 This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved

Drawing:	Broad Locality		Plan no.:	1	
Date:	26/04/2023	Scale:	NTS		
Project no.:	3889-P	Drawn:	WH	Checked:	CH



ERVEN 3271, 3844 AND 3845, FRANSCHHOEK

**Application for consolidation, subdivision
and consent use (3899-P)**

3 May 2023



**ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS**

FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET
STELLENBOSCH 7600 | TEL +27 (21) 861 3800 | www.tv3.co.za

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-

PLANNING MOTIVATION REPORT

1. Land use planning applications

As instructed by the landowner:

- **Application is hereby made i.t.o. Section 15.2(e) of the Stellenbosch Municipality Planning By-Law, 2015 for the consolidation of Erven 3271, 3844 and 3845, Franschhoek.**
- **Application is hereby made i.t.o. Section 15.2(d) of the Stellenbosch Municipality Planning By-Law, 2015 for the subdivision of the consolidated erf into two erven – a Portion A ($\pm 978m^2$) and a Portion B ($\pm 649m^2$).**
- **Application is hereby made i.t.o. Section 15.2(o) of the Stellenbosch Municipality Planning By-Law, 2015 for a consent use to permit a guest house on the new erf (Portion B).**

A power of attorney to this affect is attached hereto.

2. Purpose of the applications

The purpose of these applications is to obtain planning approval for reducing the number of single residential erven from three to two, and to permit the establishing of a new guest house on the new erf (Portion B). There is already a guest house on Portion A.

3. Subject property

The subject property consists of three single residential erven:

Table 1: Property ownership details

ERF NO.	TITLE DEED NO.	OWNERSHIP	SIZE
3271	T53965/2018	Eric & Jantje Kerstra de Wit	864m ²
3844	T2762/2019	Eric & Jantje Kerstra de Wit	367m ²
3845	T15944/2020	Eric & Jantje Kerstra de Wit	396m ²

Copies of the erven's Title Deeds and SG Diagrams are included in this submission.

4. Locality

The subject property is located at 67 Reservoir Street, in Franschhoek. The locality of the subject property is indicated in more detail on the attached locality maps and images below.



Figure 1: Locality of Erven 3271, 3844 and 3845



Figure 2: Locality of Erven 3271, 3844 and 3845 at 67 Reservoir Street, Franschoek

5. Current zoning and land uses

The subject property (all three erven) is zoned Conventional Residential Zone.

In 2021 the Stellenbosch Municipality approved a guest house on Erf 3271. The Mirabelle guest house is now located on this erf – see image below.



Figure 3: Mirabelle Guest House on Erf 3271

Erven 3844 and 3845 are still vacant.

6. Development proposal

The development proposal entails:

- The consolidation of Erven 3271, 3844 and 3845, Franschhoek;
- The subdivision of the consolidated erf into two single residential erven

- (namely, into a Portion A and a Portion B); and
- A consent use for a guest house on Portion B.

The image below illustrates the end result of this application, which is basically two single residential erven with two guest houses.



Figure 4: The end result of the application (if approved)

A Consolidation Plan and a Subdivision Plan is included in this submission for your approval.

- **Mirabelle Guest House on Erf 3271:**

The existing Mirabelle Guest House (which is located on Erf 3271) will now be located on the new Portion A (and no changes are proposed to this guest house facility).

- **New guest house on Portion B:**

A building plan for a new residential dwelling (with 5 bedrooms) on Erf 3271 was approved in 2022 – see image below.

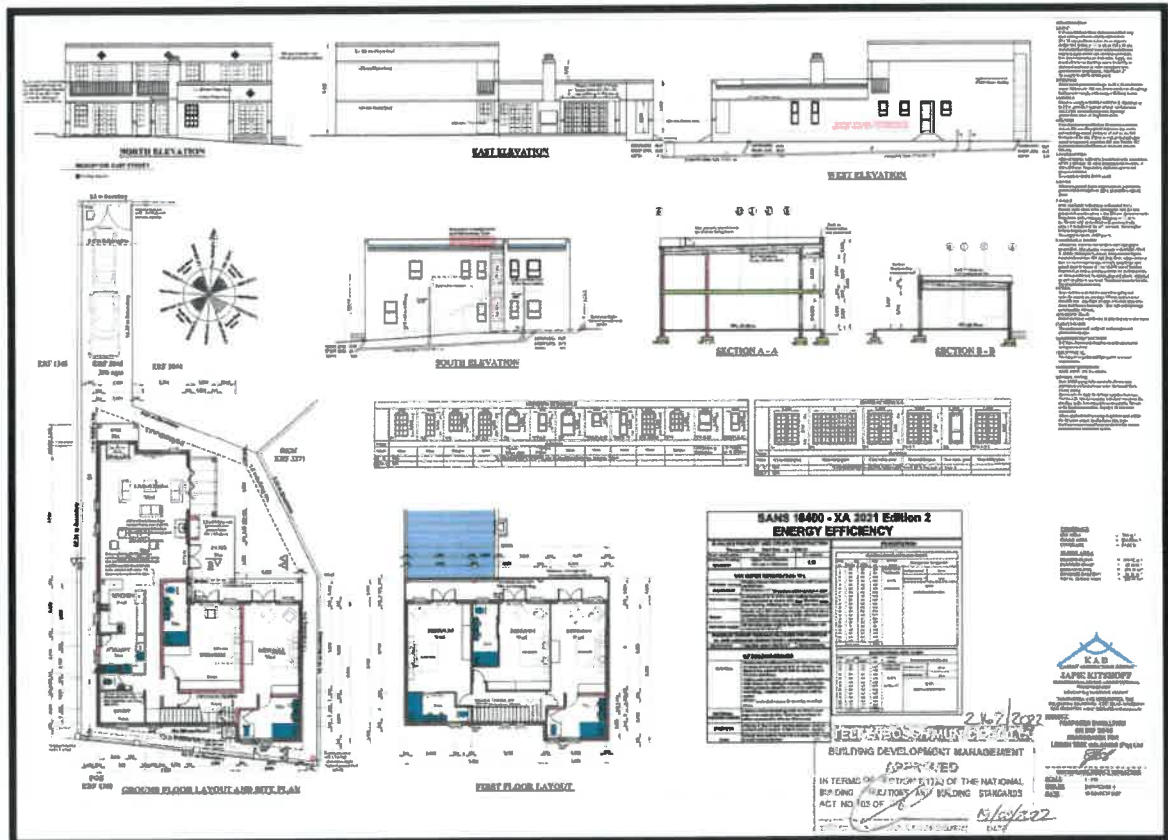


Figure 5: The approved building plan for the dwelling on Erf 3845

A copy of the approved building plan is included in this submission.

This dwelling house will be converted into a guest house and will be located on the new Portion B. The guest house will be limited to 5 bedrooms and 5 on-site parking bays will be provided. A conceptual site plan for the guest house is included in this submission.

7. Planning motivation (for need and desirability)

This application to amend the erf boundaries in order to establish a new guest house is motivated as follows:

- The proposed guest house will support tourism in the winelands. Tourism and tourist orientated developments have become an important sector that have an impact on the development of the country's economy. The main benefits of tourism are income creation and job generation. For many regions it is the most important source of welfare. Tourism is a key driver of South Africa's national economy and contributes to job creation. The tourism industry is a major contributor to the economy and employment of citizens. The tourism sector contributes ±9% to the country's gross domestic product. The proposed development will support the (major) tourist industry that drives the Western Cape and Franschhoek economies and will benefit the local community by creating new employment opportunities for local residents.
- According to the Stellenbosch Municipality's Spatial Development Framework (MSDF):
 - Tourism that reinforces the municipality's sense of place should be encouraged in the settlements and on rural land outside the urban edge; and
 - Restaurants, wine tasting and holiday accommodation should be encouraged.

The proposed guest house will therefore be in line with the MSDF's recommendations.

- The subject property is surrounded by similar guest house land uses and will consequently not be foreign to the area or create a precedent for a new type of land use. According to Google Maps there are currently 12 guest houses located in the direct vicinity of the subject property – see image below.



Figure 6: Guest houses in the vicinity of the subject property

- The guest house will support the (major) tourism industry that drives the Franschhoek economy and will lead to the creation of new employment opportunities in the hospitality industry. In other words, it will have a positive socio-economic impact.
- The proposed boundary adjustment and guest house will not adversely affect the wellbeing of any group or person.

- Tourism offers great opportunities for emerging economies and developing countries. It creates jobs, strengthens the local economy, contributes to local infrastructure development and can help to conserve the natural environment and cultural assets and traditions, and to reduce poverty and inequality. Tourist accommodation (such as the proposed guest house) provides a suitable and sustainable re-use of existing buildings, which maintains a local area's architectural heritage while at the same time providing opportunity for economic activity, and thereby promoting sustainable development.

8. Engineering services

The application entails the reduction of the number of erven from three to two. For this reason, the proposed development will have a lessor impact on bulk infrastructure than the current situation.

The transport impact of the proposed development will be acceptable as the number of residential dwellings will be reduced and the traffic generated by a guest house is limited.

On-site parking for the new guest house on Portion B will be provided on the erf (in accordance with the municipal regulations), with direct access onto Reservoir Street – see image below.

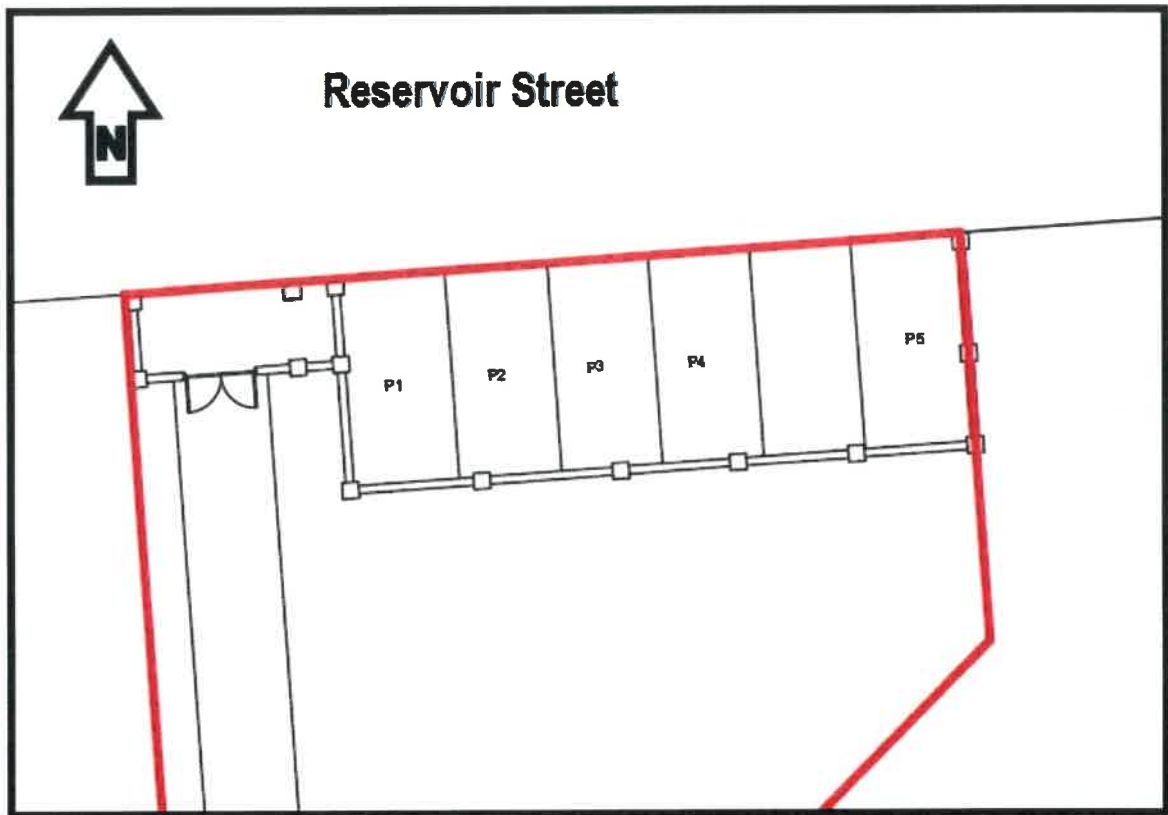


Figure 7: The on-site parking area for the new guest house on Portion B

The design of this parking area will be similar to other parking areas in Reservoir Street and is (for this reason) considered acceptable. The images below are examples of similar parking areas in Reservoir Street – see images below.





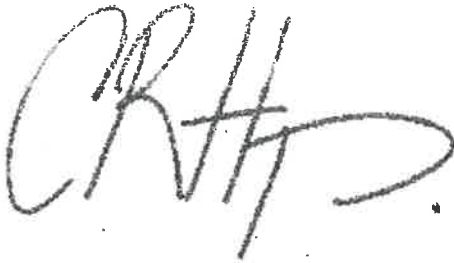
Figure 8: Examples of similar parking areas in Reservoir Street

9. Conclusion

From the above motivation it is clear that the proposed development is in line with the town's general planning principles and philosophies. It will be similar to the surrounding land uses and support the Franschhoek tourism-based economy by providing holiday accommodation and new employment opportunities. It will not adversely affect any group or person but will positively affect the broader community of Franschhoek. For this reason, we deem the proposal to be desirable and recommend that it be granted.

Should you have any queries or require any additional information to process the application, please feel free to contact the undersigned at 021-861 3800 or clifford@tv3.co.za.

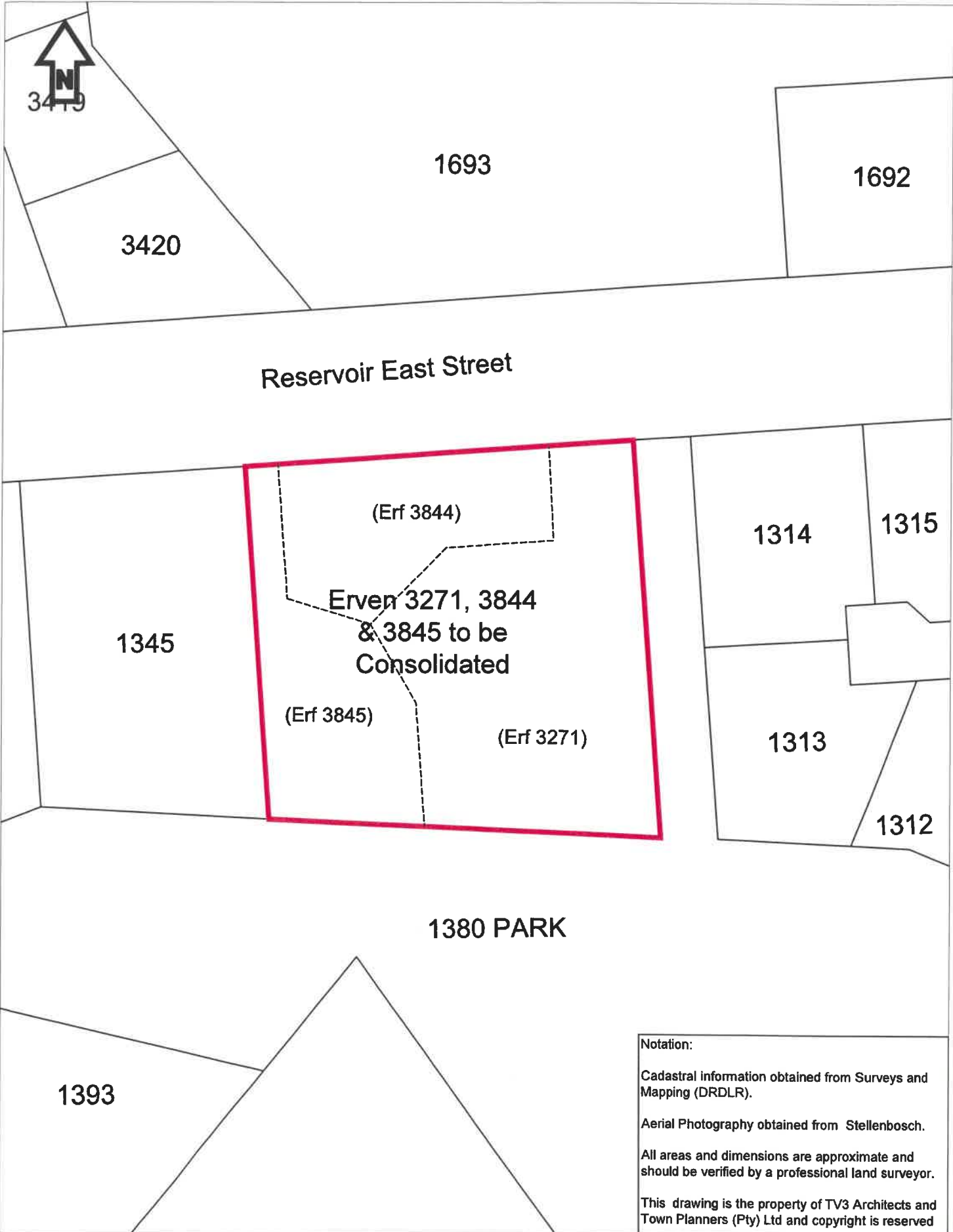
10. **Signature of applicant**

A handwritten signature in black ink, appearing to read 'CRH', with a stylized flourish extending to the right.

CLIFFORD HEYS

PR. PLANNER (SA): A/1158/2000





Notation:

Cadastral information obtained from Surveys and Mapping (DRDLR).

Aerial Photography obtained from Stellenbosch.

All areas and dimensions are approximate and should be verified by a professional land surveyor.

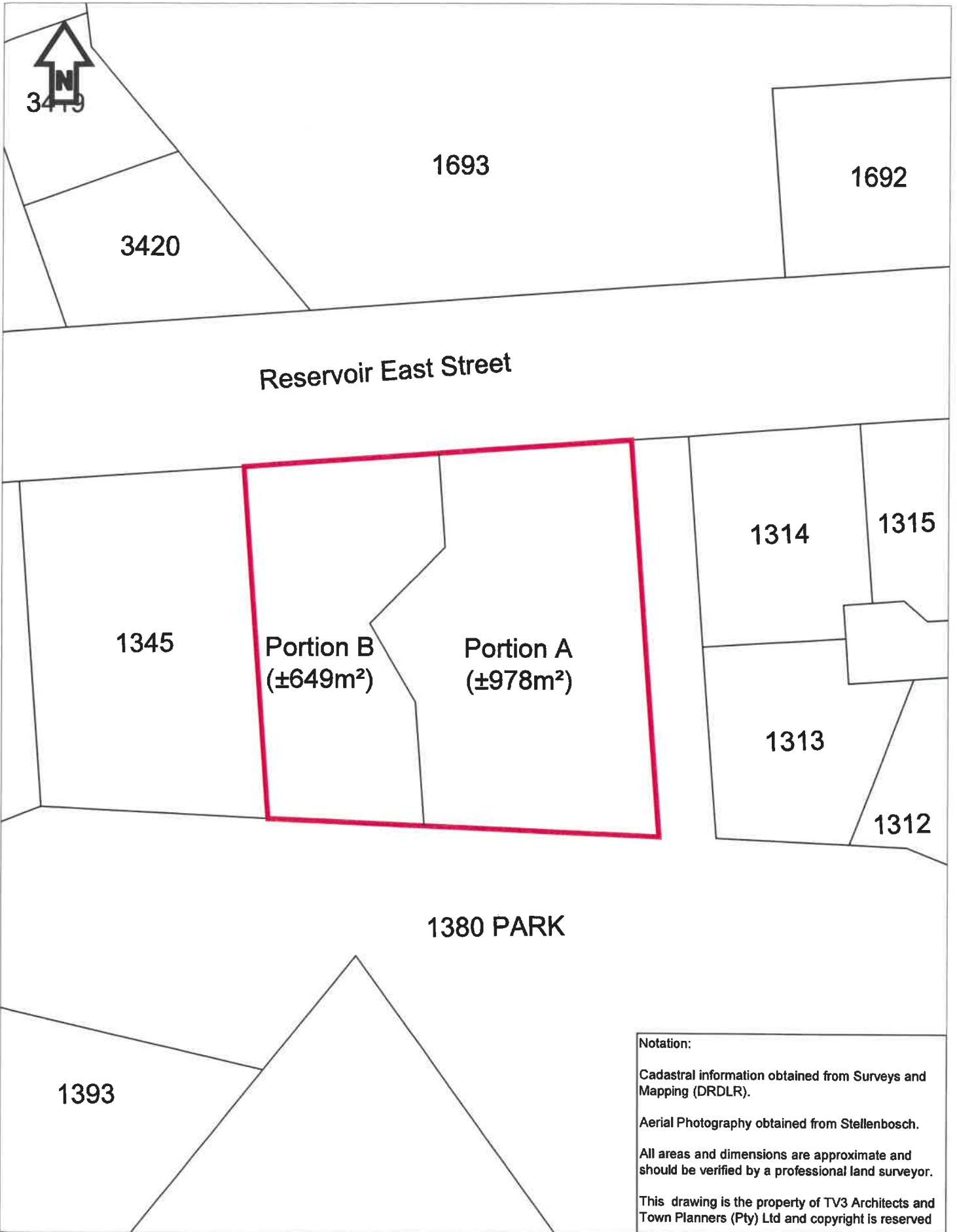
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**Erven 3271, 3844 & 3845,
Franschhoek**

Drawing:		Plan no.:
Proposed Consolidation		3
Date:	Scale:	
26/04/2023	1:500 (A4)	
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3899-P	WH	CH



Notation:

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Drawing:		Plan no.:
Proposed Subdivision		4
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3899-P	WH	CH

