

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

Neem asseblief kennis dat hierdie kennisgewing in Afrikaans hieronder volg.

13 September 2022

Affected person's Name

Affected persons Physical Address

Affected person's Title:

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

Application Property Address: **73 Juffern Bruch Street, Stellenbosch**
Application Property Number: **Erf 3477 Stellenbosch**
Applicant: **Diesel & Munns Inc.**
Tel: 021 852 3800
e-mail: planning@dieselandmunns.co.za
Owner: **Merriprop (Pty) Ltd**
e-mail: info@proprade.org
Application Reference: **TP30/2022 (LU/14364)**

Application Type: **APPLICATION FOR SUBDIVISION: ERF 3477 STELLENBOSCH**

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

An application is made in terms of Section 15(2)(d) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for the subdivision of Erf 3477 Stellenbosch into the following:

- **Rem of 3477 (313 sqm in extent) and,**
- **Portion 1 of Erf 3477 (258 sqm in extent).**

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: Diesel & Munns Inc. (Barry Blount) planning@dieselandmunns.co.za. 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.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **Friday 14 October 2022**.

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 021 852 3800 during normal office hours.

Yours faithfully

DIESEL & MUNNS INC.

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

13 September 2022

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Titel van geaffekteerde persoon:

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

Adres van aansoek eiendom: **Juffern Bruch Straat 73, Stellenbosch**

Aansoek eiendom beskrywing: **Erf 3477 Stellenbosch**

Aansoeker: **Diesel & Munns Ing.**
Tel: 021 852 3800
e-pos: planning@dieselandmunns.co.za

Eienaar: **Merripro (Pty) Ltd**
e-pos: info@proptrade.org

Aansoek Verwysing: **TP30/2022 (LU/14364)**

Tipe Aansoek: **AANSOEK VIR ONDERVERDELING: ERF 3477 STELLENBOSCH**

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoek word gedoen ingevolge Artikel 15(2)(d) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning, 2015 vir die onderverdeling van Erf 3477 Stellenbosch na die volgende:

- **Restant Erf 3477 (313 vkm in grootte) en,**
- **Gedeelte 1 van Erf 3477 (258 vkm in grootte).**

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 tydspan 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 opsite 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: (Diesel & Munns Ing. (Barry Blount) planning@dieselandmunns.co.za. Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

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 sluitings datum van **Vrydag 14 Oktober 2022**.

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 021 852 3800 gedurende normale kantoor ure.

Die uwe

DIESEL & MUNNS ING.

**ERF 3477
STELLENBOSCH:
LOCALITY PLAN**

- Legend**
- Erf
 - The Property



Map Center: Lon: 18°53'5.7"E
 Lat: 33°55'16.2"S
 Scale: 1:2 257
 Date created: June 7, 2022

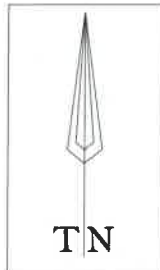


Department of Rural Development and Land Affairs
 2022 Municipal Corporations' 2022 Turfplan



LEGEND:

- ABCD — ERF 3477 STELLENBOSCH
- FBCE — REMAINDER ERF 3477
- AFED — PROPOSED PORTION 1
- aFbd — SERVICES SERVITUDE
- (15A) — STREET NUMBER



**SUBDIVISION PLAN OF
ERF 3477 STELLENBOSCH**

Stellenbosch Municipality
Administrative District Stellenbosch
Province Western Cape.

NOTES:

- 1) ALL AREAS AND DIMENSIONS ARE APPROXIMATE
- 2) COMPILATION SHEET: BHSZ - 1291 (M1042)
- 3) ZONING: CONVENTIONAL RESIDENTIAL ZONE

SCALE 1/250 (A4)

DATE : JULY 2022

PLAN NO: C6238/Sub



DIESEL & MUNNS Inc.

PROFESSIONAL LAND SURVEYORS : TOWN AND REGIONAL PLANNERS
 PROFESSIONELE LANDMETERS : STADS- EN STREEK BEPLANNERS
 SECTIONAL TITLE CONSULTANTS : ENGINEERING AND TOPOGRAPHICAL SURVEYORS
 DEELTITEL KONSULTANTE : INGENIEURS EN TOPOGRAFIESE OPMETERS
 20 ST. JAMES STREET/STRAAT - P O BOX/POSBUS 475 - SOMERSET WEST 7129
 TEL : (021) 852-3800/852-3759

**PROPOSED SUBDIVISION OF ERF 3477, STELLENBOSCH,
STELLENBOSCH MUNICIPALITY, ADMINISTRATIVE DISTRICT OF
STELLENBOSCH.**

THE APPLICATION

Application is hereby made on behalf of the registered owner for:

- 1) **The subdivision of Erf 3477 Stellenbosch into two portions in terms of section 15(2)(d) of the Stellenbosch Municipality Land Use Planning By-Law, 2015, as indicated on the attached subdivision plan (plan no. C6238/Sub);**

PROPERTY DETAILS

Property Description:	Erf 3477 Stellenbosch
Registered Owner:	Merriprop (Pty) Ltd
Area:	571 Square Metres
Current Zoning:	Conventional Residential Zone
Present Use:	Single Residential Property

THE PROPOSAL

The owner of the property wishes to subdivide the property into two portions. It is proposed that the existing dwelling will be located on the remaining extent measuring approximately 313m² in extent. The proposed portion (which is currently vacant) will measure approximately 258m² in extent. The proposed subdivision will take place as indicated on the subdivision plan (Plan No.: C6238/Sub) attached in Annexure A.

Proposed Development

The property is located within a well established urban residential neighbourhood, and within the urban edge as designated within the Stellenbosch Municipality Spatial Development Framework. The owner has identified the property's potential for further development due to its strategic location. The property currently consists of a single residential dwelling located on the eastern portion of the property, which allows for a portion of the property located to the west of the dwelling that could be developed

further for residential purposes. This would also help to facilitate the incremental densification of the area in line with all of the applicable forward planning policies, whilst also allowing for a wider range of (more affordable) residential opportunities within the surrounding neighbourhood.

The proposed property/portion will be developed according to the applicable zoning scheme by-laws, which will ensure that any new dwelling on the proposed portion will be sensitive to the surrounding properties. The proposed subdivision of the property will be proposing portions that are in line with the subdivision policy for Stellenbosch and can thus be viewed as an acceptable land use densification within the surrounding urban context. As this proposal will only create one additional conventional residential property, the impacts on the existing character and streetscapes will be minimal.

The subdivision of the property will lead to the more productive use of residential land as a scarce urban resource that will provide for additional housing opportunities within the urban edge. The proposal is thus compliant with the various applicable forward planning policies in terms of residential densification and intensification which are aimed at the enhanced sustainable utilisation of the bulk municipal services infrastructure. The recent trend of owners of larger properties wishing to economise on the sizes of their properties due to escalating maintenance costs will ensure that the smaller properties will not be seen to be an inferior product, but rather the inherent value of a more economically sized property located within the neighbourhood is readily acknowledged. The proposal will also lead to the creation of a new residential property that will introduce inhabitants to the area with a similar socio-economic profile to the existing residents of the area. It is not being proposed to change the use of the property, but merely to introduce incremental residential densification which is not out of context with the receiving environment.

The proposal is for the subdivision of the property into two fairly equal portions along an existing vibracrete wall located on the property. This will allow for the entire existing dwelling and carport to be located on the proposed remaining extent. There were some informal structures located in the rear garden of the property, but these have been removed and this portion of the property is now standing vacant.

The subdivision of the property will lead to the more productive use of residential land as a scarce urban resource that will provide for additional housing opportunities within the urban edge. The proposal is thus compliant with the various applicable forward planning policies in terms of residential densification and intensification which are aimed at the enhanced sustainable utilisation of the bulk municipal services infrastructure. The recent trend of owners of larger properties wishing to economise on the sizes of their properties due to escalating maintenance costs will ensure that the smaller properties will not be seen to be an inferior product, but rather the inherent value of a more economically sized property located within the neighbourhood is readily acknowledged. The proposal will also lead to the creation of a new residential property that will introduce inhabitants to the area with a similar socio-economic profile to the existing residents of the area. It is not being proposed to change the use of the property, but merely to introduce incremental residential densification which is not out of context with the receiving environment.

Access will continue to be gained to the existing dwelling via the existing driveway onto Juffern Bruch Street. The proposed portion will utilise a new access point directly onto Bloekom Avenue directly from its street frontage. The exact positioning of this carriageway crossing will be determined when building plans for the proposed dwelling is submitted for approval. The wide street reserves of the adjoining public streets, combined with the ample sight distances will allow for the safe utilisation of these access points. The vertical and horizontal road alignments will also pose no problems with respect to these vehicular access points.

It is also envisaged that the additional traffic that will be generated as a result of this proposal will not lead to any unacceptable levels of traffic congestion on the surrounding road network, as only one additional single residential property is being created. The surrounding roads are not seen to be overly busy roadways, and the adjoining street is also wide enough to be able to adequately accommodate the additional access points and traffic that will be generated as a result of this proposal.

It is thus clear that the proposed subdivision will have no impact on the surrounding environment which can be construed to be undesirable in respect of the safety, welfare and amenity value of the specific site conditions and the preservation of the surrounding built and natural environment. The proposal will also in no way impact on

any existing rights. The proposal can thus be seen to be compliant with the prescribed evaluation criteria for the following reasons:

- The proposal is not contrary to the provisions as set out within any applicable Spatial Development Framework.
- The Zoning Scheme By-Law allows for subdivisions to be granted and the properties will be within the bulk and coverage parameters as prescribed in terms of the current zoning of the site.
- The proposal is not contrary to any approved policy or strategy.
- The proposed development is of an appropriate scale and form that relates to the surrounding urban fabric, development pattern and land use character of the surrounding neighbourhood.
- The proposal will not alter the existing single residential use/character of the property, and will thus not lead to any new or additional impacts on the existing rights of surrounding property owners
- The proposal will have no significant impact on the existing built form and will thus fit in to the surrounding urban context.
- The scale of the development will be compatible with the surrounding properties.
- The placement of the proposal within an established urban residential development is seen to be compatible with the existing character and represents an acceptable land use intensification in the area.
- The proposed development will not detract from any existing rights of the surrounding erven.
- Increase human activity will help ensure increased passive surveillance of the adjoining public realm (streets).
- There is adequate servicing capacity to accommodate the proposed development and adequate on-site parking can be provided for.
- The application will not undermine the public interest.

The proposed subdivision of Erf 3477 Stellenbosch for single residential housing purposes is considered to be a compatible use in the specific area, as it will result in the optimal utilisation of the property without negatively impacting the quality of the surrounding neighbourhood. The proposal is consistent with good urban development and management and it will constitute a desirable development in terms of the Stellenbosch Municipality Land Use Planning By-Law, August 2015. With this in mind, it is envisaged that the proposed application will be endorsed with Council's consent.
