

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

To whom it may concern:

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

Application Property Address: Remainder of Farm no. 1066

Application Property Number: Remainder of Farm no. 1066 Paarl Division

Applicant: Headland Planners (Pty) Ltd (tristan@headland.co.za/0824491801)

Owner: Rickety Bridge Properties (Pty) Ltd

Application Reference: LU/16592 (TP579/2023)

Application Type: Application for Consent Use

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

Applications are made in terms of:

- Section 15(2)(o) **consent use** for a **tourist accommodation establishment** consisting of 10 guest suites (20 guests) on the property
- The approval of a site development plan as contemplated in terms of Section 216 of the Zoning Scheme Bylaw (2019)

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: Headland Planners (Pty) Ltd (tristan@headland.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 **(7 June 2024)**.

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 0824491801 during normal office hours.

Yours faithfully

HEADLAND PLANNERS

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

Heil die leser:

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

Adres van aansoek eiendom: Restant van Plaas no. 1066

Aansoek eiendom beskrywing: Restant van Plaas no. 1066 Paarl Division

Aansoeker: Headland Planners (Edms) Bpk (tristan@headland.co.za/0824491801)

Eienaar: Rickety Bridge Properties (Edms) Bpk

Aansoek Verwysing: LU/16592 (TP579/2023)

Tipe Aansoek: Aansoek vir Toestemmingsgebruik

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoeke word gedoen in terme van:

- Artikel 15(2)(o) toestemmingsgebruik vir 'n toeristeverblyfonderneming bestaande uit 10 gastesuites (20 gaste) op die eiendom,
- Die goedkeuring van 'n terreinontwikkelingsplan soos beoog ingevolge Artikel 216 van die Soneringskema-verordening (2019)

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-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;

- o 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: Headland Planners (Edms) Bpk (tristan@headland.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.

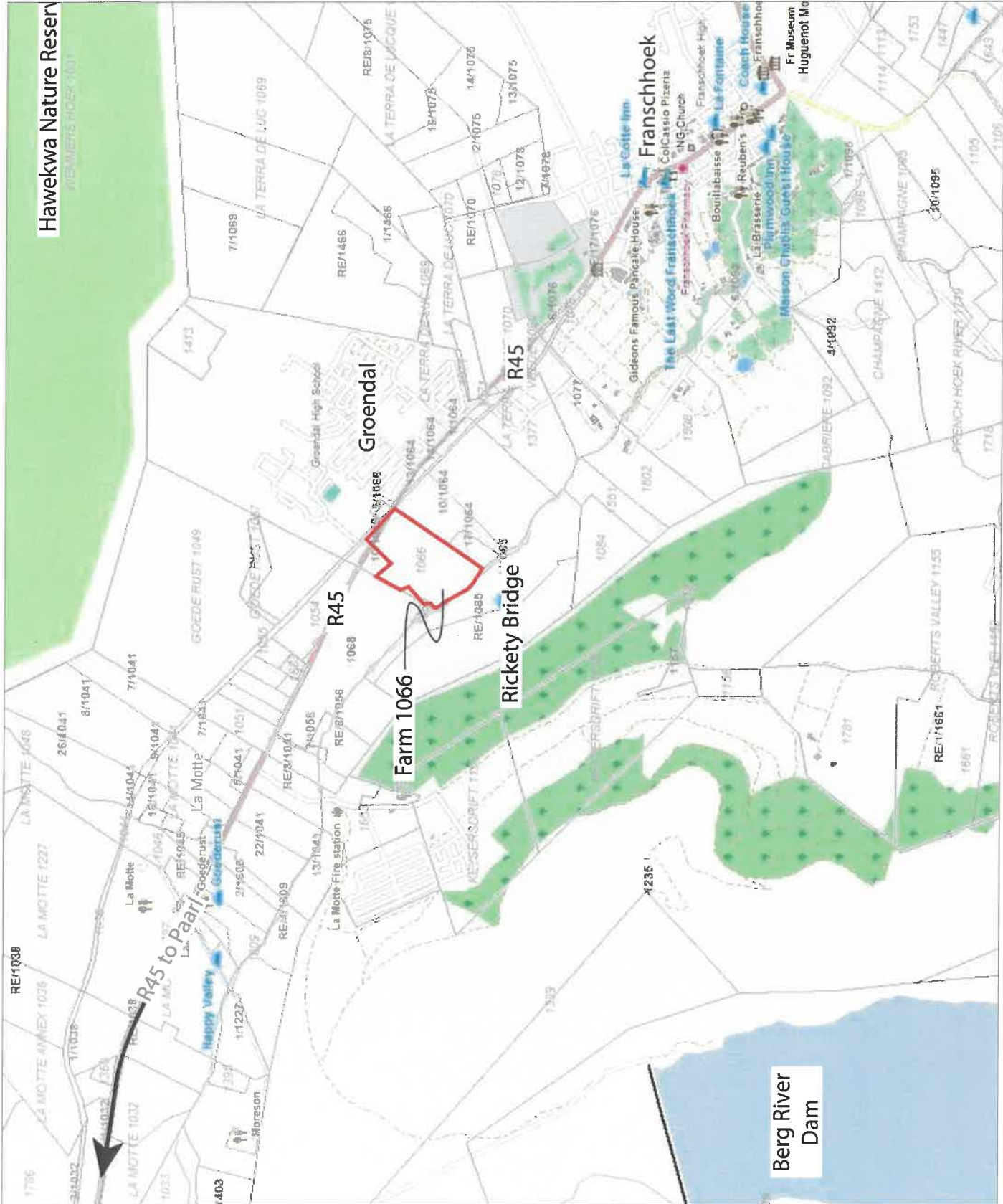
Die kommentaar moet **binne 30 dae** vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **(7 Junie 2024)**

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 0824491801 gedurende normale kantoor ure.

Die uwe

HEADLAND PLANNERS



top

020

the

proposed consent use and SDP

locality plan

Berg River Dam

Farm 1066

Groendal

Franschhoek

The Last Word Franschoek 11 ColCassio Pienitz
Franschoek, Engenau NG Church

La Brasserie
Plumwood Inn

Maison Chablis Guest House

CHAMPAGNE 1412

BRANDMAGNE 1085

10/1095

[illegible]

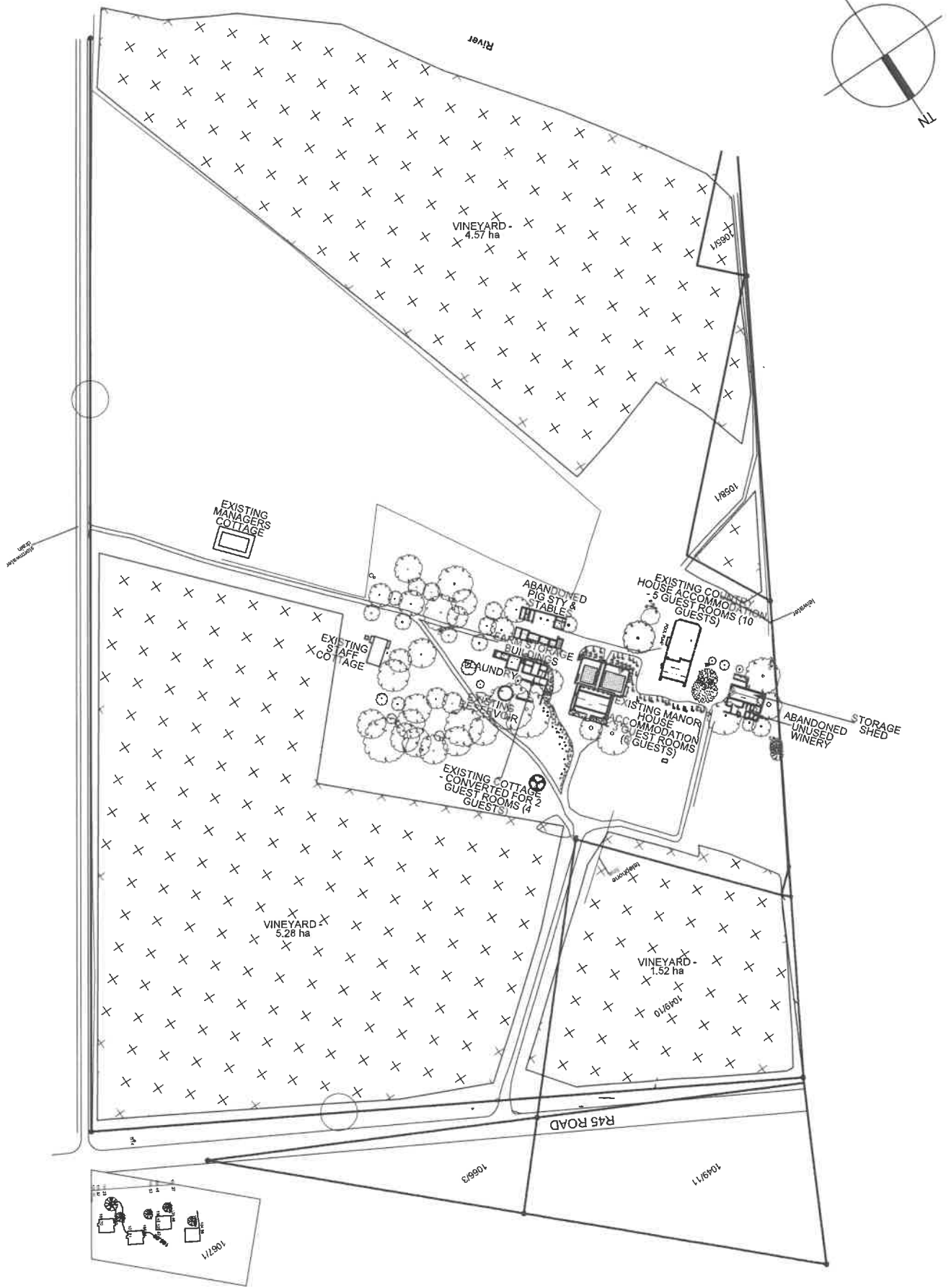
COIL 1Y05 (843)

head and

town planners

1

10



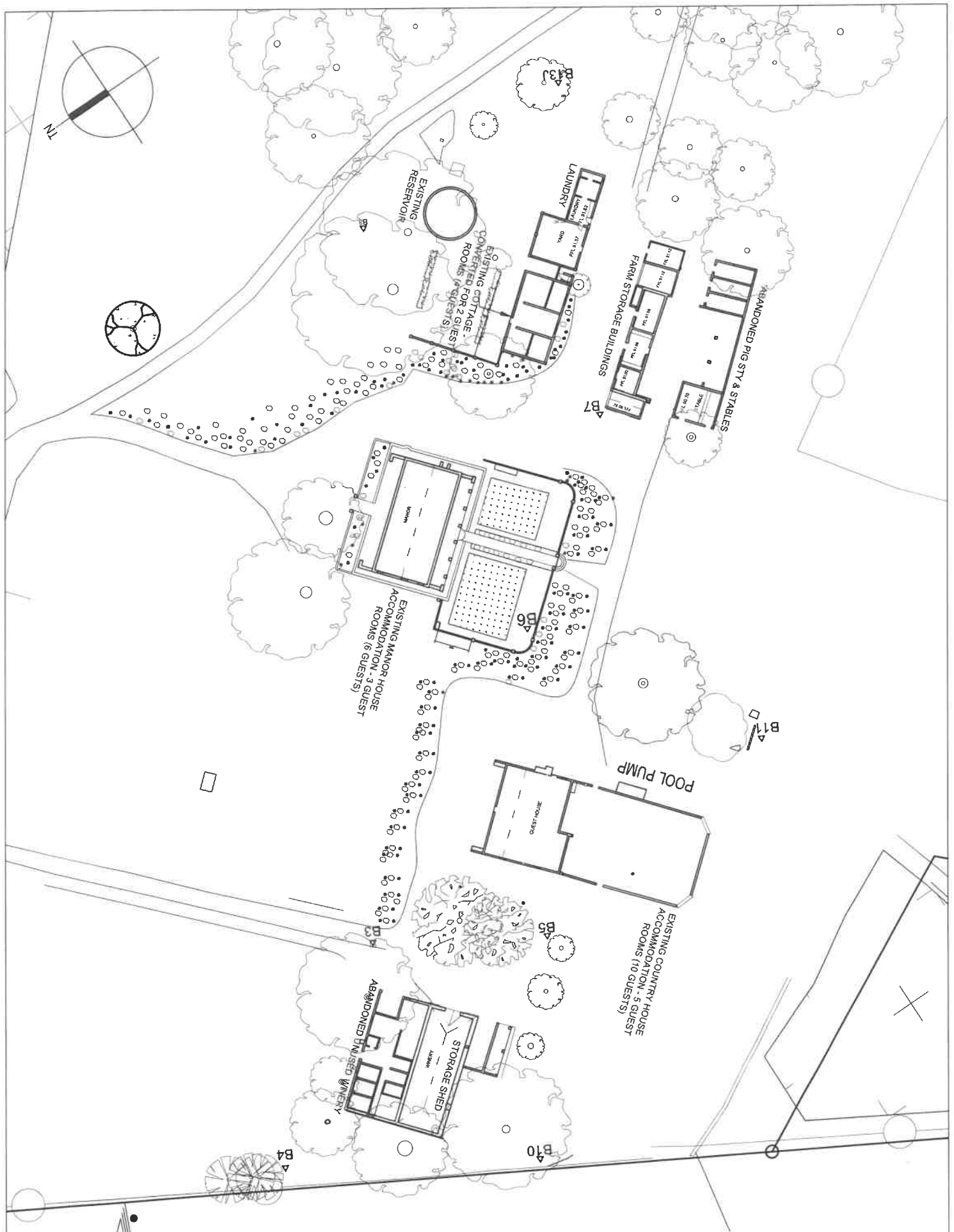
Carl Coetzee & Associates cc
Architecture & Interior Designs

25 Eldon Road, Midrand, 7705
Tel: 021 658 2474 • Fax: 021 656 9185 • Email: info@ccad.co.za

Revision	Date	Description
05	14/09/2023	Added notes to specific structures.
06	17/11/2023	Revised to A3 format.

Client:	RICKETY BRIDGE WINERY
Project:	BASSE PROVENCE
Drawing:	SITE PLAN

Scale:	1:2000	Job No:	0414
Date:	18/11/2023	Drawing No:	MWF001
Drawn:	WILLIAM	Revised:	06
Checked:	C.C		



Revision	Date	Description	Client: RICKETY BRIDGE WINERY	Scale: 1:500	Job No: 0414	
-	-	-	Project: BASSE PROVENCE	Date: 18/11/2023		
			Drawing: BUILDING LAYOUT	Drawn: WILLIAM	Drawing No: MWFO02	Revision: 00
				Checked: C.C		

Carl Coetzee & Associates cc
Architecture & Interior Designs

26 Daken Road, Monrovia, 7705
Tel: 021 659 2474 • Fax: 021 656 9185 • Email: carl@carlcc.com

EXECUTIVE SUMMARY

Historically, two “spot” rezoning applications were approved for the property under the former LUPO section 8 zoning scheme, as follows:

- from Agricultural Zone I to Residential Zone V to accommodate a 4-bedroom guesthouse ($\pm 150\text{m}^2$) and a 2-bedroom guesthouse ($\pm 100\text{m}^2$). The residential zone V zoning is now a deemed consent use for guest house in terms of the 2019 Stellenbosch zoning scheme by-law.
- from Agricultural Zone I to Agricultural Zone II for a $\pm 330\text{m}^2$ wine cellar with consent use for a tourist facility (restaurant, cheese and wine tasting and sales facilities).

The intention of this application is to expand the guest house consent use into an existing two-bedroom house (additional two guest suites) and to regularise an existing additional bedroom in the manor house. 6 of the 10 guest rooms are already approved, however the additional 4 guest rooms exceed the additional use rights of the zone, and a consent use is therefore required for a **tourist accommodation establishment**.

The uses are tied to a site development plan submitted for approval.

Note the title deed reflects the owner as Onaghan Investments (Pty) Ltd. This name was changed to the present company name, Rickety Bridge Properties (Pty) Ltd, on 25/02/2008, see company report appended to this application.

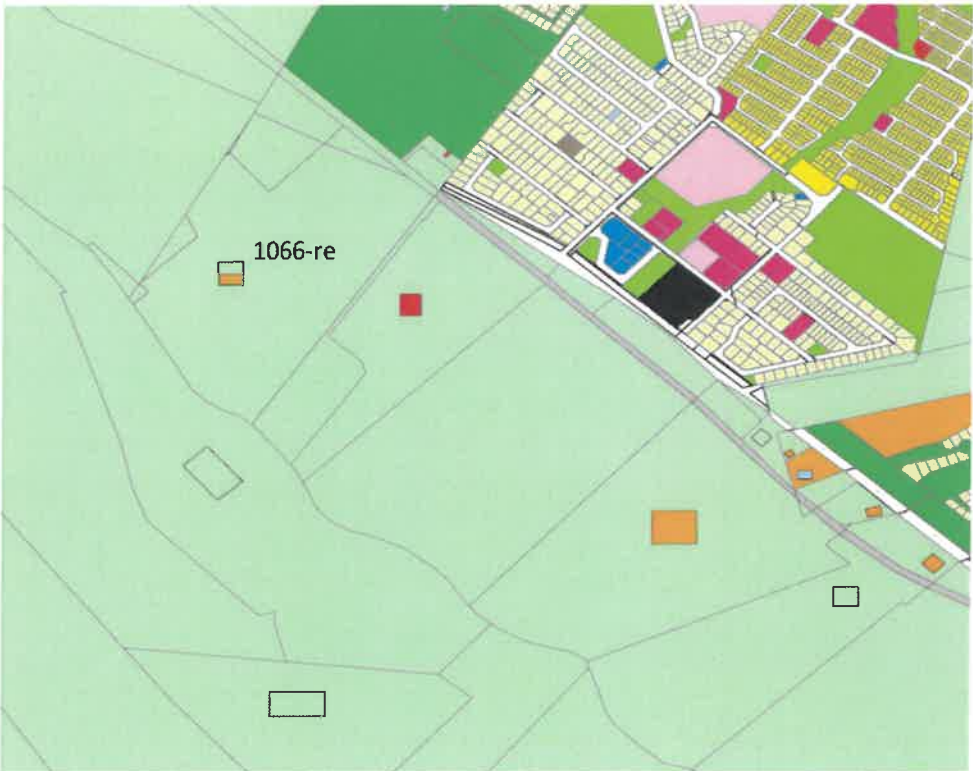
APPLICATION

The following applications are required in terms of the Stellenbosch Municipality Land Use Planning By-law, 2023 (“the LUPBL”):

- Section 15(2)(o) **consent use** for a **tourist accommodation establishment** consisting of 10 guest suites (20 guests) on the property and **approval of a site development plan** for the tourist accommodation establishment.

PROPERTY DETAIL

Applicant	Headland Planners (Pty) Ltd
Erf Number	Remainder of Farm 1066
Allotment Area	Paarl Registration Division
Property Diagram	SG No.
Title Deed	T77400/2007
Property Extent	19.11ha
Registered Owner	Rickety Bridge Properties (Pty) Ltd (see company report)
Title Deed Conditions	None that restrict the proposed development.
Servitudes	<ul style="list-style-type: none">- Condition 3B ‘The within described is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No. 1 dated 18, 19, 20 & 24 Mar 1930, as will more fully appear on reference to the copy of the said Order annexed hereto.’- Condition 3C ‘Kragtens Artikel 31(6) van Wet 47 van 1937 (soos gewysig), ‘n Gedeelte van die eiendom hieron vermeld groot 0.1111ha, is ontein deur die Paarl Afdelingsraad kragtens Artikel 27 Ordonnansie 19/1976. Vide onteieningskennisgewing No RMR 4/2/19 gedateer 26 Februarie 1985, geliasseer as onteienings caweat Ex 268/85 planne in tweevoud geliasseer E 268/85.’ <p><i>“By virtue of Notarial Deed of Servitude, No. K683/2017S dated 9 June 2017, the within property is subject to a sewer pipeline servitude, measuring 5.0 metres wide, the centre line of which is represented by the line ABCDEFGH on servitude diagram number SG No. 3230/2014 in favour of Stellenbosch Municipality.”</i></p>
Current Land Use	- Agricultural activities, guest house
Subject to NEMA/NHRA	No.

Applicable Zoning Scheme	Stellenbosch Zoning Scheme By-law, 2019
Current Zoning	<p>Agriculture and Rural Zone (note: spot residential zone V became deemed consent use for guest house)</p>  <p>Figure 1: Zoning (Source: Stellenbosch Municipality Zoning Scheme Maps 2019 – Franschoek 1)</p>

Tourist Facilities Extents

Tourist Facility	Approved Facilities	Proposed Facilities
Country House	4 guest rooms (8 guests)	Additional guest room (2 guests) within existing structure.
Manor House	2 guest rooms (4 guests)	Additional guest room (2 guests) within existing structure.
Cottage	None	2 guest rooms within existing structure.
Total	6 guest rooms (12 guests)	10 guest rooms (20 guests)

MOTIVATION SUMMARY

The application is for regularisation of existing uses.

The application and proposed consent uses are zoning scheme compliant (i.e. no departures) and do not propose any new structures.

The development is consistent with forward planning and policy, including the Western Cape Rural Development Guidelines.