



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15341 (TP244/2022)

Our File Reference Number: Erf 286, Pniel

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [REDACTED]

Sir

APPLICATION FOR A CONSENT USE TO ALLOW FOR AN ADDITIONAL USE AND DEPARTURE ON ERF 286, PNIEL

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows.
 - 2.1 That the application in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law 2023 for a consent use of the additional use exceeding the threshold to allow for the construction of the proposed second dwelling unit over the building lines on Erf 286, Pniel.
 - 2.2 That the application in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 for a departure to relax the street building line from 4m to 3.8m and the common building line from 2.5m to 1.5m (Adjacent to Erf 287) to accommodate the proposed second dwelling unit on Erf 286, Pniel.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.
 - 2.3 The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:

2.4 The approval only applies to the application under consideration, as indicated on Drawing No. 52/2022, Drawn by EJS Consultants, dated 2023-03-02, attached as **Annexure B**, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

2.5 Building plans must be generally in accordance with the site plan and floor layout plan as indicated Drawing No. 52/2022, Drawn by EJS Consultants, Dated 2023-03-02 and attached as **Annexure B**.

2.6 Sufficient on-site parking must be provided in accordance with the provisions of the Zoning Scheme Bylaw as illustrated on the site plan to the satisfaction of the Municipality.

2.7 The conditions of the Directorate: Infrastructure Services as specified in their memo dated, 25 April 2024, and attached as **Annexure D**, be compiled with.

3. The reasons for the above decision are as follows:

3.1 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape.

3.2 The proposal will result in a sensible increase in density which will have minimal impact on the amenities of the adjoining property owners.

4. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

5. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.

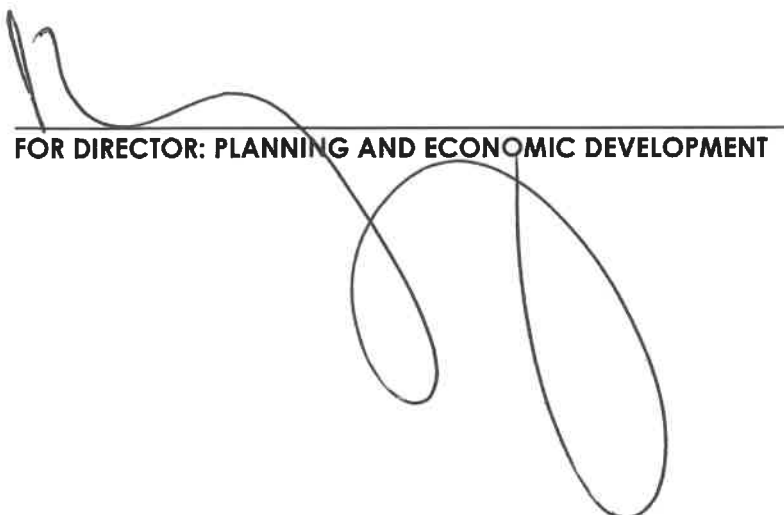
6. **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@ Stellenbosch.gov.za**

7. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the

appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

8. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za or 021- 808 8684.
9. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
11. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

7/8/2024
DATE

ANNEXURE B:
SITE DEVELOPMENT PLAN

ANNEXURE D:
COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES



STELLENBOSCH MUNICIPALITY
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MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Salome Newman
From ▫ Van: Manager: Development (Infrastructure Services)
Author ▫ Skrywer: Kurt Titus
Date ▫ Datum: 25 April 2024
Our Ref ▫ Ons Verw: Civil LU 2637
Town Planning Ref: LU/15341
Re ▫ Insake: Erf 286, Pniel: Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 for the construction of a second dwelling unit on Erf 286, Pniel. Application in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2015 for a departure to relax the street building line from 4m to 3,8m and the common building line from 2,5m to 1.5m (Adjacent to Erf 287) to accommodate the proposed second dwelling unit on Erf 286, Pniel.

The application is **recommended** for approval, subject to the following conditions:

1. Civil Engineering services

- 1.1 The proposed second dwelling is positioned in close proximity to a municipal irrigation water pipe line. No construction is allowed that will prevent access to municipal infrastructure.

- 1.2 Any damages to the proposed second dwelling or existing structures as a result of the irrigation line, the municipality will not be held responsible for any such damages whatsoever.
- 1.3 No additional water and sewer connections are to be made to the existing erf connections. The sewer and water connections must be indicated on a site layout plan at building plan approval stage.
- 1.4 Ensure that all allocated parking bays are indicated as per the municipal zoning scheme on a site layout plan at building plan approval stage.

K Titus

Kurt Titus

Principal Technician: Development (Infrastructure Services)

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