



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14794 (TP102/2022)

Our File Reference Number: Farm 1742/1, Paarl

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [REDACTED]

Sir/Madam

**APPLICATION FOR THE ADMINISTRATOR'S PERMISSION, A CONSENT USE AND DEPARTURE TO
CONSTRUCT AN ADDITIONAL DWELLING UNIT ON PORTION 1 OF FARM 1742, PAARL**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the permission required in terms of restrictive title deed condition IV(8) on page 8 of Title Deed No T159/2022, in order to construct an additional dwelling unit on Portion 1 of Farm 1742, Paarl, **BE GRANTED**.
 - 2.2 That the following application(s) in terms of Section 15(2) of the said Bylaw, promulgated by notice number 8768/2023, dated 9 June 2023 on Portion 1 of Farm 1742, Paarl, namely:
 - 2.2.1 Consent Use in terms of Section 15(2)(o) of the said By-Law, on Portion 1 of Farm 1742, Paarl, to convert an existing building to an additional dwelling unit on the subject property.
 - 2.2.2 Departure in terms of Section 15(2)(b) of the said By-Law to exceed the maximum prescribed floor area of 120m² applicable to an additional dwelling unit, by developing an additional dwelling unit with a floor area of 200m².

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

3. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:

3.1 The approval only applies to the proposed consent use and departure under consideration, as indicated on the site development plan, 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.

3.2 The development must be undertaken generally in accordance with the site development plan, referenced (SDP-FARM 1742/1 - APRIL 2024, Pg1 to 4) and attached as Annexure B.

3.3 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

3.4 Building plans must be generally in accordance with the site plan / floor layout plan as referenced (SDP-FARM 1742/1 - APRIL 2024, Pg1 to 4) and attached as Annexure B.

3.5 That the 3 existing labourer's cottage buildings be converted to 3 single storey dwelling units, each with a 200m² floor area, of which the additional dwelling unit forms part of.

3.6 The building plans submitted must indicate which of the three dwelling units is the additional dwelling unit.

3.7 The rural residential opportunities proposed on the farm are to be subservient to the main agricultural activities.

3.8 That the dwelling units finishing and colour aid in reducing the potential impact of the buildings on their surroundings.

3.9 Existing use rights for an employee housing unit is forfeited by the approval of this application.

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

4.1 The proposal will result in the re-purposing of an existing building located on the subject property.

4.2 The existing infrastructure can be used as the buildings were used for residential purposes.

4.3 The location of the buildings on the subject property is such that they are screened from their surroundings by the existing landscape.

4.4 The proposal will have no impact on the existing or proposed farming activities due to the location of the exist building.

4.5 The proposal will have no impact on existing traffic volumes of the Wemmershoek Road.

4.6 The prevailing use of the property will still be for agricultural purposes notwithstanding the proposal to re-purpose an existing building to be used as a third dwelling unit.

5. 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.

6. Appeals must be submitted 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. The following prescribed information is accordingly required:

6.1 The personal particulars of the Appellant, including:

- a) First names and surname
- b) ID number
- c) Company of Legal person's name (if applicable)
- d) Physical Address
- e) Contact details, including a Cell number and E-Mail address

7. Reference to this correspondence and the relevant property details on which the appeal is submitted.

7.1 The grounds of the appeal which may include the following grounds:

- a) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
- b) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

7.2 Whether the appeal is lodged against the whole decision or a part of the decision.

7.3 If the appeal is lodged against a part of the decision, a description of the part.

7.4 If the appeal is lodged against a condition of approval, a description of the condition.

7.5 The factual or legal findings that the appellant relies on.

7.6 The relief sought by the appellant.

7.7 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

7.8 That the appeal includes the following declaration by the Appellant:

- a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct

b) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

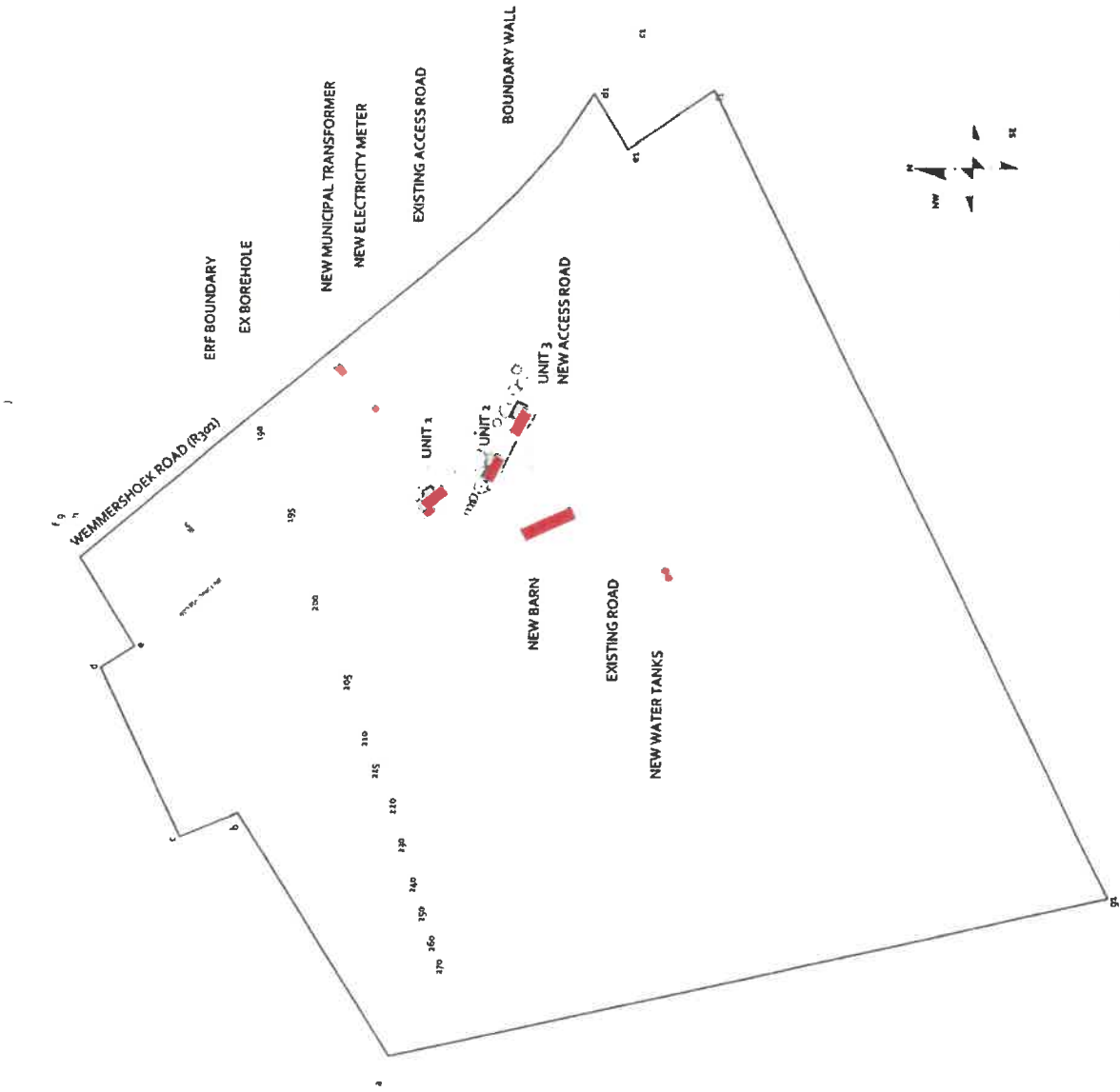
8. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za
9. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal 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.
10. The 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
11. 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.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
13. 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

18/6/2024
DATE

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TYPICAL LAYOUT PLAN

C	2022 08 25	FOR SUBMISSION	DP
B	2022 08 16	FOR INFORMATION	DP
A	2022 05 09	FOR PRECONSULTATION	DP

PROJECT
ALTERATIONS TO EXISTING UNIT

FARM 1742, PORTION 1
WEMMERSHOEK ROAD (R301)
WEMMERSHOEK
STELLENBOSCH

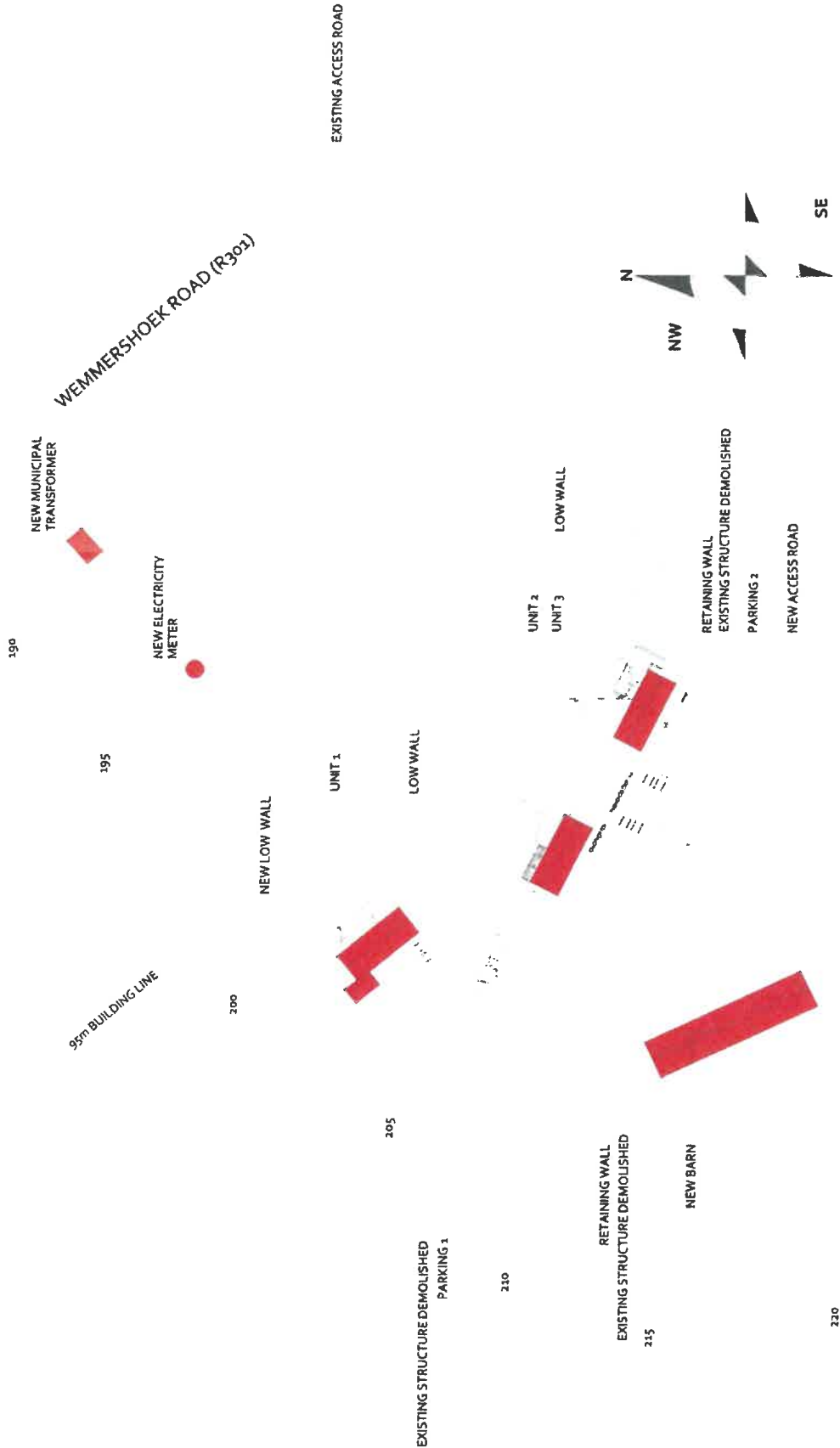
OWNERS:
K2022/924367/07 PROPRIETY LIMITED

ARCHITECT
DYLAN POPE
PrArch 14750511
0848001209

SITE PLAN

0097W-001 | REV C | 1.9.2024 | MAY 2024

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TYPICAL LAYOUT PLAN

C	2022 08 29		FOR SUBMISSION	IDP
B	2022 08 25		FOR INFORMATION	IDP
A	2022 05 09		FOR PRECONSULTATION	IDP

PROJECT
ALTERATIONS TO EXISTING UNIT
FARM 1742, PORTION 1
WEMMERSHOEK ROAD (R301)
WEMMERSHOEK
STELLENBOSCH

OWNERS:
K2021/514347/07 PROPRIETY LIMITED

ARCHITECT:
DYLAN POPE
PrArch 24/50511
0848001209

PRECINCT PLAN

00/20/002 | REV C | 1:1000 A3 | MAY 2022

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ROOFS: METAL SHEETING
ROOF STRUCTURE: TIMBER
WALLS: PLASTERED AND PAINTED
DOORS AND WINDOWS: ALUMINIUM
WERF WALL: PLASTERED AND PAINTED
PERIMETER FENCE: METAL MESH FENCING

2022-08-26 | FOR SUBMISSION | DP

Appendix

ALTERATIONS TO EXISTING UNIT

FARM 1742, PORTION 1
WEMMERDHOEK ROAD (R301)
WEMMERSHOEK
STELLENBOSCH

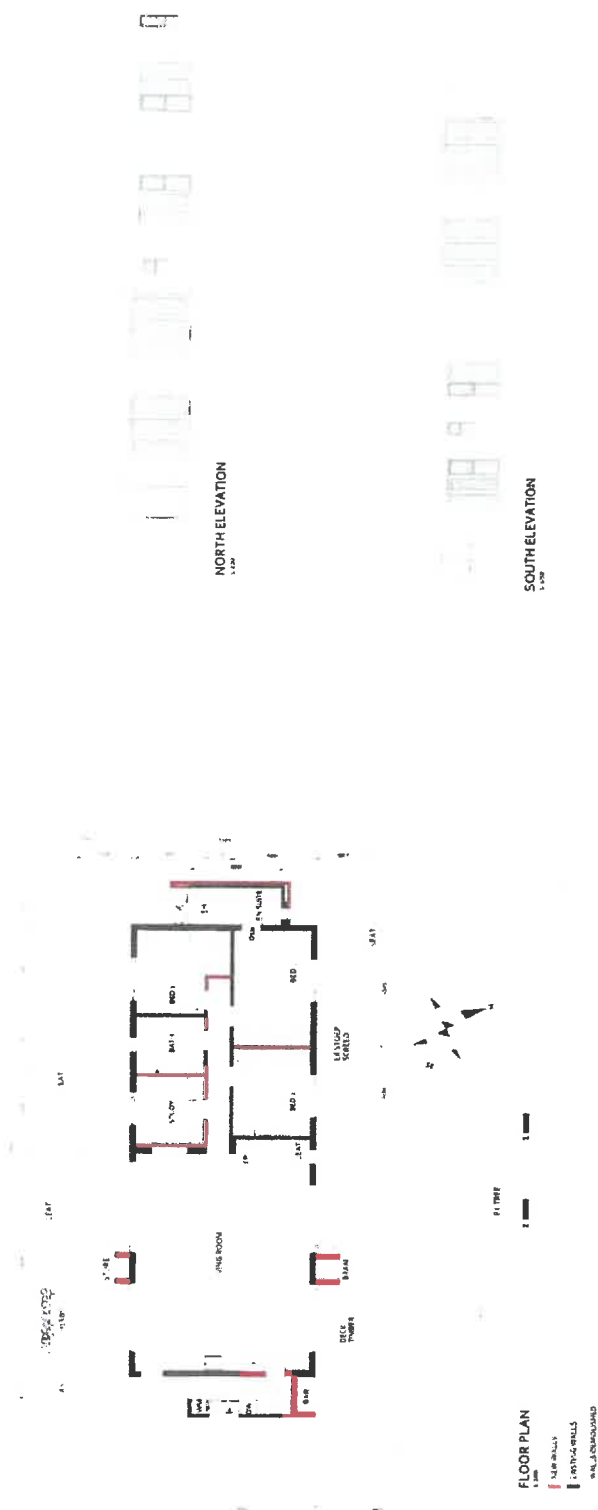
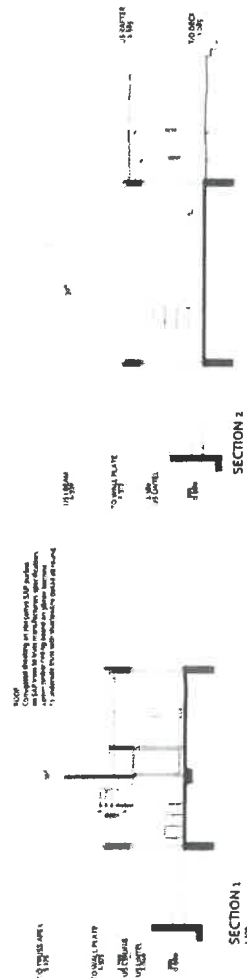
OWNERS.

K2021/914347/07 PROPRIETY LIMITED

ARCHITECT:

DYLAN POPE
PrArch 24750511
0848001209

TYPICAL UNIT PLAN



SECTION 2
SDP-FARM 1742/1 - APRIL 2024 - Pg 3/4

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TYPICAL LAYOUT PLAN

B	2022-08-19		FOR SUBMISSION		DP
A	2022-08-25		FOR INFORMATION		DP

PROJECT

ALTERATIONS TO EXISTING UNIT

FARM 1742, PORTION 1
WEMMERDHOEK ROAD (R301)
WEMMERSHOEK
STELLENBOSCH

OWNERS:

K2022/94337/07 PROPRIETY LIMITED

ARCHITECT

DYLAN POPE
PrA/ch 24750511
0848000209

ELEVATIONS

00000001 | REV B | 1:500 A3 | AUG 2022