

NOTICE OF LAND DEVELOPMENT APPLICATION

APPLICATION TYPE: CONSENT USE TO ALLOW FOR TOURIST ACCOMMODATION ESTABLISHMENT ON PORTION 11 OF FARM 124, STELLENBOSCH (DE KRAAL)

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

Application Property Address: **De Kraal Farm, Helshoogte Road, Stellenbosch**

Application Property Number: **Portion 11 of Farm 124, Stellenbosch**

Applicant: **Arch Town Planners (Pty) Ltd (Marika Bolz, marika@archtownplanners.co.za)**

Owner: **USENTRA PTY LTD, GLOUDINE VERMAAK, 054 331 1150**

Application Reference: **LU/TP TP503/2023**

Description of land development proposal:

Application is made in terms of Section 15(2)(f) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning 2023, for a Consent Use for Tourist Accommodation Establishment in order to accommodate the following:

- to convert existing four residential buildings (with 8 bedrooms used as Guest Accommodation), to 10 units with 16 bedrooms.

Notice is hereby given in terms of the provisions 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 must 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. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: marika@archtownplanners.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 **4 March 2024**.

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 072 480 5838 during normal office hours.

Yours faithfully



Marika Bolz
For Arch Tow Planners

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

VERGUNNINGSGEBRUIK VIR TOERISTE-AKKOMODASIE OP GEDEELTE 11 VAN PLAAS 124, STELLENBOSCH

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

Adres van aansoek eiendom: **De Kraal Plaas, Helshoogte Pas, Stellenbosch**

Aansoek eiendom beskrywing: **Gedeelte 11 van Plaas 124, Stellenbosch**

Aansoeker: **Arch Town Planners (Pty) Ltd (Marike Bolz, marike@archtownplanners.co.za)**

Eienaar: **USENTRA PTY LTD, GLOUDINE VERMAAK, 054 331 1150**

Aansoek Verwysing: **TP503/2023**

Besonderhede van die grondgebruiksaansoek:

Aansoek word gedoen in terme van Artikel 15(2)(0) van die Stellenbosch Munisipaliteit se Beplanningsverordening vir 'n vergunningsgebruik vir Toerisme Akkomodasie ten einde voorsiening te maak vir:

- Om die bestaande 4 resedensele geboue (met 8 slaapkamers vir gaste-akkomodasie) te omskep in 10 eenhede met 16 slaapkamers.

Kennis word hiermee gegee in terme van die voorskryfte 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 tydskur 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, moet 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 terme van Artikel 50 van die tersaaklike Verordening. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: Marike Bolz, marike@archtownplanners.co.za . Deur 'n beswaar, kommentaar of verhoë 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 **4 Maart 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 geskik word vir bystand by die vermelde elektroniese pos adres of telefonies by 072 480 5838 gedurende normale kantoor ure.

Die uwe



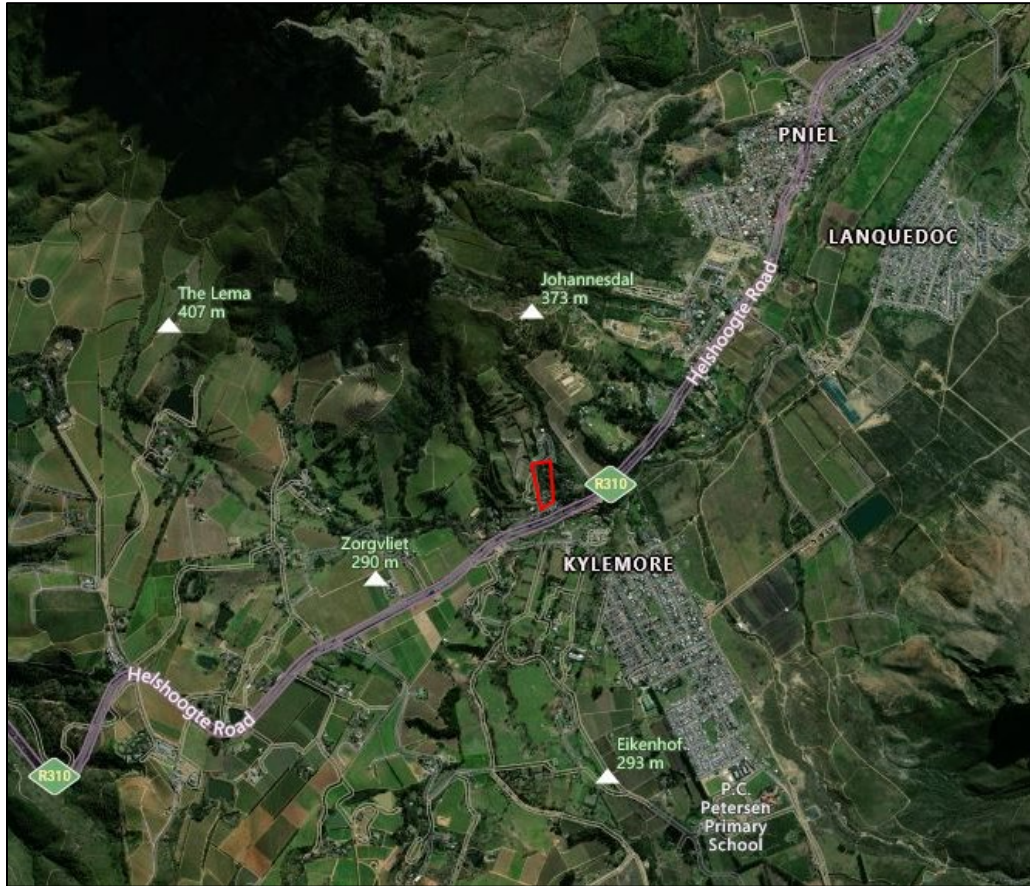
Marike Bolz
Vir Arch Town Planners (Pty) Ltd

CONSENT USE APPLICATION FOR TOURIST ACCOMODATION ESTABLISHMENT

Portion 11 of Farm 124

Rust en Vrede

STELLENBOSCH



January 2024

PREPARED AND SUBMITTED BY:



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1. Introduction

1.1 Background information

Portion 11 of Farm 124 Stellenbosch, hereafter referred to as the application site, is situated in the Stellenbosch Municipality area, on the Helshoogte road, north-east of Stellenbosch Town, and just before Pniel. The application site has approval for a 9-bedroom Tourist Accommodation Establishment in the existing managers cottage, labourer's cottage and second dwelling. New owners recently bought the farm and wish to upgrade the units by adding kitchens to the approved 9-bedrooms and to add 7 additional bedrooms to the units, through internal alterations only, turning the accommodation into self-catering units. The total proposed number of bedrooms, in the four existing units, will then equate to 16.

1.2 Planning Brief

In light of the above-mentioned background information, Arch Town Planners has been appointed by the owners of the property to prepare and submit the relevant application to the Stellenbosch Municipality to obtain their approval for the additional bedrooms and converting some of the bedrooms to units.

1.3 Application

Arch Town Planners hereby officially submits an application in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law (2023) to allow for the following on Portion 11 of Farm 124 Stellenbosch.

- i) Consent to allow for Tourist Accommodation Establishment (10 units) with a total of 16 bedrooms (in lieu of the approved 9 bedrooms);

This report serves as motivation for the above-mentioned application. The official application form is attached as **Annexure B**.

2. Property details

2.1 Ownership Details and Title Deed

Property Details	Ownership	Erf Size	Title Deed	Restrictive Title Deed Conditions
Portion 11 of Farm 124 Rust en Vrede, Stellenbosch	USENTRA PTY LTD	1,84 ha	T46480/2022	None

Table 1: Property Details

Please refer to **Annexure C** for a copy of the Title Deed.

2.2 Locality

The application site is situated approximately 7km north-east of Stellenbosch, on the Helshoogte Road. With Pniel to the north and Kylemore to the south of the application site. Please refer to Figures 1 and 2 below for the locality plans.

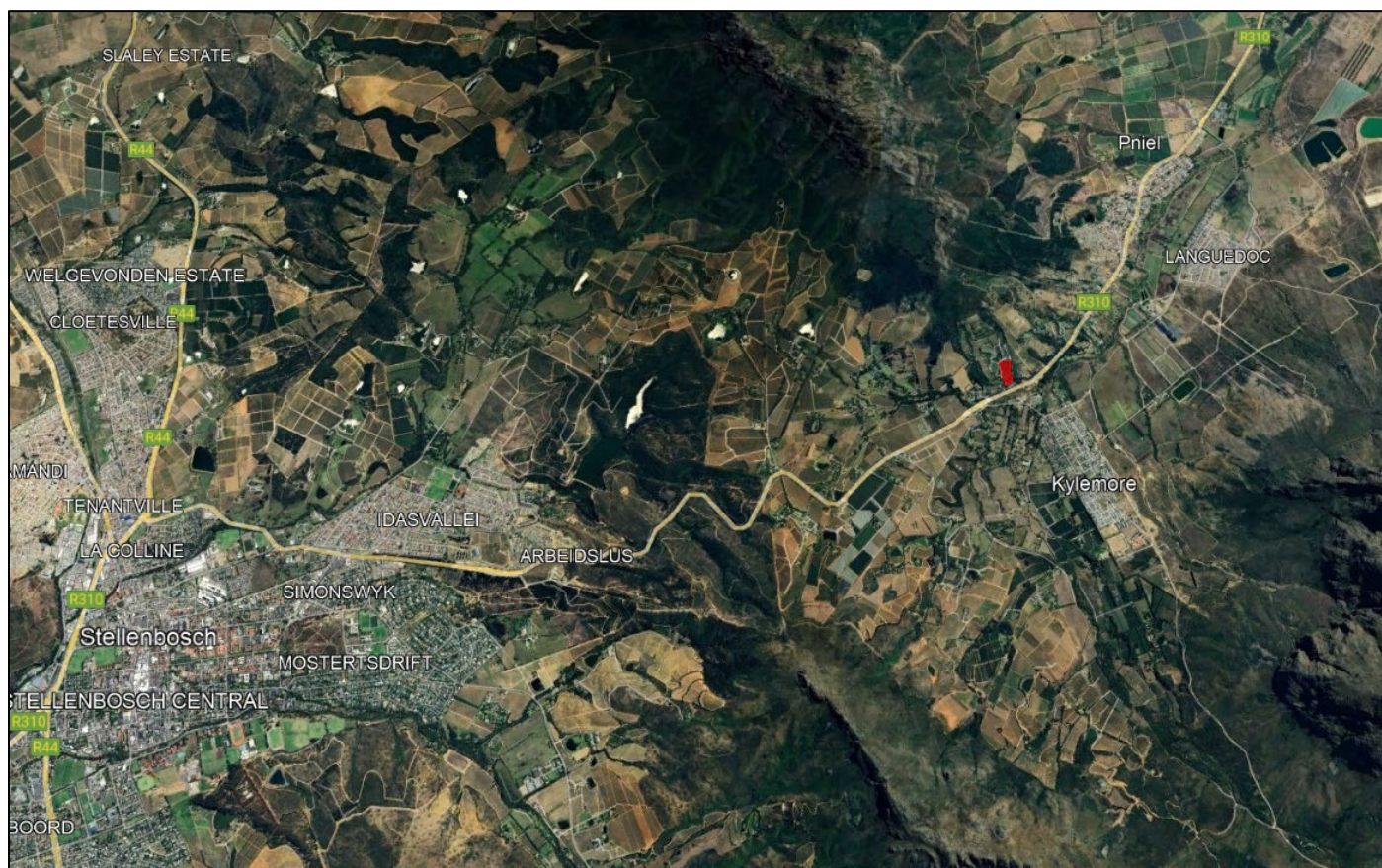


Figure 1: Regional Locality Plan

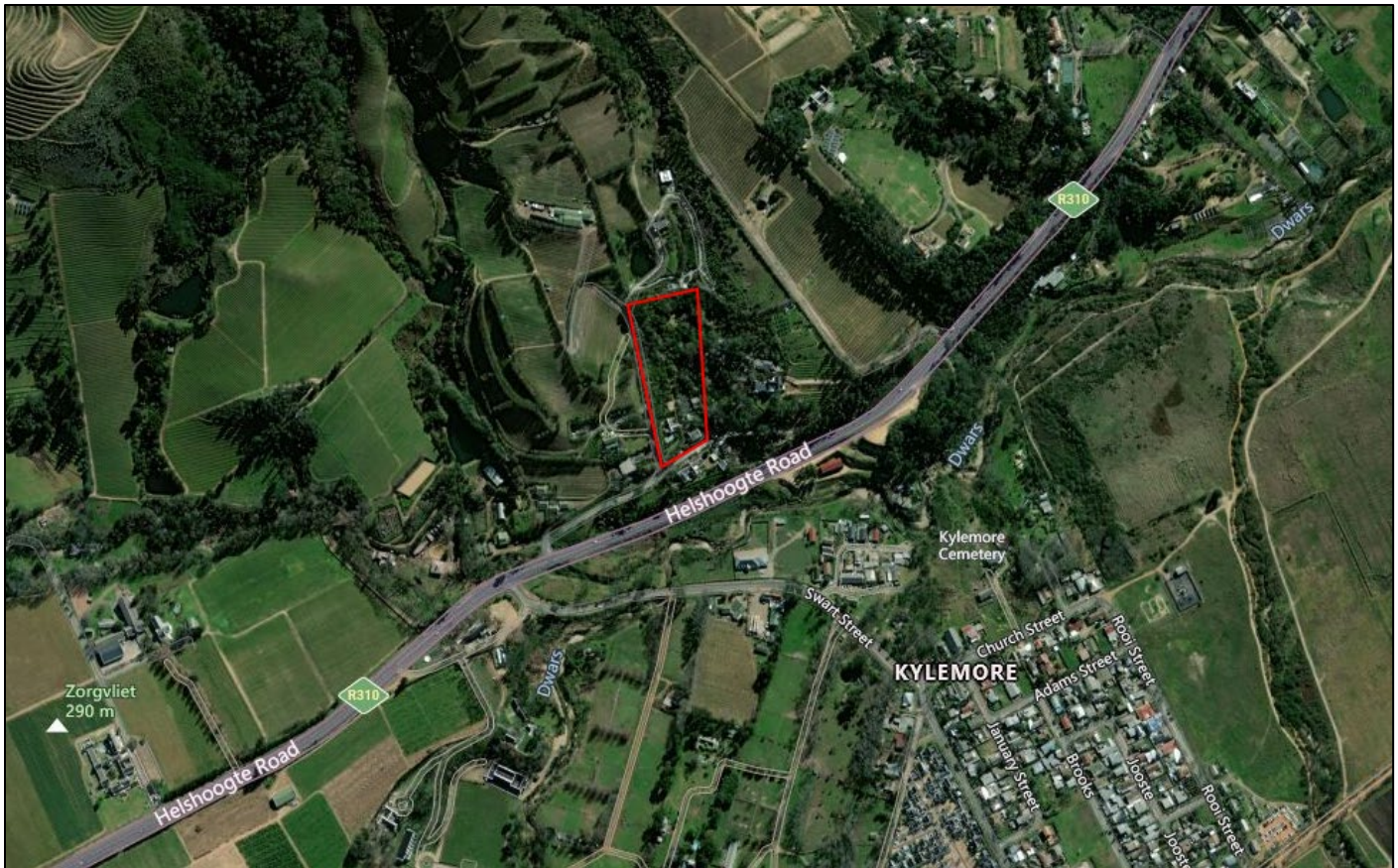


Figure 2: Locality Plan

2.3 Physical characteristics, existing and surrounding land uses

The application site lies directly west of the Optima Rust en Vrede Hospital and east of the Hillcrest Berry Farm, on the slopes of Simonsberg. Please refer to Figure 4 for an aerial view of the application site and surrounding area.

The application site is a total of 1,84 ha in extent and has 4 existing residential buildings, of which three building (the labourer's cottage, the second dwelling and the managers cottage) has land use approval to be used as guest accommodation (in total 9 bedrooms). The main dwelling unit has been used as the main dwelling on the property.

There are no active agricultural activities currently on site, but the site is known for its natural beauty, surrounded by the farms and mountains, which are the main attraction for tourist to the farm. Please refer to Figure 3 for an aerial view of the application site.

The application site takes access along it's southern boundary via a service road over Hillcrest Berry Farm which connects the application site to the Helshoogte Road.



Figure 3: Aerial View of the Application Site



Figure 4: Location of access gate to Farm



Figure 5: Location access on Helshoogte Road

Figure 6 below emphasises the access from the Helshoogte road and indicates the designated left turn lane from the eastern side (approaching from Pniel) and the available area for left- in turns if approaching from direction Stellenbosch.



Figure 6: Arial photo of access on Helshoogte Road

2.4 Previous Approvals and Land Uses

Figure 7 below provides an extract of the approved SDP (dated 1997) indicating the approved buildings on the application site. The structures include 4 dwelling units, a garage and a swimming pool.

AD		SKATTINGSREKORD		PLAAS No.	124/11	VERW. No.	Wye 2
				VEL	1	VAN	VELLE
				GROOTTE:	1,8424 Ha		
				Item	Geboue		
				1	WOONHUIS		
				2	WOONHUIS		
				3	GARAGE		
				4	WOONHUIS		
				5	SWEMBAD		
				6			
				7	WOONHUIS		
				<p>MINIMUM HORIZONTAL AFSTAND VAN STRUKTURE VANAF KRAAGLYNE</p> <p>MINIMUM HORIZONTAL DISTANCES OF STRUCTURES FROM POWERLINES</p> <p>SPANNING VAN KRAAGLYN</p> <p>VOLTE OF POWERLINE</p> <p>BOULYN BUILDING LINE</p> <p>5.6 M</p> <p>3.8 M</p> <p>3.2 M</p> <p>3.0 M</p> <p>3.0 M</p> <p>3.0 M</p> <p>3.0 M</p> <p>33 KV</p> <p>20 KV</p> <p>11 KV</p>			
				<p>1:10 000 (A4)</p>			

Figure 7: 1997 Approved SDP

In 1999, a more detailed SDP was approved (please refer to Figure 8 below) which provide more details on the use and footprints of the building. It also indicated the approved tennis court.

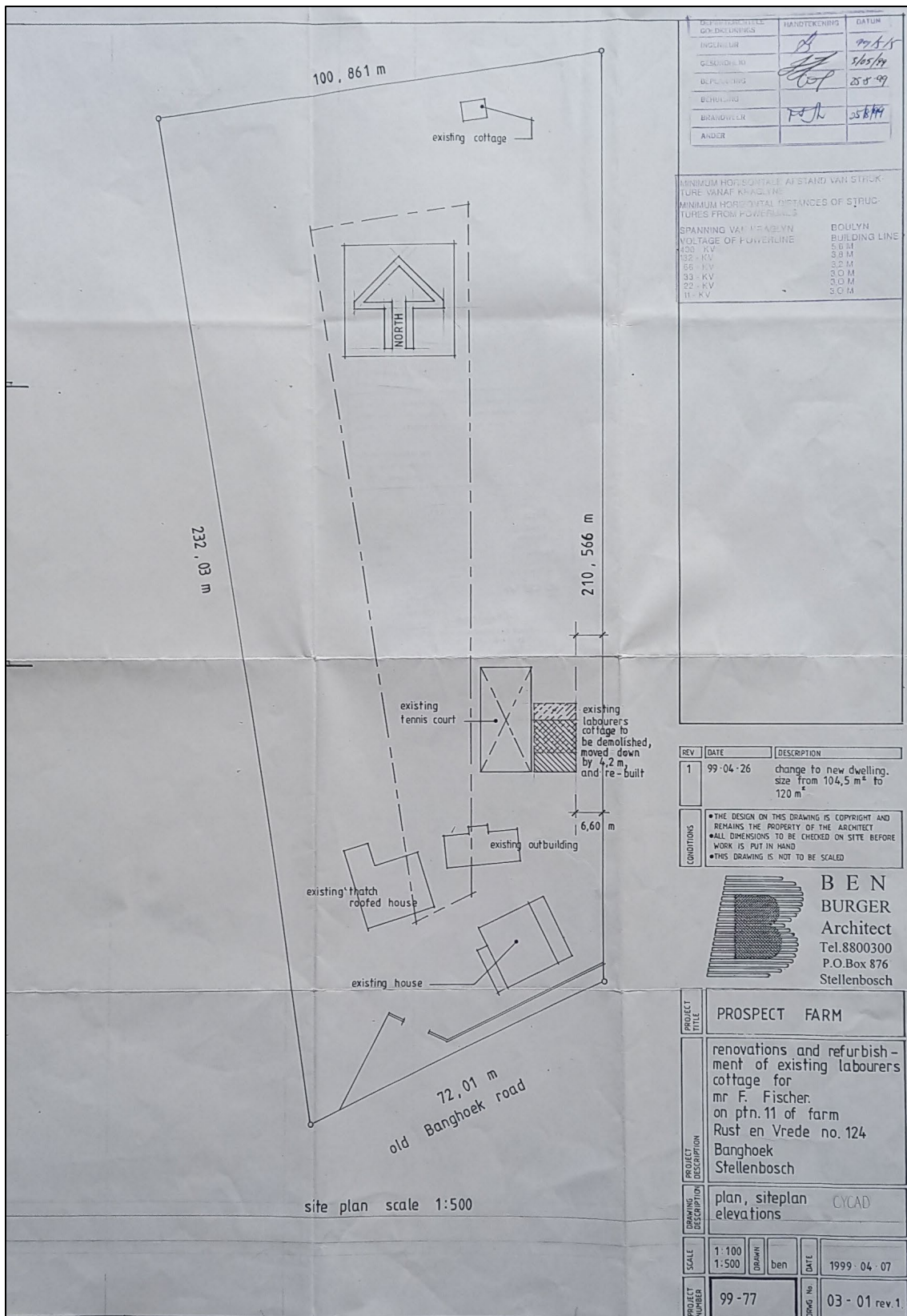


Figure 8: 1999 Approved SDP

In 2006 approval was granted to convert the existing outbuilding to a cottage (now referred to as a Managers Cottage) and to use this cottage as a guest house. This 2006 approval also included the following:

- Rezoning of a portion of the site (410m²) to Residential zone V to accommodate 9 guest rooms (in existing buildings)
- Consent Use for a dining facility (40m²) for the occupants of the guest rooms.
- Please refer to **Annexure F** for a copy of the zoning certificates dated 13 December 2011, confirming the approval, as well as the more recent zoning certificate dated September 2021.

Please refer to Table 2 below which indicates the number of bedrooms approved for each building:

1999 SDP Description	Approved guest bedrooms (as per 2021 zoning certificate)
Existing thatch roofed house	Main dwelling
Existing house	Second dwelling (4 bedrooms)
Labourers' cottage	Labourers' cottage (2 Bedrooms)
Existing outbuilding	Managers cottage (3 bedrooms)

Table 2: Building Names

In 2010 approval was granted for the following:

- Temporary departure to allow for 600m² (existing swimming pool with lapa and a portion of the garden) for the hosting of formal outdoor functions.

Please note that this approval lapsed in 2015.

2.5 Current zoning

The application site is zoned **Agriculture and Rural with Consent for a tourist accommodation Establishment for a 9-bedroom guest accommodation** facility consisting of rooms within the converted manager's cottage, laborer's cottage and second dwelling. Please refer to **Annexure F** for a copy of the zoning certificate.

Table 3 below lists all the Primary Uses (In terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019) allowed on the site. The land uses listed as Additional Uses and Consent Uses (including a tourist accommodation establishment and tourist facilities) require formal approval from the Stellenbosch Municipality.

Primary Uses	Additional Uses (not exceeding threshold and subject to technical approval)	Consent Uses (Application Required)
<ul style="list-style-type: none"> • Agricultural building ($\leq 2000\text{m}^2$) • Agriculture • Dwelling house • Forestry • Natural environment • Occasional use (one event / year) • Private road • Polytunnel ($\leq 2000\text{m}^2$) • Second dwelling • Employee housing (one unit) 	<ul style="list-style-type: none"> • Agricultural building ($> 2000\text{m}^2$) • Agricultural industry ($< 2000\text{m}^2$) • Bed and breakfast establishment • Employee housing (exceeding one unit) • Guest house • Home day care centre • Home occupation practice • Polytunnel ($\geq 2001\text{m}^2$ and $\leq 5000\text{m}^2$) • Rooftop base telecommunication station • Tourist dwelling units. • Tourist facility (existing buildings) 	<ul style="list-style-type: none"> • Abattoir • Additional dwelling units (max 4) • Airfield • Airstrip • Agricultural industry ($\geq 2000\text{m}^2$) • Camping site • Day care centre • Freestanding base telecommunication station • Helicopter landing pad • Intensive feed farming • Kennel • Market • Occasional use ($> one event/year$) • Plant nursery • Polytunnel ($> 5000\text{m}^2$) • Renewable energy structure • Service trade • Tourist accommodation establishment • Tourist facility (new buildings or exceeding threshold) • Any additional use exceeding the threshold set out in this chapter

Table 3: Permitted Land Uses

It is important to note the definition of **Tourist Accommodation Establishment**: an enterprise which provides the accommodation for **transient guests** which exceeds the scale and extent of tourist dwelling unit or guest house, and which is also not a hotel with its ancillary public facilities, and:

- i) may have an informal, clustered layout which takes cognisance of the natural features of the site and where internal road standards do not necessarily comply with formal township standards;
- ii) **may consist of self-catering units;**
- iii) and where enabled by the Scheme, may include tourist facilities subject to the development parameters of the particular zone;
- iv) where the following land uses may only be undertaken only with the specific further consent use approval of the Municipality regardless of whether tourist accommodation or tourist facilities is a primary right in that zone or not:

- a) additional facilities for day visitors;
- b) wellness centres and meeting rooms which serve resident guests;
- c) camping sites with ancillary facilities;
- d) tented accommodation, tree houses, mobile accommodation or the use of any construction materials and methodologies that are not ordinarily used;

As the combined total number of bedrooms to be used for tourist accommodation exceeds 7 bedrooms, it is classified as a Tourist Accommodation establishment. As mentioned above, there is an existing approval in place to allow for a Tourist Accommodation Establishment (allowing for the use of bedrooms) but the number of bedrooms were limited to 9. As mentioned above, the intention is now to increase the total number of bedrooms to 16, and to add kitchens to the units which will trigger the conversion of some of the “bedrooms” to “units”.

3. Development Proposal

3.1 Proposed Development

The proposed development entails the use of all the existing residential buildings as self-catering tourist accommodation units with a total of 16 bedrooms (in the four existing units).

The tourist accommodation units will all be within the existing buildings and will be created through minor amendments to the existing buildings. The main difference is that the owner intends to add kitchens to some of the bedrooms, which will convert the existing bedrooms into self-catering units, and creating 7 additional bedrooms (on the existing footprints) through internal changes to the buildings. Table 4 below provides a summary of the approved number of bedrooms per building vs the proposed number of units and bedrooms (all within the same existing buildings).

Number of bedrooms previously approved (2012)	Proposed Number of Units	Proposed Number of Bedrooms	Building Reference on Proposed SDP
Main dwelling (0)	2 units	2 bedrooms/unit = 4 bedrooms	Unit 1
Second dwelling (4 bedrooms)	4 units	2 bedrooms/unit = 8 bedrooms	Unit 2
Managers cottage (3 bedrooms)	3 units	1 bedroom/unit = 3 bedrooms	Unit 3
Labourers' cottage (2 Bedrooms)	1 unit	1 bedroom/unit = 1 bedroom	Unit 4
Total: 9 bedrooms	Total 10 units	Total: 16 bedrooms	

Table 4: Comparison between approved and purposed number of bedrooms and units in existing buildings.

The main internal amendments will be to convert the existing buildings to a number of units by adding kitchens to each unit and to create more bedrooms per unit (within the existing building and on the existing footprint). The proposed development can be summarized as follows:

- The Main dwelling was previously not used for tourist accommodation but will now be turned into 2 x 2 bedroom units, thus adding 4 bedrooms.



Figure 9: Existing Main Dwelling Unit

- The Second dwelling will be converted to four units, with 2 bedrooms each (allowing for 8 bedrooms)



Figure 10: Existing Second Dwelling Unit

- The number of bedrooms for the Mangers cottage will stay unchanged, the proposed development will entail internal alterations to add kitchens to each unit (no additional bedrooms will be created).



Figure 11: Existing Additional Dwelling Unit (Managers Cottage)

- It is proposed to extend the Labourers cottage with 60m² and to convert the previous approved 2xbedroom unit to a 1xbedroom unit to create a more luxurious and spacious unit which can be used for a “honeymoon suite”



Figure 12: Existing Additional Dwelling Unit (Labourers Cottage)

The total proposed floor space for the Tourist Accommodation Establishment unit 1,2,3 &4 is approximately 893m² with a total coverage of approximately 720m².

Please refer to Annexure E for the Proposed SDP, Floor Plans and Elevations

Parking will be provided next to the existing buildings.

3.2 Traffic Impact

As confirmed by consulting traffic engineers, the additional trips created by the 7 additional bedrooms is considered minimal it is therefore considered that the proposed development does not warrant a TIS. It should also be noted that the existing access from the Helshoogte road to the application site, with a designated right turn lane if approaching from direction Pniel, and a wide shoulder if approaching from direction Stellenbosch, is sufficient to provide safe access to the proposed development.

4. Motivation

When considering a consent use application, the Municipality shall adhere to the assessment criteria and other requirements as set out in Section 213 of the By-Law which are listed below:

- (1) Prior to approving a consent use application for the conversion of any existing buildings on a land unit in this zone, the Municipality shall require a site development plan to be submitted in accordance with the requirements in section 216.
- (2) When approving new consent uses the Municipality shall have regard for the objectives of the zone namely the preservation of agricultural land and the continued use of farmland for agriculture.
- (3) The scale of the individual buildings used for consent uses shall remain in keeping with the character of buildings on the land unit, the character of the area and non-agricultural land uses may not dominate the farm activities or buildings form.
- (4) A consent use application for an abattoir, airstrip, meeting facilities associated with a guest house, day care centre, helicopter landing pad, hotel, outdoor sport, **tourist accommodation establishment** and tourist facilities which exceed the threshold may only be approved if the Municipality is satisfied that the use is subservient to the primary use of bona fide agriculture or natural environment or combination of these two primary uses.
- (5) These consent uses may only be undertaken from a land unit where the primary use of the land unit is bona fide agriculture/and or natural environment and where the proposed activity is subservient to these two primary land use activities on the land unit.
- (6) If agriculture or natural environment use is not conducted from the farm, or if agriculture or natural environment use ceases to be practiced on the land unit, a rezoning is required before non-agricultural consent uses may be exercised.
- (7) As far as possible, the consent uses should be undertaken from **existing buildings** on the property which are

no longer utilised for their original purpose, and the Municipality may approve internal alterations and additions to these buildings within the parameters of this Scheme.

- (8) New buildings may only be approved if the Municipality is satisfied that there are no other suitable unused buildings on the land unit which can be used for this purpose, or where the location or configuration of existing buildings are obviously unsuitable or undesirable for the proposed use, or where the proposed new buildings are significantly more desirable given the purpose of the Agriculture and Rural zone.
- (9) The coverage or floor area of each approved consent use on the land unit shall be recorded on the farm site development plan, and the Municipality may limit the floor area or coverage of each particular land use or the total floor area or coverage that may be used for consent uses.

Section 65(1) of the By-law, sets out further certain criteria which needs be met in consideration of an application by the decision- making authorities. In line with this section, Table 5, below, sets out the criteria and assesses the application accordingly:

Section 65(1) Criteria	Assessment of Proposal
a. Application submitted in terms of the By-law.	The application is submitted in terms of Sections 15(2)(o) of the By-law.
b. Procedure followed in processing the application.	To be decided by the municipality.
c. Desirability of land use	<p>The approval of the application will not negatively affect the surrounding area, as motivated for below:</p> <ul style="list-style-type: none"> • The proposed development will be on existing footprints and accommodated in the existing buildings. There will therefore be no loss of agricultural/natural land on the farm. There will therefore be no loss of agricultural/natural land on the farm. • The scale of the proposed development will remain in keeping with the character of buildings on the land unit and the character of the area. The proposed use will not impact or dominate the natural environment activities. • There are currently no agricultural activities on the farm, and the open areas on the farm is used as natural landscape. The income to be generated from the additional accommodation will help enable the landowner to reinvest money back into the farm to establish natural areas, control invasive species and create areas

	<p>that can be used for outdoor leisure activities. The proposed land use will therefore help with the protection of natural land.</p> <ul style="list-style-type: none"> • It is considered that the proposed land use will be subservient to the primary use of natural environment. • The proposed tourist accommodation will create employment opportunities in the area. • The owners of the property do not live on the property on a full-time basis. By having the flexibility to use the buildings as tourist accommodation at the times when they are not there ensures that the farm is not deserted for long periods, which will increase security and safety on the farm and the area. • The Banghoek area is known as a popular tourist attraction in the Stellenbosch area. Numerous tourists visit the area and the need for tourist accommodation is on the rise. The development seeks to use existing buildings on an unproductive agricultural farm to serve these needs • It is considered that the proposed land use will be subservient to the primary use of natural environment. • The proposed land use will not result in any overlooking and loss of privacy to surrounding owners. The farm is located in a low laying area and there is thick vegetation on the borders of the farm mitigating privacy concerns. • The proposed land use will not result in a notable increase in traffic and will not add substantial additional load on any services infrastructure.
d. Comment in response to public participation.	The application to be advertised in accordance with the Stellenbosch Municipality's requirements.
e. Applicants' response to comments received.	To be submitted as part of the Portfolio of Evidence upon conclusion of the Public Participation Process.
f. Investigations in terms of other laws.	Not Applicable.
g. Written assessment by planner.	To be done by the Stellenbosch Municipality.

h. Impact on municipal engineering services.	None
i. The IDP and SDF	<p>PSDF set out 3 spatial themes.</p> <p><u>Resources</u></p> <p>The wise use of the Western Cape's unique asset base, connectivity of the biodiversity area, protection of arable soil and mineral resources.</p> <ul style="list-style-type: none"> The development will use the natural and cultural resources wisely and sustainably through tourism and protect mineral and soil resources by focusing development on existing footprints. <p><u>Space economy</u></p> <p>The Western Cape economy comprises of diverse activities and the areas connect through infrastructure, the rural economy is not only about agriculture but needs diversification and the rural economy should pursue value adding activities.</p> <ul style="list-style-type: none"> The development is in line with the space economy goals and seeks to diversify the rural economy add value in a sustainable way through a diverse number of economic activities mainly related to tourism. <p><u>Settlement</u></p> <p>The Western Cape's unique sense of place and identity, heritage, cultural and scenic aspects require smart growth and efficient use of land to contain urban sprawl and create more compact and connected human settlements.</p> <ul style="list-style-type: none"> The development will not lead or encourage urban sprawl as it specifically seeks to not rezone. The development is allowed for as a consent use application that will be in predominantly on existing footprints.
j. IDP and SDF of district Municipality.	<p>Stellenbosch Municipality MSDF is used to guide land use decisions in both the short and long term. The section below indicates how the proposed land use will comply with these proposals:</p> <ul style="list-style-type: none"> The proposed development will not result in the loss of agricultural land or will in any way negatively affect the scenic character of the area. The proposed development will attract tourists to the area to the benefit of the wider community. The proposed development will enable the protection of the natural environment. <p>The proposed development will make optimal use of existing services and will not require any services upgrades.</p>

k. IDP and SDF of local Municipality	Discussed and addressed under i and j, above.
l. Applicable structure plans	N/A
m. Applicable policies for decision making.	Aligned.
n. Provincial spatial development framework	The application is in line with the Municipal and District SDF and IDP, which is informed by the provincial IDP and SDF which all promotes additional uses on Agricultural land to provide additional income. Thus, the application is in line with the provincial SDF.
o. Regional spatial development framework.	N/A
p. National policies, norms and criteria.	N/A
q. Section 42 of the Spatial Planning and Land Use Management Act.	The application is considerate towards the requirement and provisions of Section 42 of the Spatial Planning and Land Use Management Act.
r. Chapter VI of the Land Use Planning Act	<p><u>Spatial Justice:</u> Aligned. The proposed development will attract tourists to the area which will help with local economic growth.</p> <p><u>Spatial Sustainability:</u> Aligned. The proposed land use will have most of the additional development on existing footprints, it will optimize the use of existing buildings and infrastructure. It does not result in urban sprawl.</p> <p><u>Efficiency:</u> Aligned. This application entails the utilisation of existing infrastructure on an optimal level. The proposal will allow for the efficient utilisation of land.</p> <p><u>Good Administration:</u> The approval of this application will be in the best interest of the Stellenbosch Municipality.</p> <p><u>Spatial Resilience:</u> Through the approval of this application, there will be no negative impact on the surrounding area; nor would there be any additional risk to the resilience of human residents in the area.</p>
s. Applicable provisions of the zoning scheme	<p>The purpose of Agriculture and Rural zone is to make provision for:</p> <ul style="list-style-type: none"> • The protection and preservation of agricultural land, rural landscapes, and biodiversity. ○ The development seeks to protect the natural environment by focusing on tourism (in existing buildings and on existing developed footprints) and in doing so reducing the pressure to use the farm for urban development while generating the available capital to protect the natural landscape.

	<ul style="list-style-type: none"> • Use of land for purposes of bona fide agricultural production or conservation. ○ As stated, there are no agricultural activities on the farm and the farm is used for its natural environment and beauty through tourism. • a Limited range of other ancillary uses which may take place on agricultural land units, either as additional rights or with the consent of the Municipality and which provides for more intensive agricultural use, agricultural industry or tourism which has the objective of creating variety, ensuring sustainability, and providing diversified income to landowners, without adversely impacting on the primary use of the land unit for agricultural purposes. ○ The zoning scheme allows for the ancillary use of the farm for tourism with the objective of sustainability and diversification of income without adversely impacting the primary use.
Section 213 of the zoning scheme.	<p>Section 213 Consent uses in Agriculture and Rural Zone.</p> <ol style="list-style-type: none"> 1) Prior to approving a consent use application for the conversion of any existing buildings on a land unit in this zone, the Municipality shall require a site development plan to be submitted in accordance with the requirements in section 216. <ul style="list-style-type: none"> • Complies, an SDP is included in the application. 2) The scale of the individual buildings used for consent uses shall remain in keeping with the character of buildings on the land unit, the character of the area and non-agricultural land uses may not dominate the farm activities or buildings form. <ul style="list-style-type: none"> • Complies, the farm has no agricultural activities, and the proposed development will occur mainly on previously disturbed land of which no land is used for agriculture. 3) The scale of the individual buildings used for consent uses shall remain in keeping with the character of buildings on the land unit, the character of the area and non-agricultural land uses may not dominate the farm activities or buildings form. <ul style="list-style-type: none"> • As there are no farming buildings or activities on the farm. The proposed buildings will thus not be out of scale for the surrounding area and the current non-agricultural buildings on the farm. 4) A consent use application for tourist facilities which exceed the threshold may only be approved if the Municipality is satisfied that the use is subservient to the

	<p>primary use of bona fide agriculture or natural environment or combination of these two primaries uses.</p> <ul style="list-style-type: none"> As there are no agricultural activities on the property the main use of the property is natural environment. There are various meandering pathways through the property to admire the natural environment. The application will provide the owners of the property to gain an income from tourist that visit the application site in part due to its natural beauty and through tourism protect and encourage the conservation of the natural environment. <p>5) These consent uses may only be undertaken from a land unit where the primary use of the land unit is bona fide agriculture/and or natural.</p> <ul style="list-style-type: none"> As stated, there are no agricultural activities and the development will allow the application site to use the natural environment to generate an income. <p>6) If agriculture or natural environment use is not conducted from the farm, or if agriculture or natural environment use ceases to be practiced on the land unit, a rezoning is required before non-agricultural consent uses may be exercised.</p> <ul style="list-style-type: none"> The applicant does not seek to rezone as it is not in the character of the surrounding area and the application site is outside of the urban edge. It is motivated that the development will grant the applicant the monetary means to ensure the protection of the natural environment while simultaneously using the beauty of the natural environment to attract tourist. <p>7) As far as possible, the consent uses should be undertaken from existing buildings on the property which are no longer utilised for their original purpose, and the Municipality may approve internal alterations and additions to these buildings within the parameters of this Scheme.</p> <ul style="list-style-type: none"> Complies <p>8) New buildings may only be approved if the Municipality is satisfied that there are no other suitable unused buildings on the land unit which can be used for this purpose, or where the location or configuration of existing buildings are obviously unsuitable or undesirable for the proposed use, or where the proposed new buildings are significantly more desirable given the purpose of the Agriculture and Rural zone.</p> <ul style="list-style-type: none"> Complies <p>9) The coverage or floor area of each approved consent use on the land unit shall be recorded on the farm's site development plan, and the Municipality may limit</p>
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	<p>the floor area or coverage of each particular land use or the total floor area or coverage that may be used for consent uses.</p> <ul style="list-style-type: none"> Complies, Coverage is included in the SDP. <p>As discussed, the proposed development is in line with the provisions of the Zoning Scheme.</p>
Section 216 of the zoning scheme.	<p>Section 216 Site development plan</p> <p>There is an SDP included in the application liable to section 216 requirements and guidelines.</p>
t. Restrictive conditions	N/A

Table 5: Assessment of Application in terms of Section 65 of the By-law

Table 6 below summarizes relevant guidelines applicable on the consent use application set out by the Rural Guidelines 2019 document.

Rural Areas Guidelines 2019	Assessment of Proposal
Objectives	<ul style="list-style-type: none"> Promote sustainable development in appropriate rural locations throughout the Western Cape and ensure the inclusive growth of the rural economy. <ul style="list-style-type: none"> The development complies by stimulating growth through tourism. Safeguard priority biodiversity areas and the functionality of the Province's life supporting ecological infrastructure and ecosystem services (i.e.environmental goods and services). <ul style="list-style-type: none"> The development complies. Maintain the integrity, authenticity and accessibility of the Western Cape's significant farming, ecological, coastal, cultural and scenic rural landscapes, and natural resources. <ul style="list-style-type: none"> The development will have no negative effect on the integrity, authenticity and accessibility of the Western Cape's significant farming, ecological, coastal, cultural, and scenic rural landscapes.

	<ul style="list-style-type: none"> • Assist Western Cape municipalities to plan and manage their rural areas more effectively, and to inform the principles of their zoning schemes and spatial development frameworks in a pro-active manner. ○ The development complies.
Rural vision	<p>The Western Cape economy is founded on the Province's unique asset base. These include farming resources, that make the Western Cape the country's leading exporter of agricultural commodities and whose value chains (e.g.agri-processing) underpin the Province's industrial sector; and its natural capital (i.e.biological diversity) and varied scenic and cultural resources which are the attraction that makes the Western Cape the country's premier tourism destination.</p> <ul style="list-style-type: none"> ○ The development seeks add to the rural economy by making use of the natural and cultural aspect of the area and the application site to attract tourist, and thus making use the above-mentioned resources in a sustainable way. The development will also provide economic empowerment through jobs in the local area.
Tourist accommodation guidance for implementation	<ul style="list-style-type: none"> • Preferably close to urban area ○ The development occurs within proximity to Kylemore but is outside of the urban edge. • Appropriate scale ○ The scale is appropriate for the surrounding area. • Clustered and visually discrete in rural context ○ The application site is a densely vegetated site thus the development will be discrete. • Cater for temporary accommodation. ○ Complies • Reinforce rural landscape qualities. ○ The development does not negatively impact the rural landscape. • Include appropriate buffer to reduce visual impact. ○ The application site is a densely vegetated site thus the development will have no negative visual impact. • Not detract from rural character.

	<ul style="list-style-type: none"> ○ Complies • Make use of existing buildings or new buildings on disturbed footprints. ○ Complies • Adjacent to existing farm routes ○ Complies • Not accepted under the 1:100 flood line ○ Complies • Restricted to 1 unit per 10ha to a maximum of 5. ○ Complies, the rooms will be within existing buildings.
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Table 6: Rural Guidelines

5. Conclusion

In light of the above information, Council is respectfully requested to favourably consider the application for the following:

- i) Consent to allow for Tourist Accommodation Establishment (10 units) with a total of 16 bedrooms (in lieu of the approved 9 bedrooms);

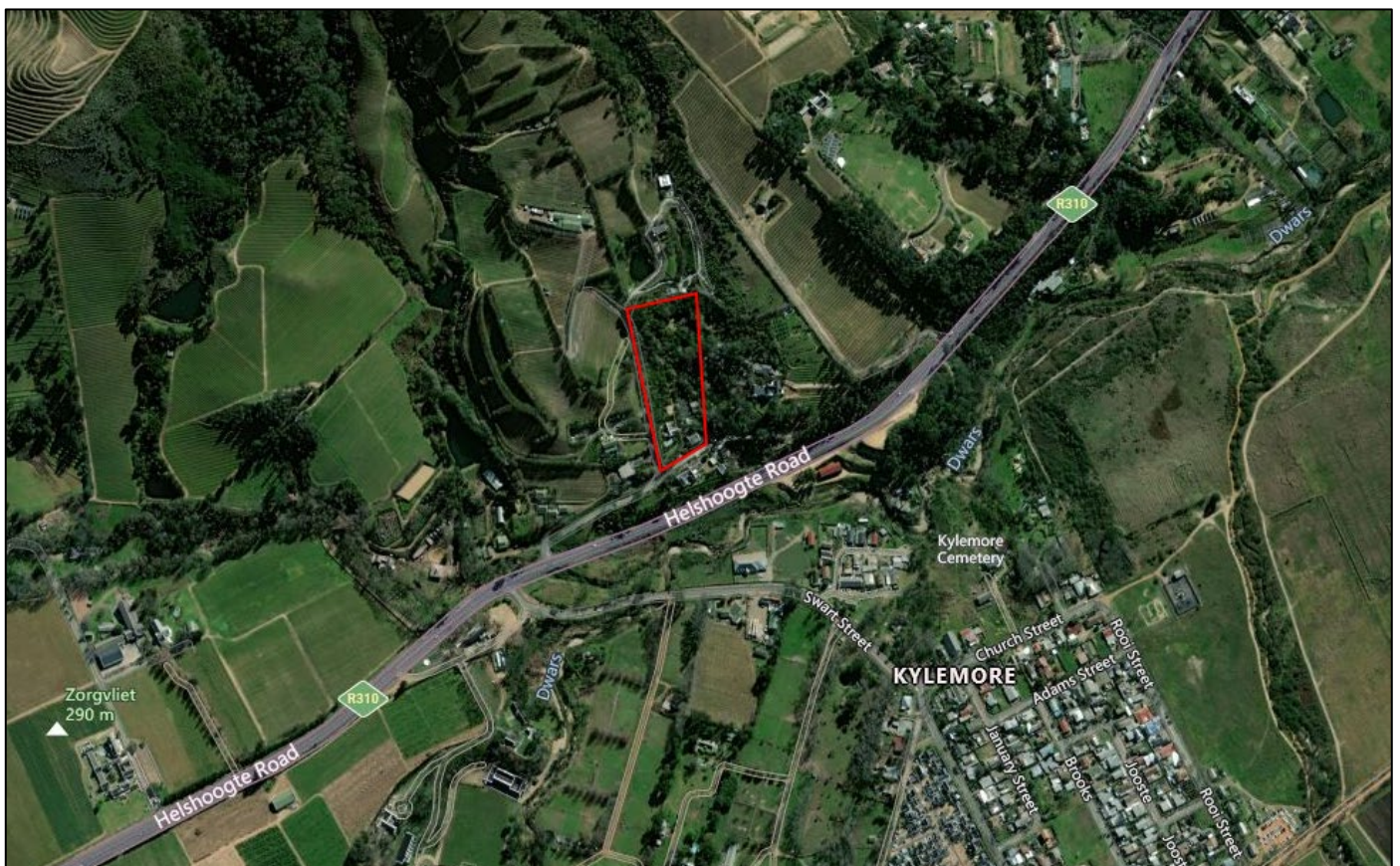
Report compiled by:

Renaldo Muller

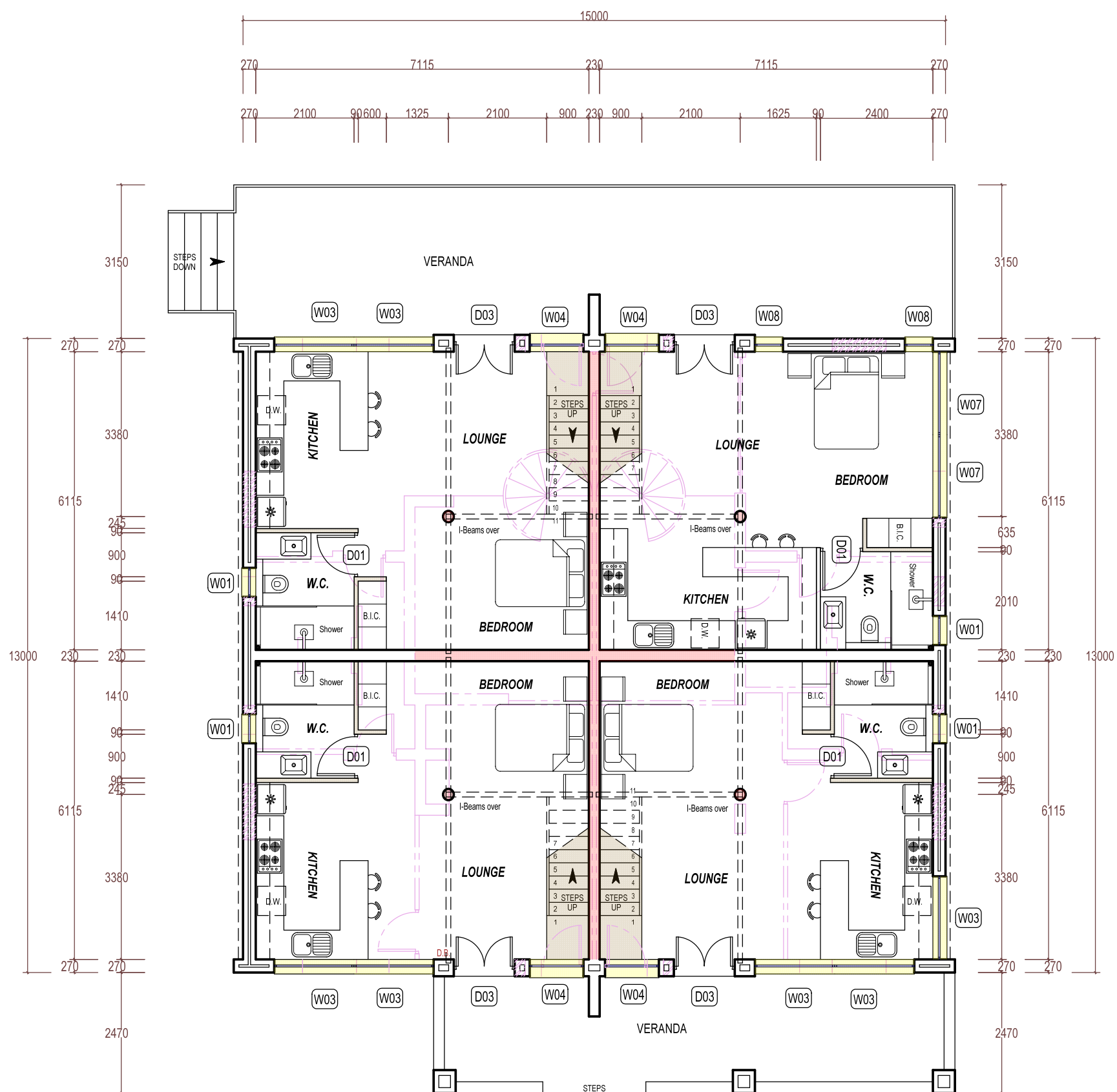


For Arch Town Planners

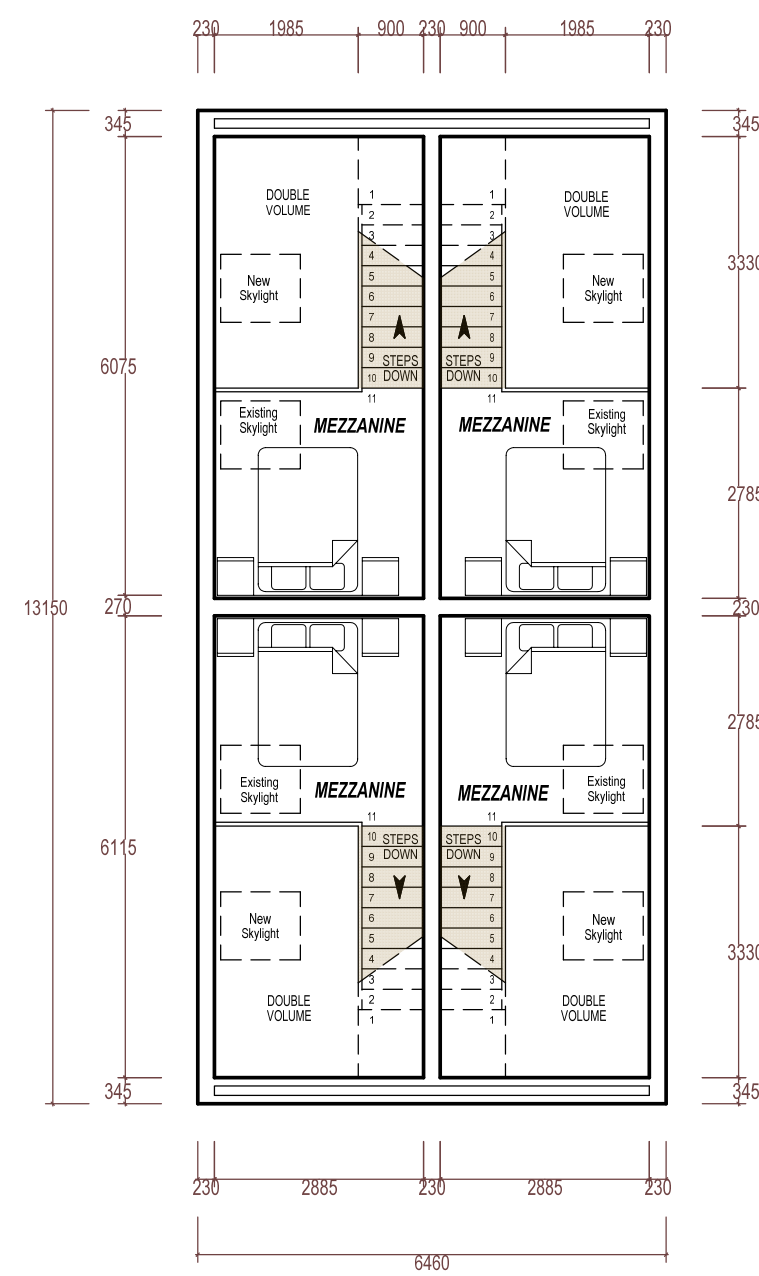
Locality Plan : Portion 11 of Farm 124 Stellenbosch



FOR OFFICIAL USE



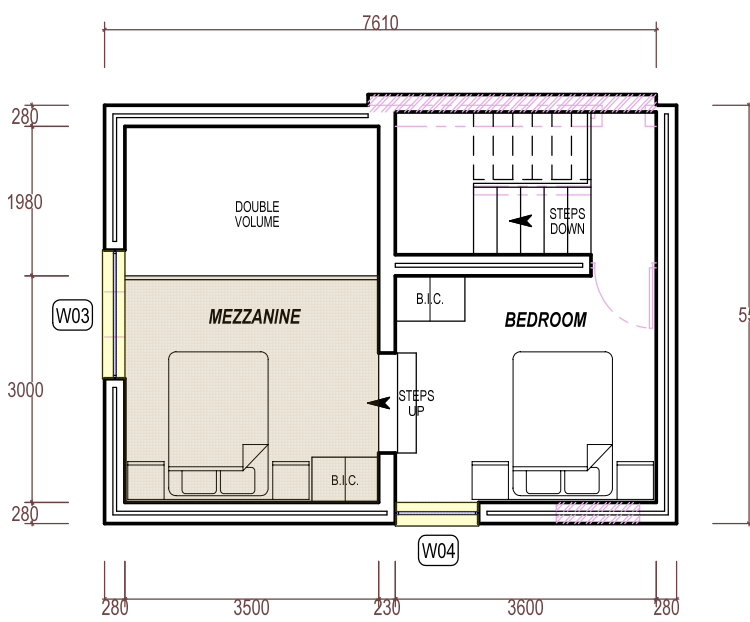
UNIT 2 : GROUND STOREY



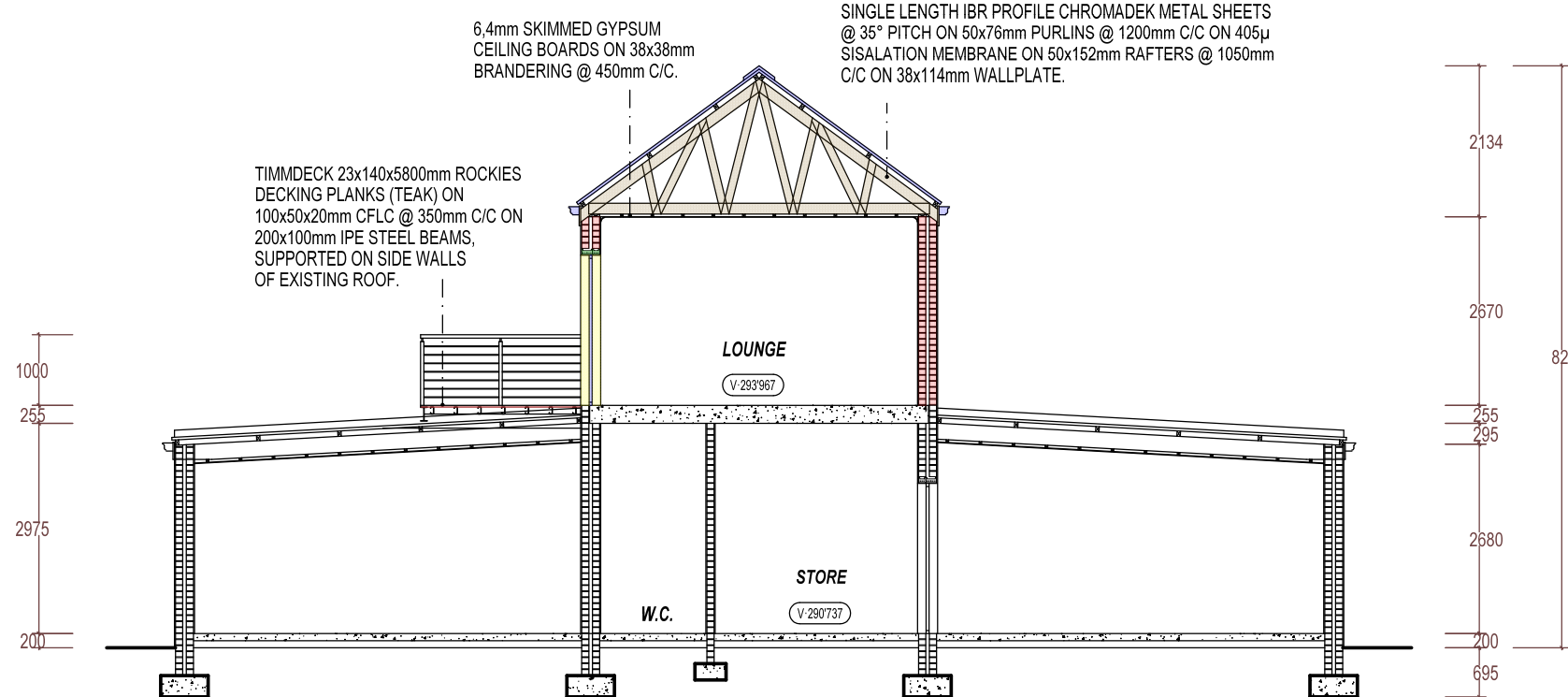
UNIT 2 : FIRST STOREY

PROPOSED INTERNAL ALTERATIONS
UNIT 2

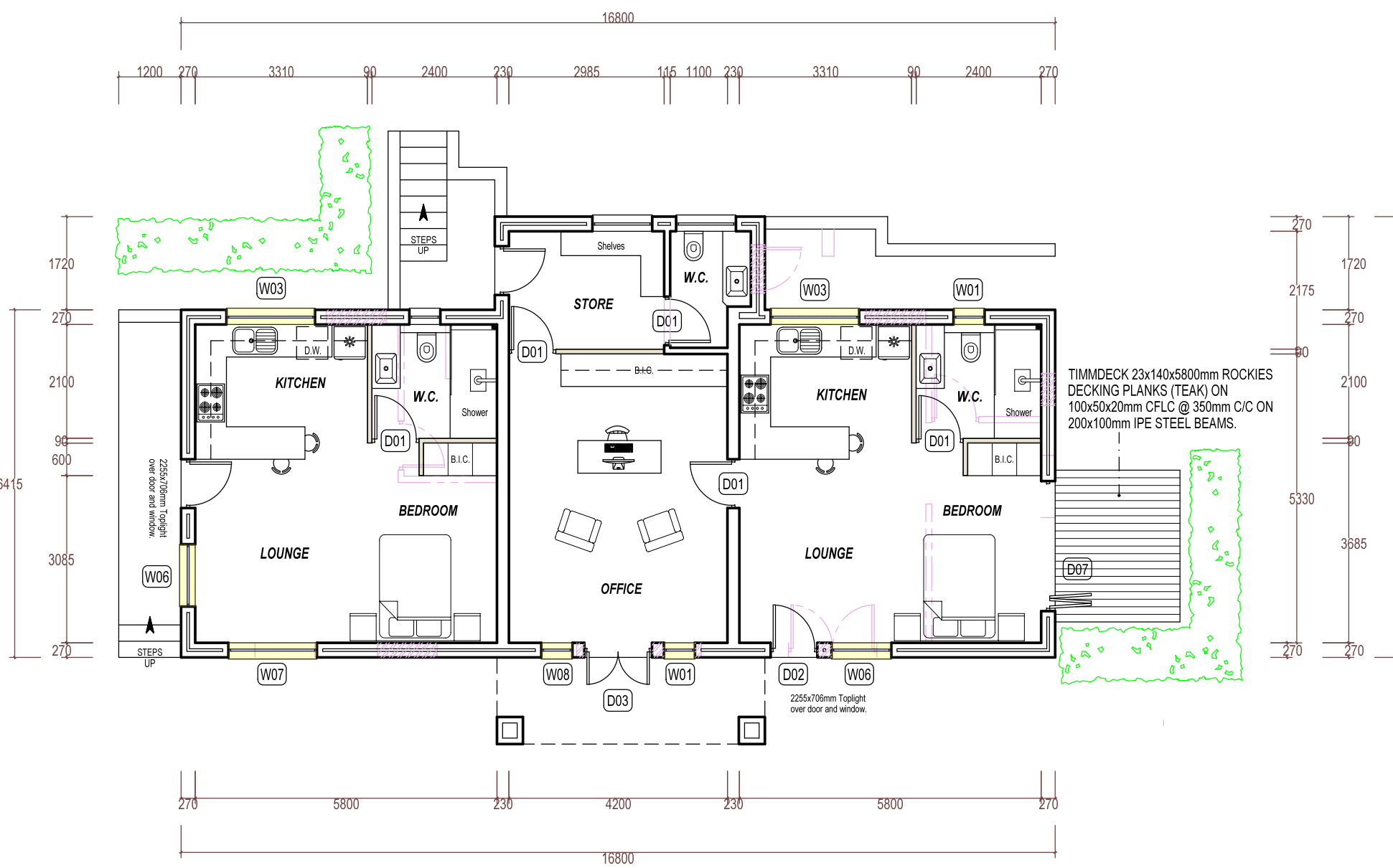
PURPLE DASHED LINES INDICATE DEMOLITIONS.



UNIT 1 : FIRST STOREY

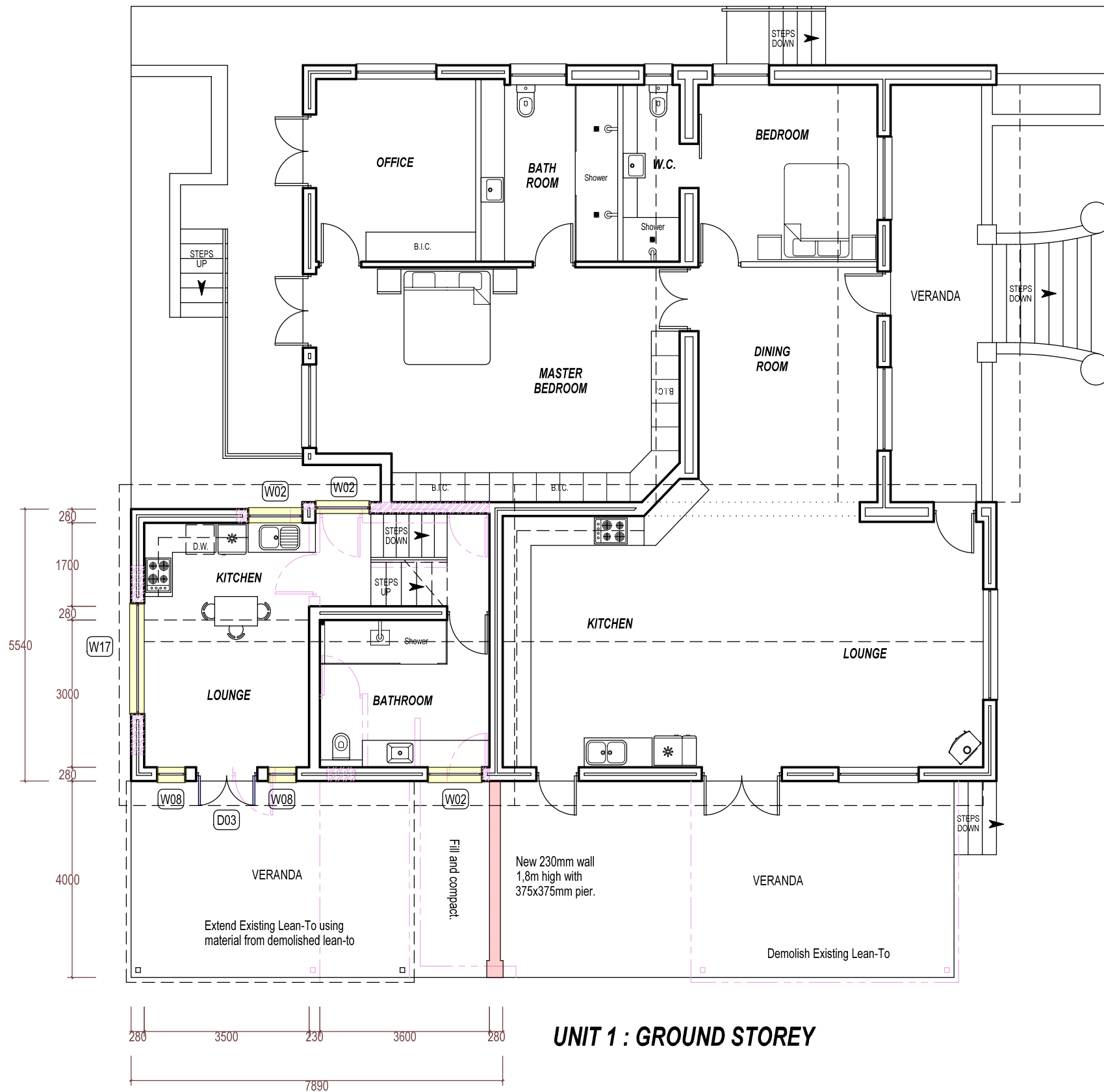


UNIT 3
SECTION E · E



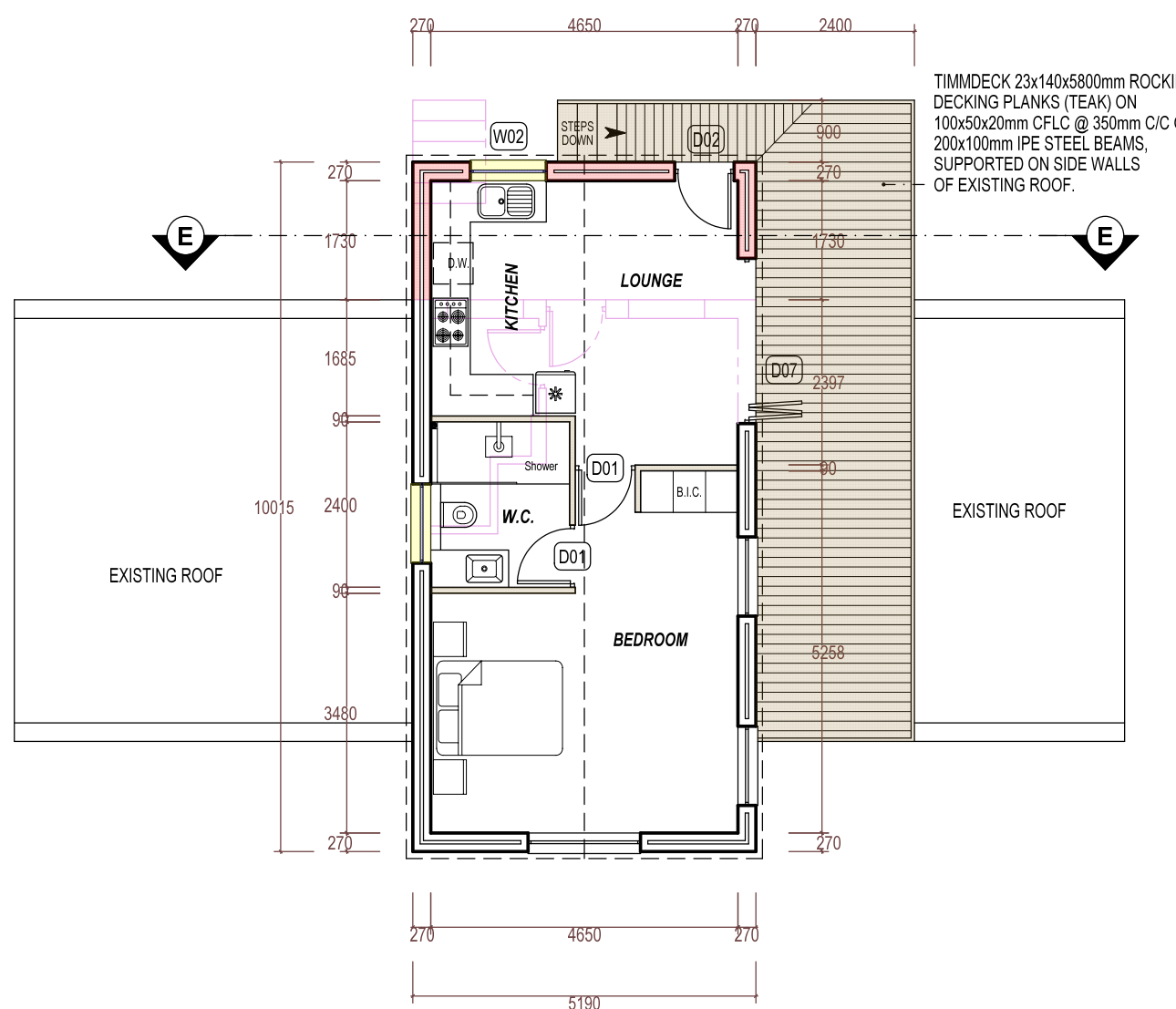
UNIT 3 : GROUND STOREY

PROPOSED INTERNAL ALTERATIONS
UNIT 3



UNIT 1 : GROUND STOREY

PROPOSED INTERNAL ALTERATIONS
UNIT 1



UNIT 3 : FIRST STOREY

ZONING	LOCAL BUSINESS ZONE 2 LOCAL BUSINESS (LBZ)
AREA FACTORS	
ERF SIZE	18'317.35 m ²
FLOOR FACTOR (Max. 1.05 allowed)	0.05
COVERAGE (Max. 75% allowed)	6.22%
UNIT 1 GROUND STOREY FLOOR SPACE	213.37 m ²
UNIT 1 FIRST STOREY FLOOR SPACE	43.71 m ²
UNIT 2 GROUND STOREY FLOOR SPACE	195.00 m ²
UNIT 2 FIRST STOREY FLOOR SPACE	84.95 m ²
UNIT 3 GROUND STOREY FLOOR SPACE	116.70 m ²
UNIT 3 FIRST STOREY FLOOR SPACE	50.52 m ²
UNIT 4 GROUND STOREY FLOOR SPACE	188.95 m ²
UNIT 4 FIRST STOREY FLOOR SPACE	426.77 m ²
TOTAL FLOOR SPACE	883.20 m ²

SYMBOLS AND LEGENDS	
CENTER FILAMENT LIGHT	
220v-240v DOWN LIGHT	
WALL LIGHT	
FLORESCENT LIGHT	
LIGHT SWITCH	
16A SOCKET (300mm over FFL)	
16A SOCKET (1m over FFL)	
20mmØ PVC CONDUIT BOX	
REQUIRED FLOOR LEVEL	(V.00'000)
EXISTING FLOOR LEVEL	(X.00'000)
WINDOW & DOOR NUMBERS	(W01) (D01)

REVISION DETAILS		
DATE	DESCRIPTION	REFERENCE DRAWING No.
2023-03-20	FIRST CONCEPT PRESENTATION TO CLIENT	A392/23/01
2023-04-07	SECOND CONCEPT PRESENTATION TO CLIENT	A392/23/02
2023-05-07	THIRD CONCEPT PRESENTATION TO CLIENT	A392/23/03
2023-05-25	FOURTH CONCEPT PRESENTATION TO CLIENT	A392/23/04
2023-06-10	MUNICIPAL SUBMISSION	A392/23/05

	COLLIN SHERRIFF ARCHITECTURE CELL: 083-571-7158 E-MAIL: collins@tiscali.co.za SACAP Reg. No. D0149 www.csad.co.za	
	99 HILLCREST ROAD GOLDEN HILL SOMERSET WEST 7130	

DRAWING No. A392/23/05	DRAWN BY	CS	2023-06-10		
	CHECKED BY	SCALE		SHEET	
PROPOSED ALTERATION FOR USENTRA PTY (LTD) ON DE GRENDEL ESTATE FARM 11/124, BANGHOEK, STELLENBOSCH		1: 100		NO.	OF
				5	6
		Unless otherwise indicated on plan			
				CK20092487923	
SIGNATURE : Registered owners		SIGNATURE : C. Sherriff			
