

NOTICE OF LAND DEVELOPMENT APPLICATION

APPLICATION FOR CONSENT USE: ERF 1467, FRANSCHHOEK

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

Application Property Address: Lambrechts Road, Franschhoek
Application Property Number: Erf 1467, Franschhoek
Applicant: ARoux Town Planning
(andre@arouxplanning.co.za / 021 180 3171)
Owner: Montmartre Chalets (Pty) Ltd
(gerhard@med-automation.co.za / 082 651 8533)
Application Reference: LU/17184 (TP/776/2024)

Description of land development proposal:

- Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, 2023, for Consent Use to allow for the following:
 - i) A tourist facility (function venue & chapel) on Erf 1467, Franschhoek; and
 - ii) A tourist accommodation establishment, which includes three(3) additional guest accommodation units (glamping tents) to be added to the existing four(4) guest accommodation cottages.

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-notice/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: André Roux andre@arouxplanning.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 **2 December 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 021 180 3171 during normal office hours.

Yours faithfully

André Roux

ARoux Town Planning

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

AANSOEK VIR VERGUNNINGSGEBRUIK: ERF 1467, FRANSCHHOEK

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

Adres van aansoek eiendom:	Lambrechtsweg, Franschhoek
Aansoek eiendom beskrywing:	Erf 1467, Franschhoek
Aansoeker:	André Roux (andre@arouxplanning.co.za / 021 180 3171)
Eienaar:	Montmartre Chalets (Pty) Ltd (gerhard@med-automation.co.za / 082 651 8533)
Aansoek Verwysing:	LU/17184 (TP776/2024)

Besonderhede van die grondgebruiksaansoek:

- Aansoek word ingevolge Artikel 15(2)(o) van die Stellenbosch Munisipale Grondgebruik-Beplanningsverordening, 2023, gedoen vir vergunningsgebruik om die volgende toe te laat:
 - i) 'n Toeristefasiliteit (funksielokaal en kapel) op Erf 1467, Franschhoek; en
 - ii) 'n Toeriste-akkommodasie-instelling, wat drie (3) addisionele gaste akkommodasie-eenhede (glamping tente) insluit om by die bestaande vier (4) gaste-akkommodasie-kothuise gevoeg te word.

Kennis word hiermee gegee in terme van die voorskrifte 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, 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 terms 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: André Roux andre@arouxplanning.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 **2 Desember 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.

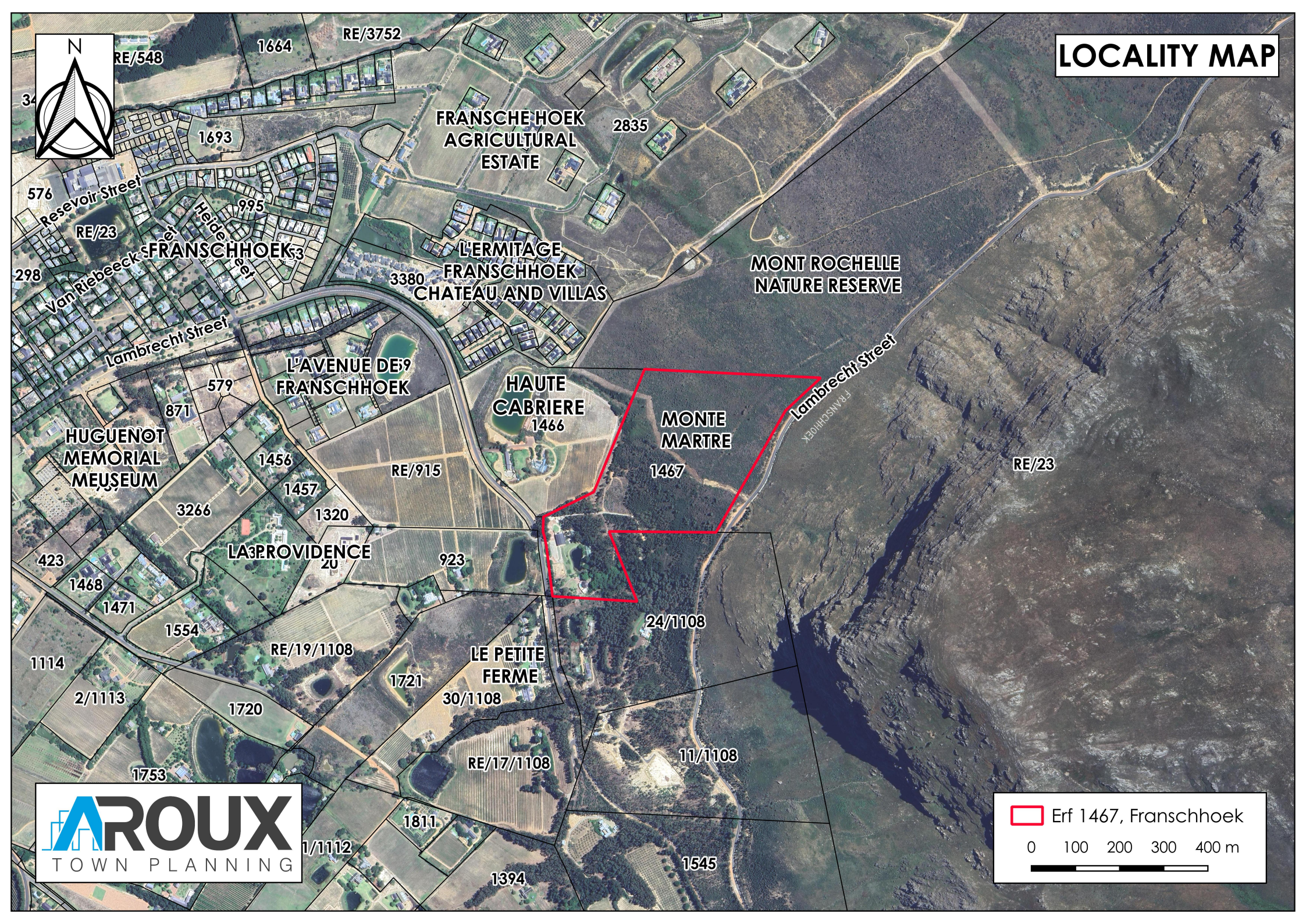
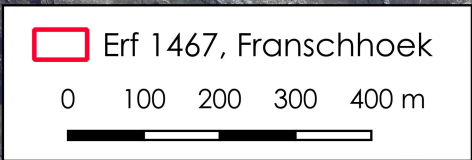
Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 021 180 3171 gedurende normale kantoor ure.

Die uwe

André Roux

ARoux Town Planning

LOCALITY MAP



EXECUTIVE SUMMARY

THE APPLICATION

Application is hereby made for the following in respect of **Erf 1467, Franschhoek**:

- **Council's Consent** to permit a Tourist Facility (including existing function venue and proposed chapel).
- **Council's Consent** to permit a Tourist Accommodation Establishment.

Table I provides a summary of the application and property details:

Table I – Summary of Property and Application Details			
Property Description	Erf 1467, Franschhoek		
Property Address	Lambrechts Road, Franschhoek		
Registered Owner	Montmartre Chalets (Pty) Ltd		
Applicant	ARoux Town Planning		
Property Extent	15, 6308 ha		
Current Zoning	Agriculture & Rural Zone		
Current Land Use	Tourist Facility (function venue) and Guest Accommodation		
Applicable Zoning Scheme	Stellenbosch Municipality Zoning Scheme By-Law (2019)		
Municipality	Stellenbosch Municipality		
Title Deed	T12953/2017	Title Deed Restrictions	No
Subject to SAHRA	No	Subject to NEMA	No
Proposed Development / Land Use	Additional tourist facility (chapel) and guest accommodation units (3 units)		
Policy Compliant	Yes		

THE PROPOSAL

- Erf 1467, Franschhoek (from here-on referred to as “the Property”) is situated on the lower slopes of the Franschhoek mountains and forms part of the southern gateway into Franschhoek along the R45 route. The property is known as “Mont Martre” and accommodates a function venue and guest accommodation facilities (chalets).
- In 2020 the Stellenbosch Municipality issued a land use approval to permit a function venue (tourist facility) and guest accommodation units on the property. Council's consent was provided for the guest accommodation units while a temporary departure was approved for the function venue as the Franschhoek Zoning Scheme, which applied at the time, did not permit a function venue in the Agriculture Zoning.
- The above-mentioned guest facilities operated successfully since land use approval was issued, but during 2023 the Property suffered great damage following heavy storms, floods and a wildfire that reached the Property, causing significant damages to some of the buildings. The property owner is now in the process of rebuilding the Property and to re-establish the previous tourist facilities, which has been closed due to the damages suffered.

- As part of the rebuilding process, it is proposed to replace a previous residential building which has burned down, with a new chapel building. This proposed building will be utilised as an ancillary facility to the existing function venue and provides a space where wedding ceremonies can be conducted, with the reception in the main function venue.
- It is also proposed to add three additional guest accommodation units on the Property, which will replace the guest accommodation units in the burned down residential building. The additional units will improve the Property's financial viability, especially given the financial losses that the Property owner has suffered due to the recent damages.
- To permit the proposed facilities, and to provide permanent land use rights to the existing function venue, application is made for Council's consent to permit a tourist facility (which includes the existing function venue and proposed chapel) and tourist accommodation establishment (for the existing and proposed guest accommodation units).

MOTIVATION

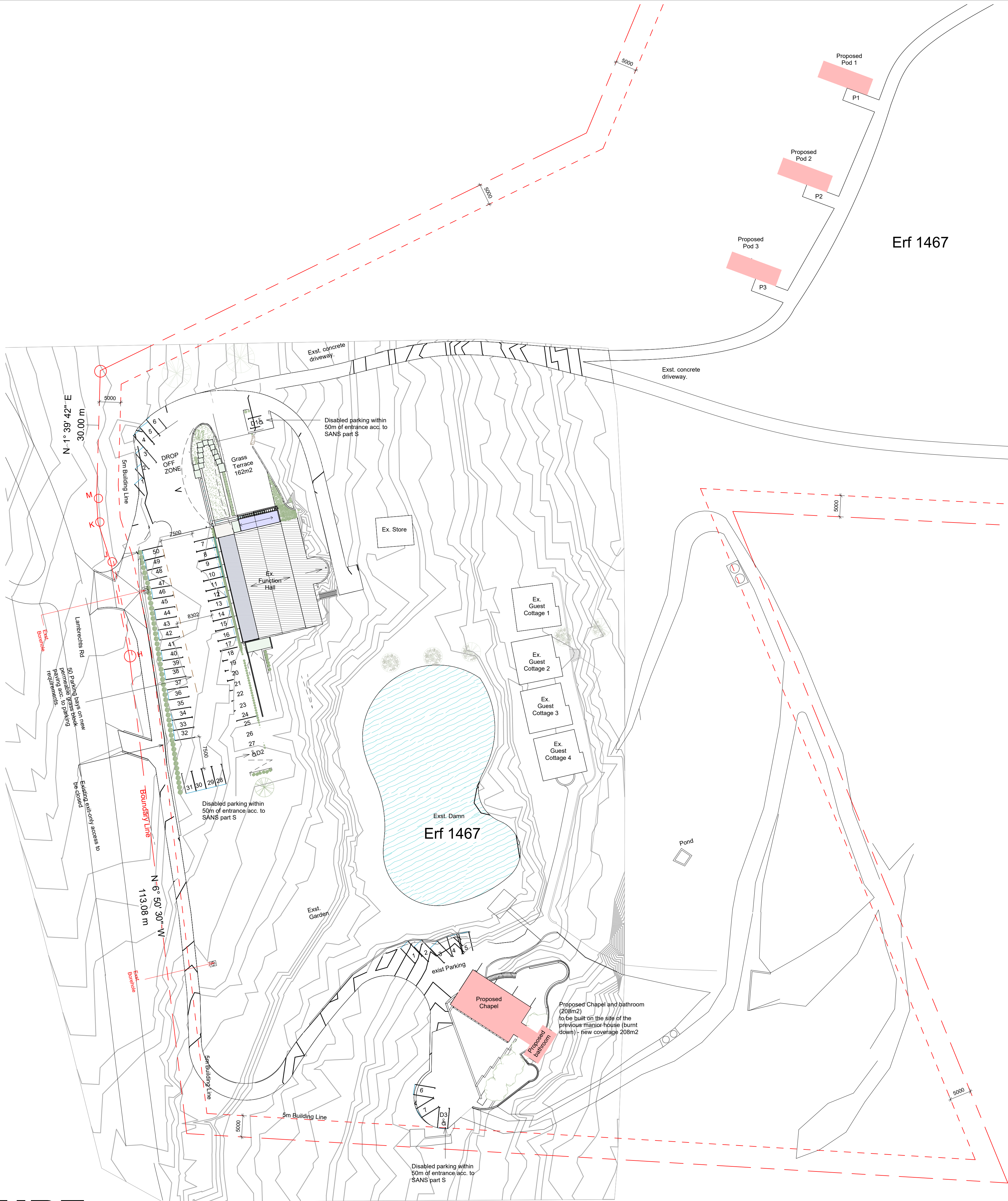
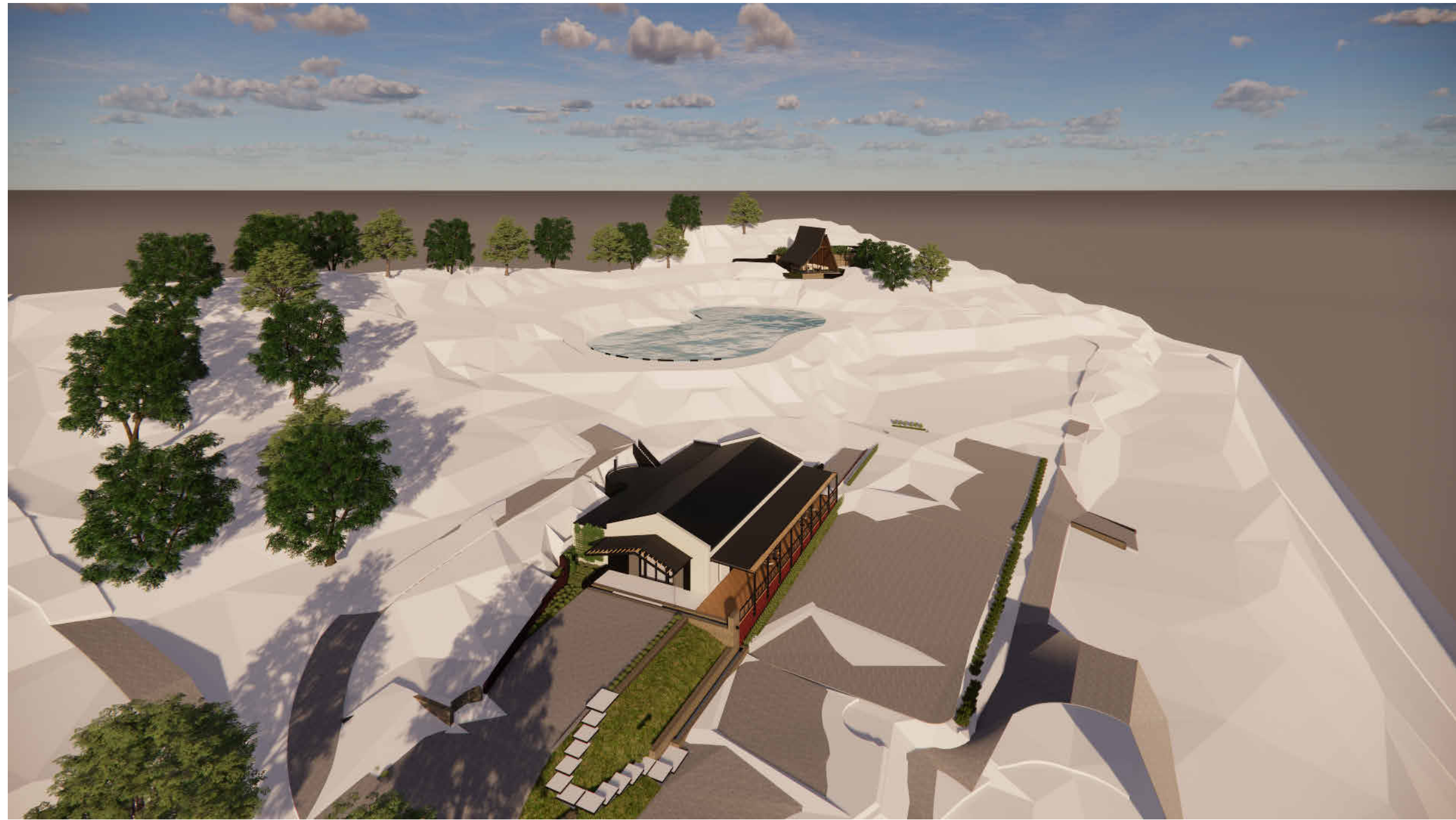
- The existing and proposed facilities comply with the LUPA and SPLUMA development principles. It is also aligned with the policies and strategies of the Western Cape PSDF and the Stellenbosch Municipality Spatial Development Framework.
- The facility supports the local tourism industry and is responsible for a number of employment opportunities being created. It therefore has a positive impact on the local economy and supports local economic growth.
- The facility fits in with the existing tourism character of the area and add value to the local tourism industry. Most surrounding properties contain existing tourist facilities, including restaurants, winery tasting rooms and guest accommodation facilities.
- The proposal does not have any impact on agricultural activities. Due to the small size and steep slope, the Property is not conducive for agricultural operations of any kind. The tourist facilities ensure that the Property is viable and still contributes positively to the community and local economy.
- The existing and proposed facilities will not result in a negative traffic impact, as confirmed in the attached traffic report. Even though three additional guest accommodation pods are being proposed, these pods are in place of the previous six-bedroom house, with the total number of guest accommodation opportunities remaining unchanged. The proposed chapel will also not result in additional vehicular trips as only guests to the function venue will make use of the chapel, being an ancillary facility to the function venue.
- The existing and proposed facilities will not result in an environmental impact. The area to accommodate the function venue and chapel has been disturbed with existing structures. The area proposed to accommodate the proposed additional guest accommodation cottages is a cleared area and does not contain sensitive natural vegetation. An environmental authorisation in terms of NEMA is not required.

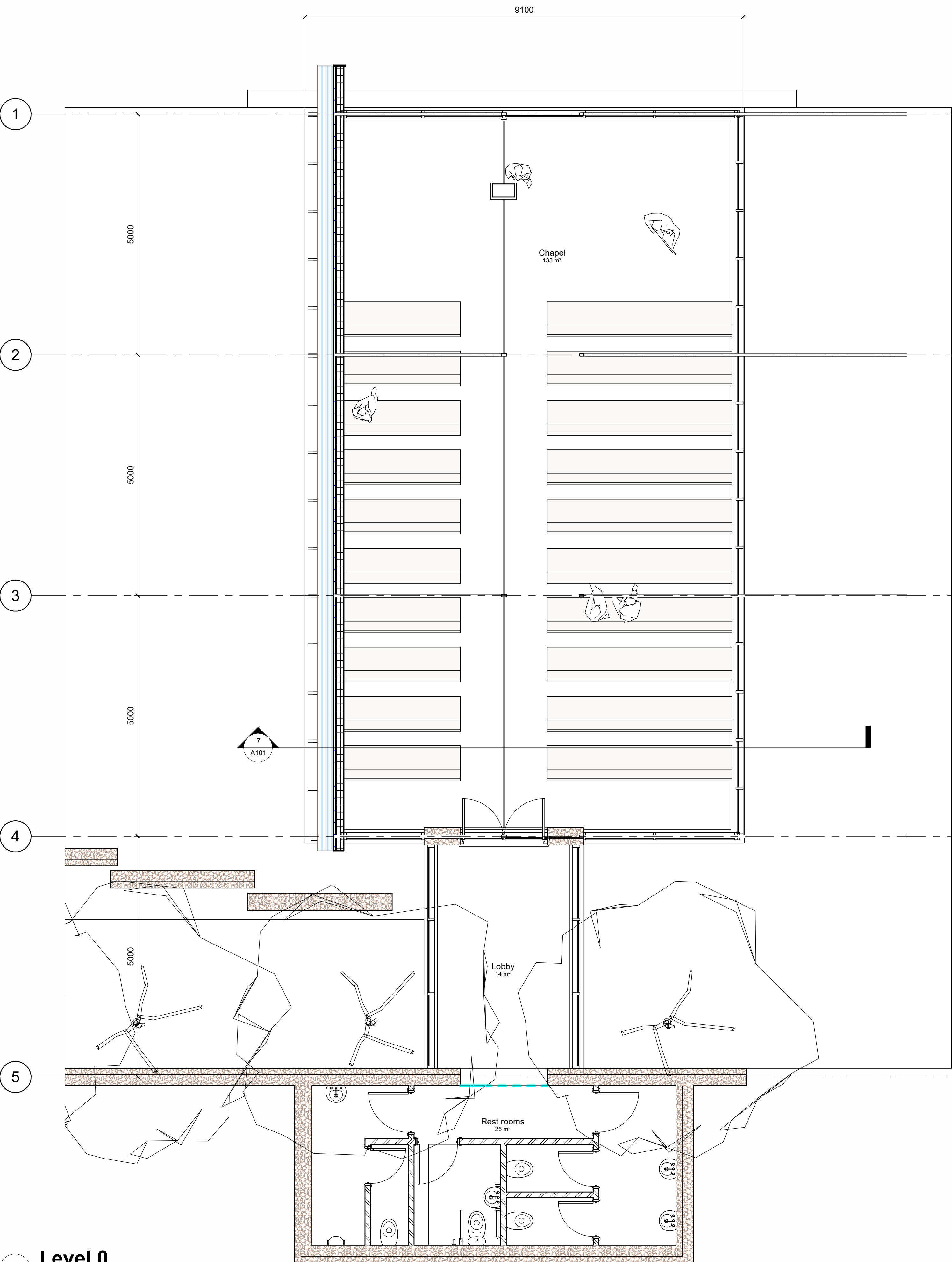
- The Property is not of heritage significance and do not contain any proclaimed heritage elements. The proposed land use will not have an impact on any heritage resources.
- The proposal will not result in an additional impact on municipal engineering services. The Municipality's Civil Engineering Department supported the previous land use approval subject to conditions. The same conditions will likely apply.
- The properties in the area, including the Monte Martre property, are relatively large and buildings are situated far away from each other. This ensures that activities on these properties do not impact on the surrounding properties in any way.
- The function venue is an existing and lawful building and land use. Allowing this facility on a permanent basis will not create any additional impact. The existing guest accommodation facilities have been in operation for many years, without creating any form of disturbance to the surrounding properties.

CONCLUSION

It has been demonstrated that existing function venue and guest accommodation facilities, as well as the proposed chapel and guest accommodation units, are desirable and contribute positively to the local tourism industry without having a negative impact on the surround environment and landscape.

ARoux Town Planning recommends that this application for Council's Consent to permit a tourist facility and tourist accommodation establishment on Erf 1467, Franschoek, be considered for approval based on the above merits.

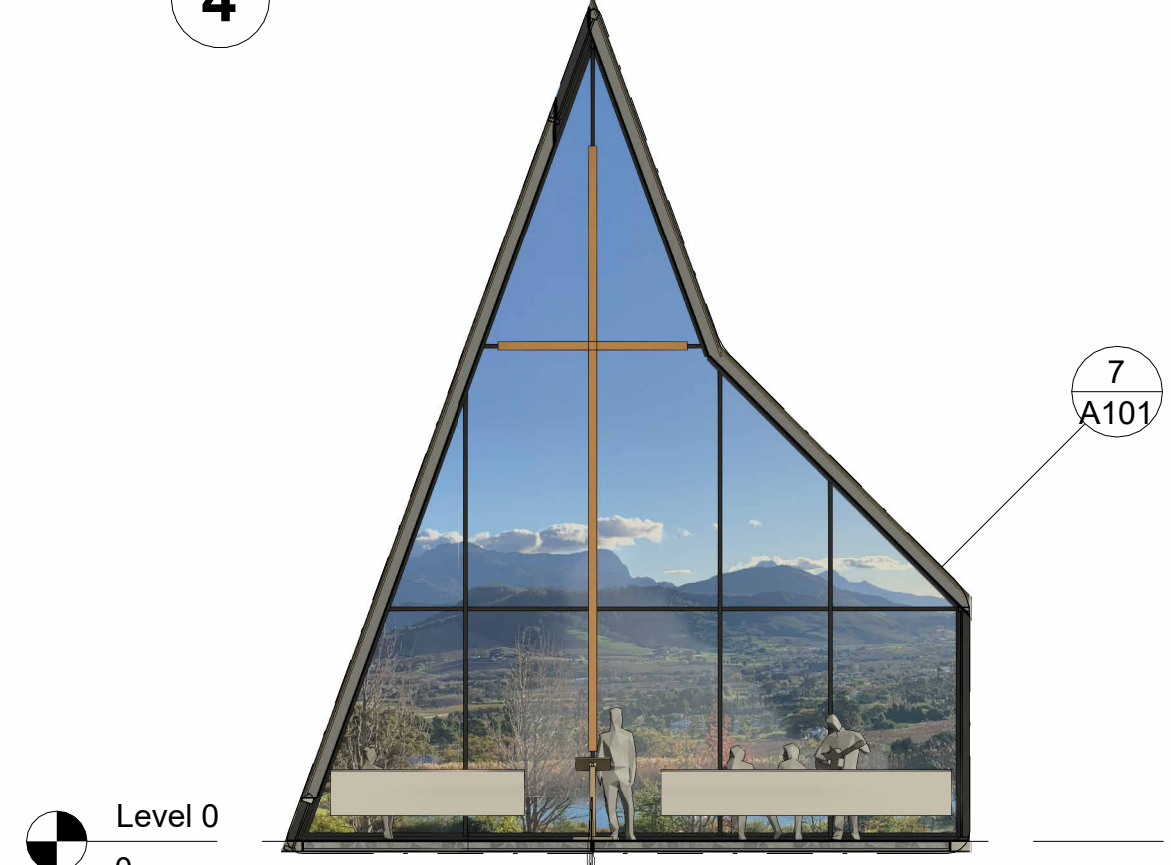




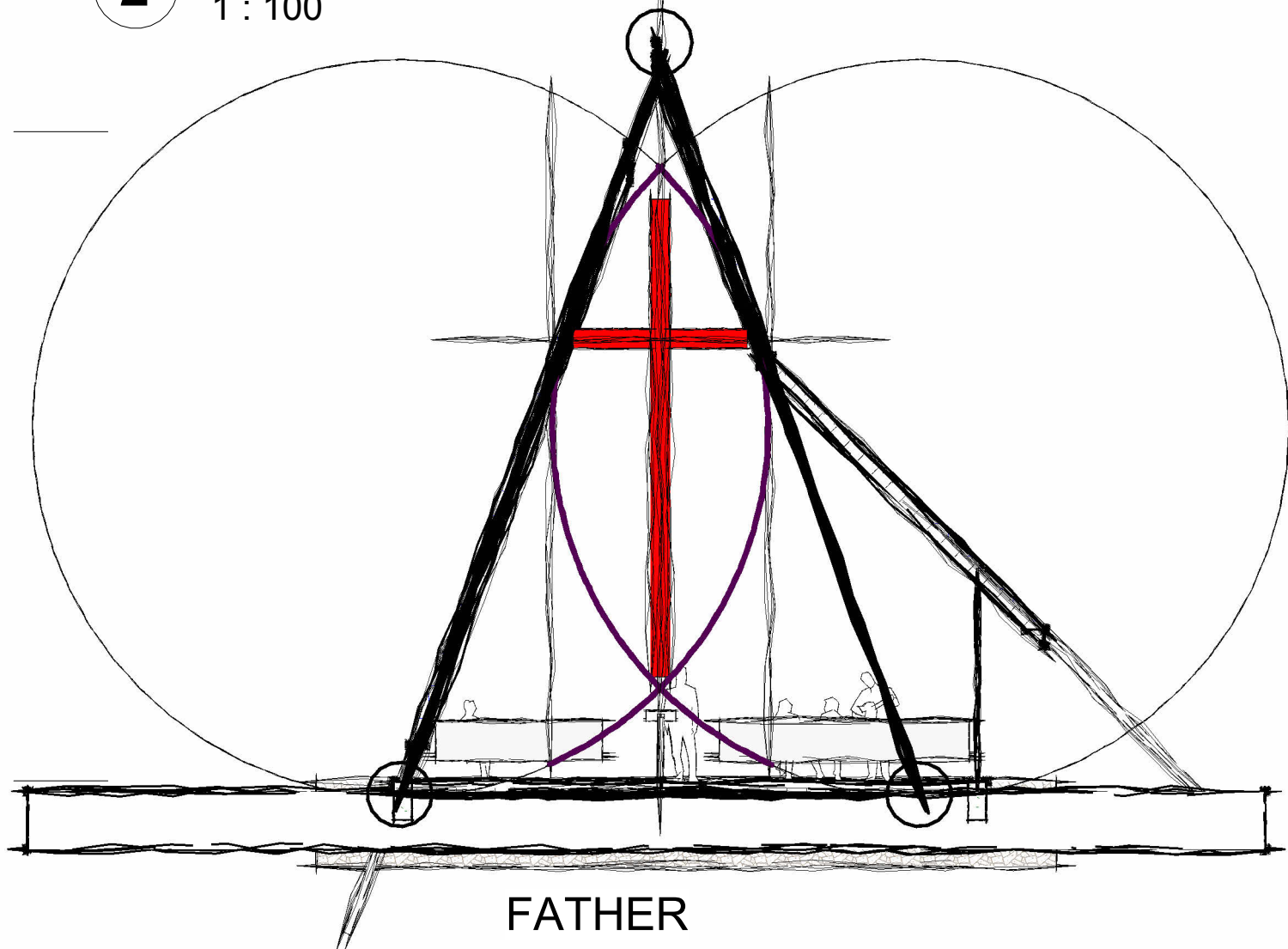
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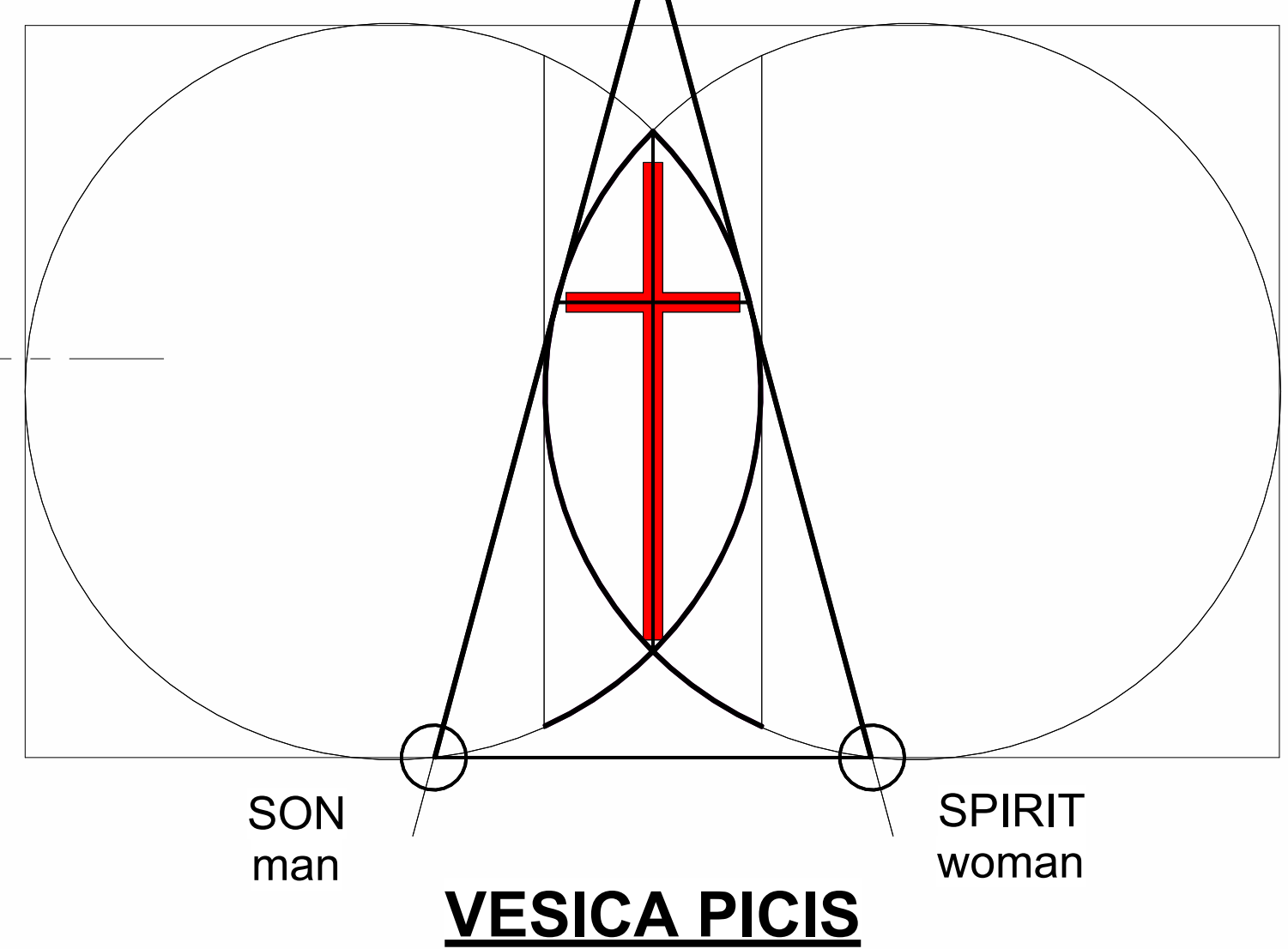
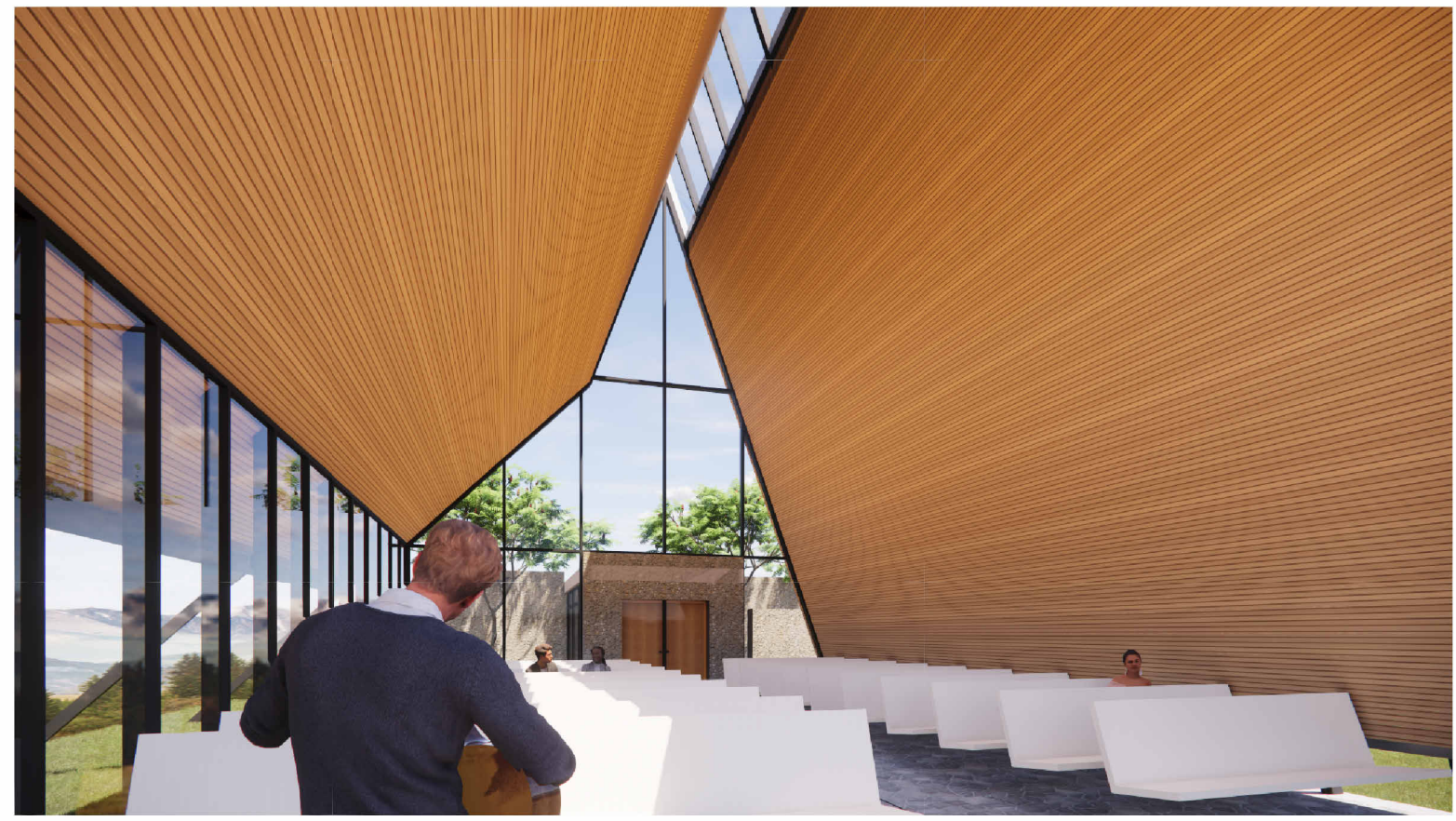
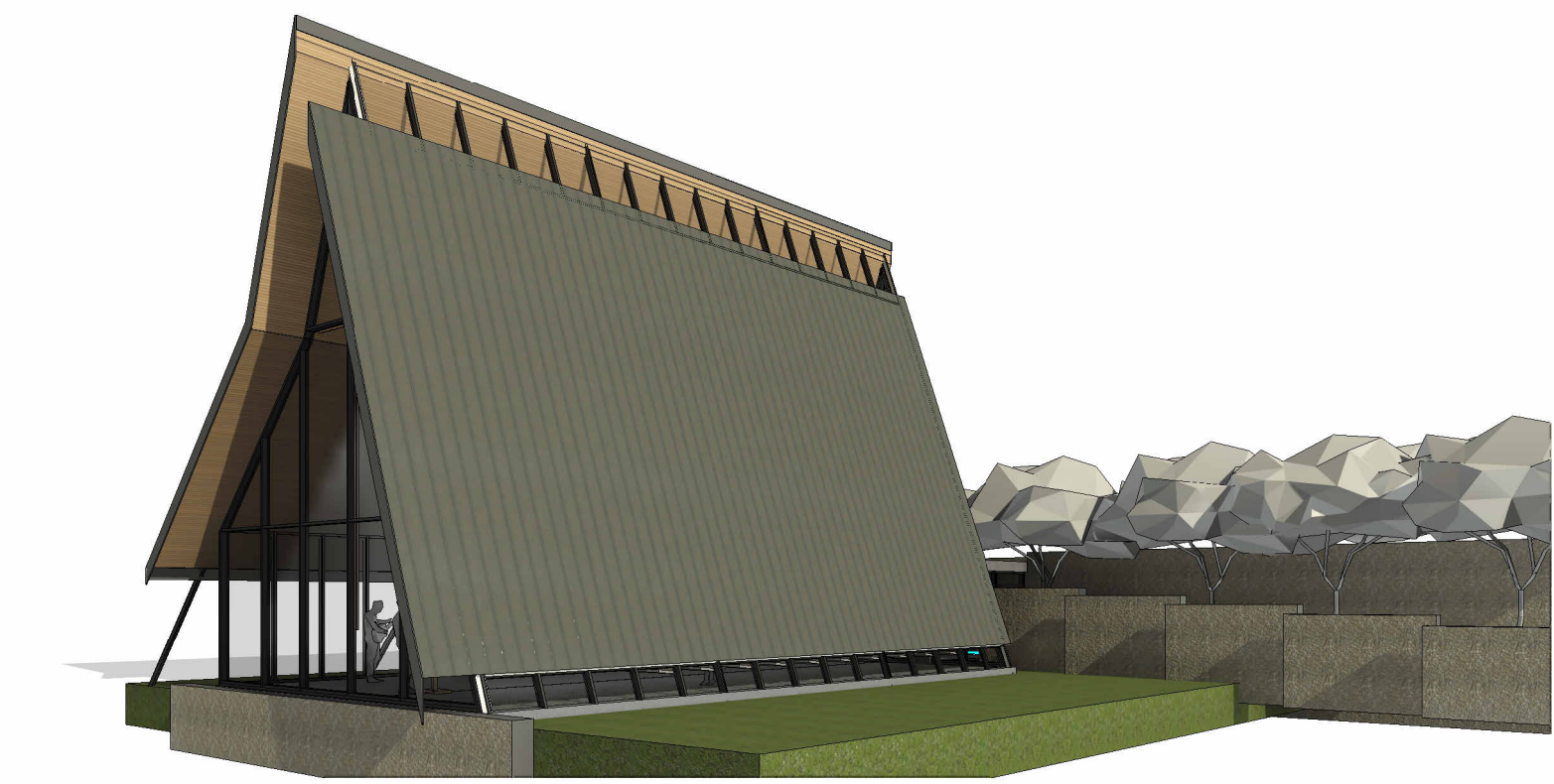
4 3D View 4



2 View over Franschhoek
1 : 100



7 Concept
1 : 100



5 3D View 7



3 View from pass
1 : 500