



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: TP1320/2025

Our File Reference Number: Erf 17591, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-

Sir / Madam

APPLICATION FOR PERMANENT DEPARTURE: ERF 17591, STELLENBOSCH

1. The above application refers.
 2. The duly authorised decision maker has decided on the above application as follows:
 3. That the following application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 on Erf 17591 Kings View Estate, Stellenbosch for:
 - 3.1 Permanent **Departure** in terms of Section 15 (2) (b) of the said by-law in order to permit building height limit restriction to exceed to 8.07m in lieu of 8.00m.
- BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval.
4. The approval is subject to the following **conditions** imposed in terms of Section 66 of said Bylaw:
 - 4.1 The approval only applies to the proposed applications under consideration 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.
 - 4.2 The development and building plans be generally in accordance with the height restriction as per the height certificate referenced as Ref no. ALG3678 and dated 27 March 2025, See **Annexure A**.
 - 4.3 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.

4.4 Building plans be submitted and approved by the Municipality prior to the commencing of any building works.

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

5.1 The proposed departure will not have any negative impact on the surrounding area or wider cultural landscape of Stellenbosch.

5.2 The proposal is not in conflict with the applicable Stellenbosch By-laws and policies.

6. 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.

7. 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.

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 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.

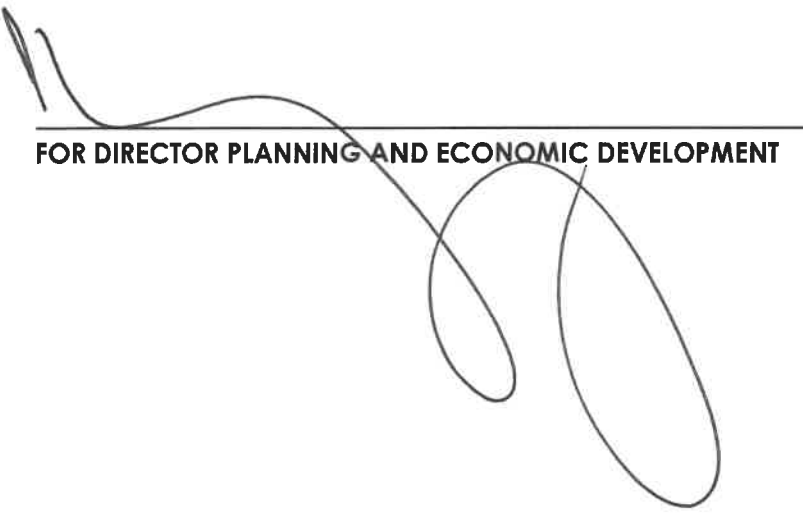
11. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

- (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

20/10/2025
DATE:



STELLENBOSCH

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Annexure A

DATE: 27 March 2025

OUR REF: ALG3678

HEIGHT CERTIFICATE: Stellenbosch—Erf 17591

Permissible Roof Level @ 8.0m

	Surveyed Level	Design Level	Height Restriction
Garage Floor Level	50.07m	(49.93m Plan Lvl)	
Braai Patio Floor Level	50.14m	(50.02m Plan Lvl)	
Braai Patio Roof Apex Level	55.58m	(55.70m Plan Lvl)	
Main Bedroom Roof Apex Level	58.09m	(58.02m Plan Lvl)	

58.02m @ Maximum Apex Level

0.07m Above Height Restriction

Height restrictions are quoted in good faith and are neither a novation nor a waiver of the height restriction as prescribed by the local authority.



Director Jaco Bruwer
SAGC Reg. No.GTc ES0062