



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/18252 (TP975/2024)

Our File Reference Number: Erf 471, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-M

Sir / Madam

APPLICATION FOR PERMANENT DEPARTURE, REMOVAL OF RESTRICTIVE TITLE DEED CONDITION, SUSPENSION OF TITLE DEED BUILDING LINES AND CONSENT USE: ERF 471, 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(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Erf 471, Stellenbosch for:
 - 3.1 Removal of Section C(6)(b) of T12398/2022, only permitting one dwelling on the erf, in terms of Section 15(2)(f) of the said bylaw to allow the conversion of an outbuilding into a second dwelling.

"C(6)(b) Dit mag alleen gebruik word vir die doel om een woning, tesame met die buitegeboue wat gewoonlik in verband daarmee gebruik word, daarop op te rig;"
 - 3.2 Suspension of the following title deed building lines in terms of Section 15(2)(f) of the said by-law, in accordance with the restrictive title deed conditions in Section C(6)(d) of the aforementioned title deed to relax the common building line from 3.15m to
 - 3.2.1 2.5m for a portion of the main dwelling adjacent to Erf 511,
 - 3.2.2 1.8m to allow the outbuilding on the ground and proposed second dwelling on 1st floor, on the southern common property boundary adjacent Erf 472, Stellenbosch, and
 - 3.3 Departure in terms of Section 15(2)(b) of the said bylaw for building line departure in order to relax the 2.5m common building in terms of the zoning scheme bylaw to 1.8m for the existing outbuildings on ground and first floor.

3.4 Consent Use in terms of Section 15(2)(o) of the said Bylaw to allow the conversion of an existing outbuilding on the first floor into a second dwelling, as an additional use.

BE APPROVED in terms of Section 60 of the said Bylaw.

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; removal of title deed conditions, departure and permission in terms of the zoning scheme bylaw and suspension of title deed conditions 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 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.
 - 4.3 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans or as may be agreed on in writing with the Director Infrastructure Services when required.
 - 4.4 Building plans be generally in accordance with the site plan / floor layout plan as referenced Building Plan; Project Nr SL-A-25-005 Drawing A.01.1, A.01.2 and A.01.3 dated 2025/08/18 and drawn by Studio LIMN Architecture & interiors, attached as **APPENDIX 2**.
 - 4.5 All required parking be provided onsite in accordance with the provisions of the Zoning Scheme Bylaw, as illustrated on the site plan to the satisfaction of the Municipality.
 - 4.6 Conditions imposed by the Infrastructure Services Department as contained in the memorandum dated 07 October 2025 and attached as **APPENDIX 5**, be complied with.
 - 4.7 The residential character and façade of the dwelling is not altered.
5. **The reasons for the above decision are as follows:**
 - 5.1 The proposed development is compatible with neighboring residential land uses and structures.
 - 5.2 Second dwellings are a moderate form of densification, promoted by the Spatial Development Framework.

- 5.3 The removal of the subject title deed condition only facilitates the conversion of an outbuilding in a two storey structure into a second dwelling, which is now provided for in the zoning scheme bylaw as an additional use.
- 5.4 The aesthetic appearance of a single dwelling will still be retained, considering the second dwelling predominantly entails internal alterations to the main dwelling.

6. Matters to be noted:

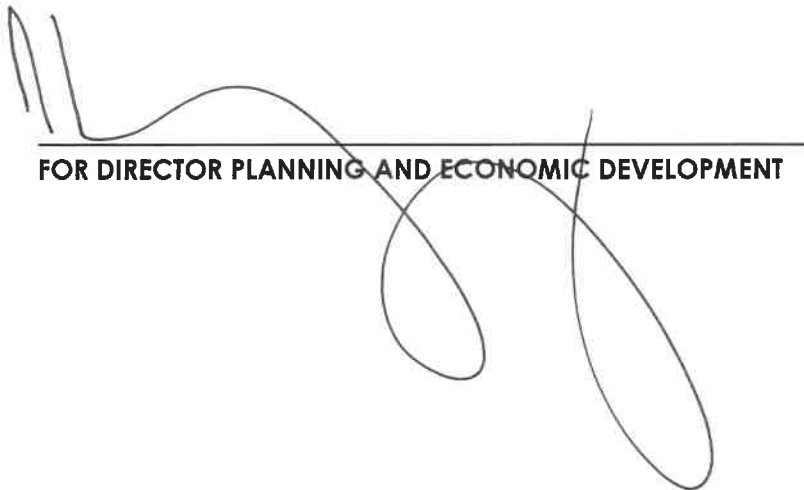
- 6.1 Building plans be submitted and approved by the Municipality prior to the commencing of alterations, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.
 - 6.2 The applicant, after publication of a notice in the *Provincial Gazette* to apply to the Registrar of Deeds to make appropriate entries in, and endorsements on, any relevant register or title deed to reflect the removal, suspension or amendment of the restrictive conditions.
- 7. 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.
 - 8. 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.
 - 9. **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**
 - 10. 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.
 - 11. 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.
 - 12. 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.

13. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

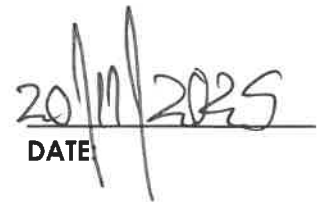
14. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised, and you've been advised accordingly.

Yours faithfully



A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned over a horizontal line.

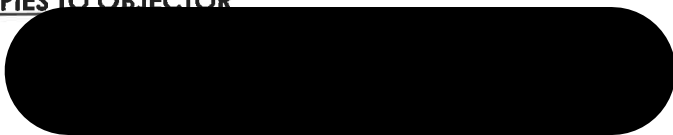
FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT



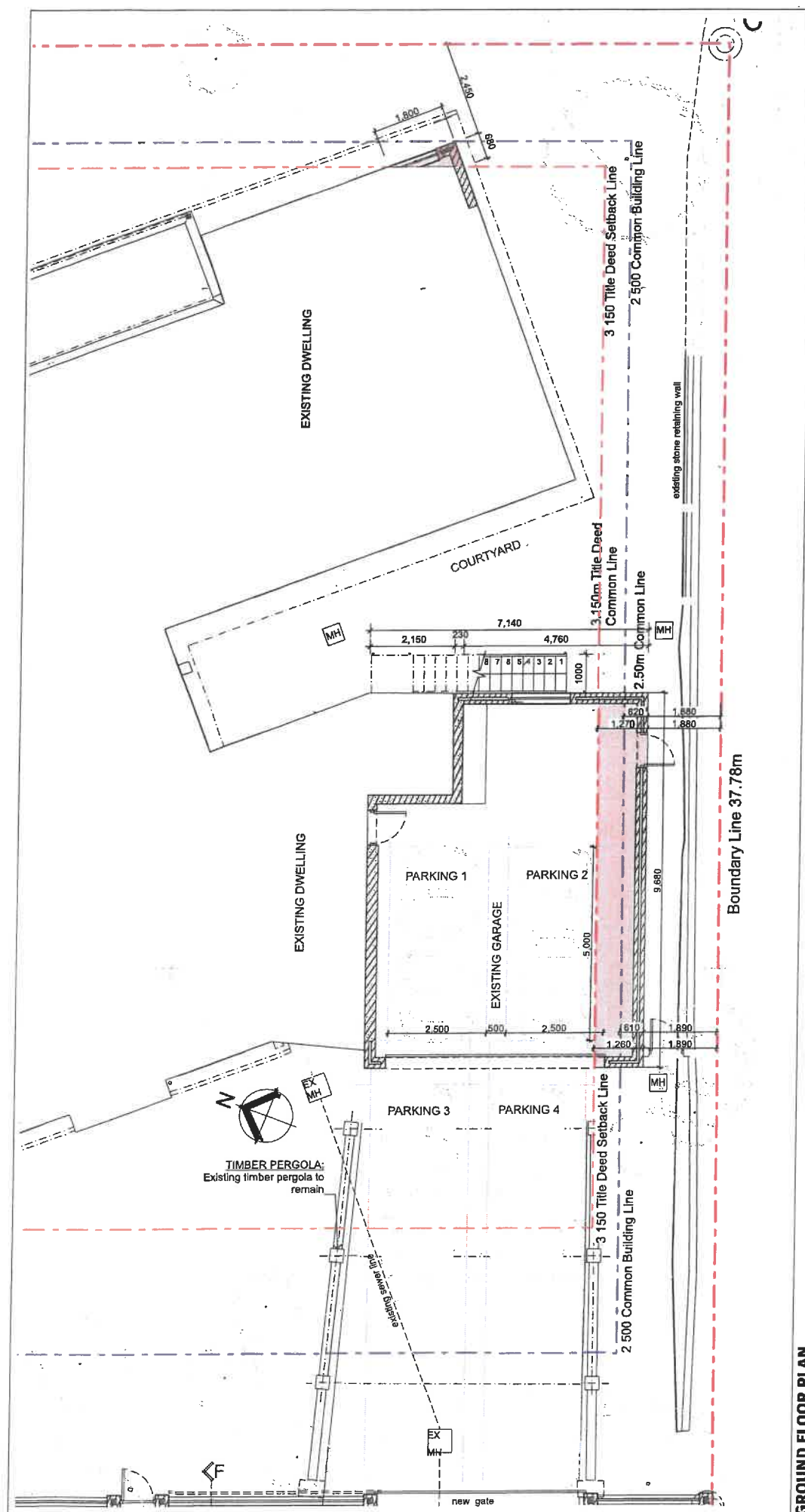
A handwritten date in black ink, written as '20/11/2025', positioned over a horizontal line.

DATE

COPIES TO OBJECTOR



APPENDIX 2:
Building plans.



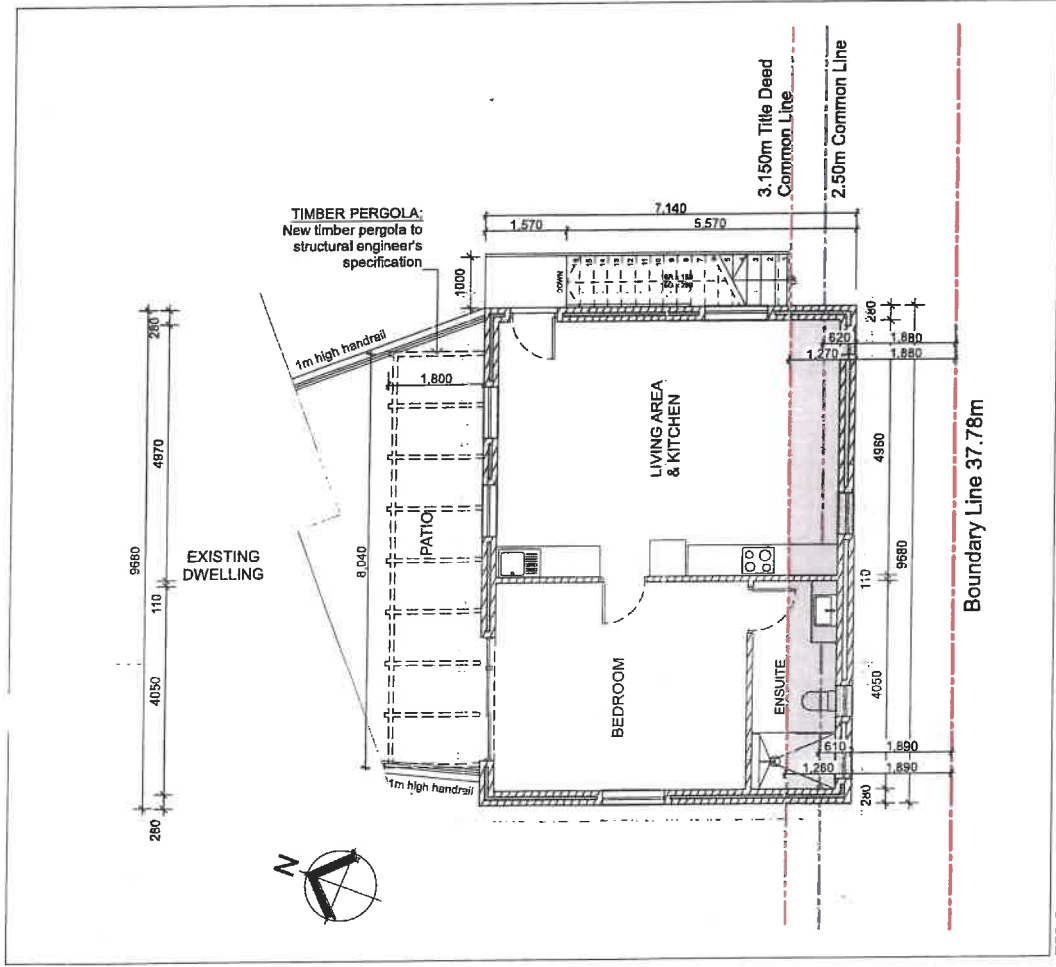
NOTE:

**SUPPLEMENTARY DOCUMENTATION FOR USAGE
IN TOWNPLANNING APPLICATION ONLY;
STUDIO LIMN WILL NOT BE HELD LIABLE FOR
ANY INCORRECT INFORMATION.**

A.01.2

revision:	2
project name:	Dalsig - 2nd Dwelling
drawing title:	Second Dwelling Plan

status:			SUPPLEMENTARY DOCUMENTATION		
published date:			2025/08/18		
revision history:					
REV	DESCRIPTION	DATE			
1	Townplanning Application	2025/05/15			
2	Townplanning Application - Additional info	2025/08/13			
drawing scale:			1:100		



FIRST FLOOR PLAN

Proposed Second Dwelling (In existing approved art room) = 69.1m²

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drawing scale:			1:100		

APPENDIX 5:

Infrastructure Services comment.



STELLENBOSCH MUNICIPALITY

STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Nicole Katts
From ▫ Van: Development (Infrastructure Services)
Author ▫ Skrywer: Ilze Fillies
Date ▫ Datum: 07 October 2025
Our Ref ▫ Ons Verw: Civil LU 2956
Town Planning Ref: LU/18252 – TP934/2024
Re ▫ Insake: Erf 471, Stellenbosch: 1. Application is made in terms of Section 15(2)(f) of the Stellenbosch Municipal Land Use Planning By-law 2023 for the removal of the restrictive title deed condition, restricting the construction of only one dwelling on Erf 471, Stellenbosch in terms of Clause C6.(b) as contained in the Title Deed No. T012398/2022. 2. Application is made in terms of Section 15(2)(g) of the Stellenbosch Municipal Land Use Planning By-law 2023 for a permission in terms of the zoning scheme bylaw for an additional use to allow for the conversion of an existing outbuilding on top of a garage into a second dwelling unit on Erf 471, Stellenbosch.

The application is recommended for approval subject to the following conditions

1. **Civil Engineering services**
 - 1.1 Only one sewer and one water connection point are allowed. The existing water and sewer connection points must be used for the proposed second dwelling.

IFALLAS

Ilze Fillies

Principal Technician: Development (Infrastructure Services)

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