



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/17397 (TP836/2024)

Our File Reference Number: Erf 281, Franschhoek

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: wagener@lv.co.za

Sir / Madam

APPLICATION FOR A CONSENT USE ON ERF 281, FRANSCHHOEK

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Erf 281, Franschhoek for:
 - 2.1.1 Consent Use in terms of Section 15 (2) (o) of the said bylaw in order to utilise the existing seven (7) bedroom dwelling unit as guest house.

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

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

- 2.2.1 The approval only applies to the proposed application 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.
- 2.2.2 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.
- 2.2.3 The development be implemented in accordance with the Site Development Plan, referenced as Plan No: 3, Project No: 3998-P, drawn by: WH (TV3 Architects), dated 23/07/2024.

- 2.2.4 The guesthouse be limited to seven (7) bedrooms and a maximum of 14 paying guests or lodgers shall be permitted at any one time.
- 2.2.5 A contravention penalty of R10 000 is payable within 30 days from date of the subject approval in respect of the unlawful utilisation of land and prior to issuing of final notification.
- 2.2.6 Building plans be submitted for all changes of use in the existing buildings and which building plan(s) be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.
- 2.2.7 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.
- 2.2.8 The conditions imposed by the Director: Infrastructure Services as contained in their memo dated 17 October 2024, attached as Annexure B, be complied with.
- 2.2.9 The land use shall not create any undue noise or be a nuisance to the neighbourhood and that precautionary measures be taken in order to avoid environmental noise pollution in terms of the Noise Control Regulations (PN627 dated 20 November 1998) made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No 73 of 1989).

3. The **reasons** for the above decision are as follows:

- 3.1 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape.
- 3.2 The proposal is in line with the existing land use of the property and will not have a negative impact on the character of the surrounding area.
- 3.3 Sufficient parking has been provided for the proposed use.

4. Matters to be noted:

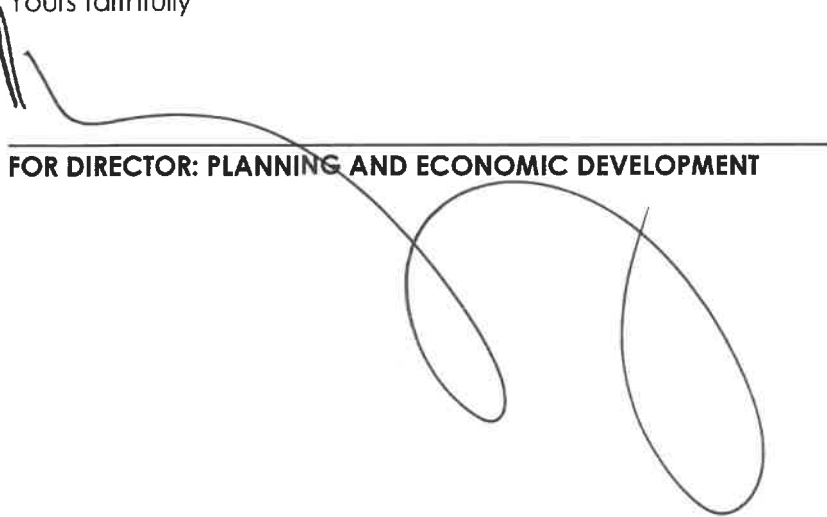
4.1 Should, after following due process –

- a) The subject approved land use remains in breach of complying with any of the conditions of approval required for the vesting of the subject approval, and/ or,
- b) The operational use of the facilities be in breach of any of the conditions of approval, inclusive of persistent complaints of undue noise levels, and/ or,

- c) The property be used for any unauthorised uses not permitted in terms of this approval, the authorised official of the Municipality will exercise its discretion in terms of Section 90(c) of the Municipal Land Use Planning By-Law to withdraw the subject approval granted and the building structures to be reverted to uses in line the primary use of the property.
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 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.
7. **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**
8. 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.
9. 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.
10. 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.

11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. 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

17/3/2025
DATE

COPIES TO:

- 1) Franschhoek Heritage & Ratepayers Association
Email: maryphillips505@gmail.com
- 2) Allison Bergh
Email: bergha@whalemail.co.za / berghb@whalemail.co.za
- 3) Kate Eckersley
Email: kdeckersley@gmail.com / gdeckersley@gmail.com

ANNEXURE A
SITE AND GROUND FLOOR PLAN

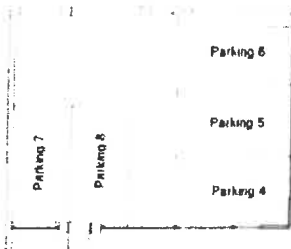
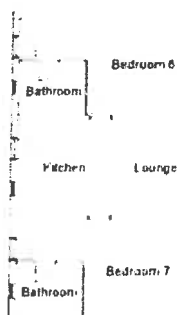


Erf 2873

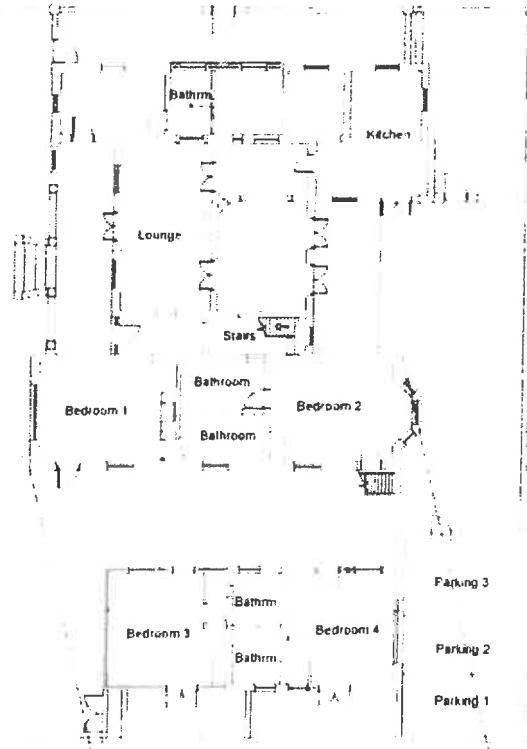
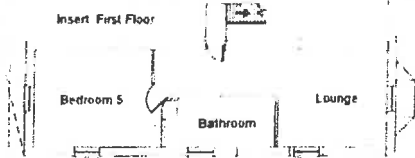
Erf 2874

Berg Street

Akademie Street



Swimming Pool



Erf 282

Erf 495

All areas and dimensions are approximate and should be verified by a professional land surveyor

This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved

Drawing	Plan no.: 3		
Site Development Plan			
Date	23/07/2024	Scale	1:300 (A4)
Project no.	3998-P	Drawn	Checked
		WH	CH

tv3

ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

Erf 281,
Franschhoek

ANNEXURE B

COMMENT FROM DIRECTORATE: INFRASTRUCTURE SERVICES



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Salome Newman
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Kurt Titus
Date ▫ Datum:	17 October 2024
Our Ref ▫ Ons Verw:	Civil LU 2791
Town Planning Ref:	LU/17397
Re ▫ Insake:	Erf 281, Franschhoek: Application is made in terms of Stellenbosch Municipal Land Use Planning By-Law, 2023 on Erf 281 Franschhoek, for; - a) Consent Use in terms of Section 15 (2) (o) of the said bylaw in order to utilize the existing 7-bedroom dwelling unit as guest house.

The application is recommended for approval, subject to the following conditions:

1. Water and Sewer

- 1.1 The developer must ensure that the existing water and sewer municipal connection points are utilized to support the new development. No new or additional water or sewer connections will be permitted.
- 1.2 Both water and sewer connections points must be indicated on a site layout plan when submitting building plans for approval.

2. Parking

- 2.1 A parking bay layout plan with a parking bay allocation table in line with the municipal zoning scheme, must be submitted at building plan approval stage.

2.2 The full dimension of each parking bay must be indicated on the said layout plan.

3. Development Charges (DCs)

- 3.1 The following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage and will be amended based on the detail information provided on subsequent applications ie building plans / A final calculation will be provided prior to payment.
- 3.2 The DC's were calculated by using the 2023/2024 tariff structure. If DC's are paid after 30 June 2024 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.
- 3.3 The appropriate DC's are payable before building plan approval.

Ktitus

Kurt Titus

Principal Technician: Development (Infrastructure Services)

Z:\2.0 DEVELOPMENT\01 Land Use applications\2791 (Ku) Erf 281 Franschhoek (LU-17397)\2791 () Erf 281 Franschhoek (LU-17397).doc





Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	LU 2781
Development Name:	
Date:	17 October 2024
Financial Year:	2024/2025
Erf Location (Select from 7 Locations):	Franschoek
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	Erf 281
DC Parameters Reference:	Dc Calc_Motivational Report_TV3_Date: 30 July 2024_Ref 3896-P_Pg 3 & 4_Wagener Hanelom

SUMMARY OF DC CALCULATION								
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals
Unit(s):	l/day	l/day	ha°C	t/week	t/pe/day		persons	
Total Increased Services Usage:	0.43	0.32	-0.002	0.02	8.5		0	
Total Service Usage Reduction:	0	0	0	0	0.0		0	
Total Service Usage after Reduction:	0.43	0.32	-0.00200	0.020	8.5		0	
Charges before adjusting for positive only, before Deductions	R 13 415.87	R 12 228.78	-R 317.67	R 2 056.00	R 77 435.50	R 104 819.48	R -	R 104 819.48
Charges adjusted for positive only, before Deductions	R 13 415.87	R 12 228.78	R -	R 2 056.00	R 77 435.50	R 104 819.48	R -	R 105 137.15
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -
Total Development Charges Payable (excluding VAT):	R 13 415.87	R 12 228.78	R -	R 2 056.00	R 77 435.50	R 104 819.48	R -	R 105 137.15
VAT:	R 2 012.38	R 1 834.47	R -	R 308.40	R 11 615.33	R 15 722.92	R -	R 15 770.57
Total Development Charges Payable (including VAT):	R 15 428.25	R 14 064.24	R -	R 2 364.40	R 89 050.83	R 120 542.40	R -	R 120 907.72

APPLICANT INFORMATION	
Application Processed by:	Kurt Trus
Signature:	<i>Ktirus</i>
Notes:	DC's for 7 bedroom guest house, charges applied for each bedroom after the first 3. Credit also applied for existing second dwelling.

AK

Franschhoek

Franschhoek										Development Charges (incl VAT)													
Land Use Category		Unit Type	Existing Usage		Proposed New Usage		Increased Usage	Water	Sanit	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Co-Ratio	Total								
Description			Area (m²)	Room Amount	Area (m²)	Room Amount	Amount	Yes	Yes	Yes	Yes	Yes	Yes	Yes									
Residential	Single Residential >1000m2	du					0	R	-	R	-	R	-	R	-	-							
	Single Residential >500m2	du					0	R	-	R	-	R	-	R	-	-							
	Single Residential >250m2	du					0	R	-	R	-	R	-	R	-	-							
	Single Residential <250m2	du					0	R	-	R	-	R	-	R	-	-							
	Second Dwelling	du					-1	R	14 038.96	R	15 287.33	R	2 858.02	R	4 112.00	R	20 377.76	R	56 876.86	R	18 217.25	R	72 882.12
	Low Formal Residential	du					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Group Residential	du					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Apartments	du					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Retirement Village	du					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Old age home	du					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Accommodation	Student Accommodation/Communal facilities	rooms					4	R	27 455.74	R	27 516.08	R	2 541.35	R	6 188.00	R	97 813.28	R	101 495.34	R	18 217.25	R	177 712.89
	Guest House	rooms					4	R	27 455.74	R	27 516.08	R	2 541.35	R	6 188.00	R	97 813.28	R	101 495.34	R	18 217.25	R	177 712.89
	Converted Guest House	rooms					4	R	27 455.74	R	27 516.08	R	2 541.35	R	6 188.00	R	97 813.28	R	101 495.34	R	18 217.25	R	177 712.89
	Hotel, Residential	rooms					4	R	27 455.74	R	27 516.08	R	2 541.35	R	6 188.00	R	97 813.28	R	101 495.34	R	18 217.25	R	177 712.89
Commercial	General Business	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Office	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Retail/Shop	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Restaurant	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Outdoor Function / Picnic Area	persons					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Conference Facility/Place of assembly	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Hospital/Clinical Rooms	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	University/College	student					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	School/Day Care	student					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Industrial	Industrial - light	m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
Industrial - heavy		m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Warehousing/Light Manufacturing		m2 GLA					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Storage Facilities		unit					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Non demand	Open Space/Natural Environment/Utility Site	ha					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Roads and Parking	ha					0,0000	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Other	To be calculated	n/a					0,0000	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	(Based on equivalent demands)	n/a					0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Total Area		0			Total Area	0																	

Deduct	Charges before adjusting for positive only, before Deductions	R	R	R	R	R	R	R	R
	Charges adjusted for positive only, before Deductions	R	R	R	R	R	R	R	R
	Deductions per service (from usage reductions)	R	R	R	R	R	R	R	R
	Deduction (%)	Percentage	0.00%						
	Additional Deduction per service - from Service Agreement (sum)	R	R	R	R	R	R	R	R
Totals	Sub Total after Adjustments and Deductions (excluding VAT)	R	R	R	R	R	R	R	R
	VAT	R	R	R	R	R	R	R	R
	Total Development Charges	R	R	R	R	R	R	R	R

K