



STELLENBOSCH

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Application Number: LU/18380

Our File Reference Number: Erf 1094, Jamestown

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR CONSENT USE ON ERF 1094, JAMESTOWN

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 Application for **Consent Use** in terms of section 15 (2) (o) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 to permit the usage of a portion of the existing dwelling as a house shop on Erf 1094, Jamestown.

BE APPROVED in terms of Section 60 of the said By-law 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 house shop to be limited to the area indicated by the site plan and drawing number 100/2018/07JT 1094, Drawn by: Elton Swarts, Dated 15/04/2018.
 - 2.2.4 No goods be stored in any room or container which has not been approved by the Municipality.

- 2.2.5 No animals be permitted or kept in the house shop.
- 2.2.6 The wall surfaces and floor areas of the house shop be smooth, easily cleanable and without cracks, open joints or seams.
- 2.2.7 All work surfaces and containers be of a smooth, non-absorbent, non-toxic material without cracks open joints or seams.
- 2.2.8 The house shop be adequately ventilated and illuminated.
- 2.2.9 Approved refuse containers be provided.
- 2.2.10 All perishable foodstuffs be stored in fridges/freezers.
- 2.2.11 The house shop be dust and rodent proof.
- 2.2.12 No more than 3 persons, including the owner of the dwelling or residing family member, be employed in the house shop.
- 2.2.13 No flammable materials or liquids (LP Gas) be stored or sold.
- 2.2.14 No video games or pinball tables be permitted in the house shop.
- 2.2.15 The conditions imposed by the Directorate Infrastructure Services as contained in the memorandum dated 26/05/2025, and attached as **Annexure B**, be complied with to the satisfaction of the said department.
- 2.2.16 The Municipality reserves the right to withdraw the approval for the house shop should the conditions of approval not be complied with or in the event of the business creating a disturbance or nuisance to the adjacent property owners, and in which case the Council shall not be held responsible for any costs incurred by the applicant.

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

- 3.1 The proposed house shop will serve the surrounding community by selling essential goods and it will mainly be accessed by people walking to the shop.
- 3.2 The house shop is compatible with the residential character of the area.

3.3 The proposed development would not negatively affect the aesthetic appearance of the structure, property or surrounding environment and the primary use of the property will remain residential.

3.4 The scale and nature of the proposed house shop will not compromise the existing character of the surrounding residential area.

4. Matters to be noted

4.1 An application for the erection of advertising signs be submitted for approval to the Municipality and that all signage on the property be erected to the satisfaction of the Municipality or be in line with the relevant signage policy of the Municipality.

4.2 Any person running a house shop obtains the relevant business license where required.

4.3 No directional signage be erected without the prior approval of the Municipality

4.4 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 house shop 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 with the primary use of the property.

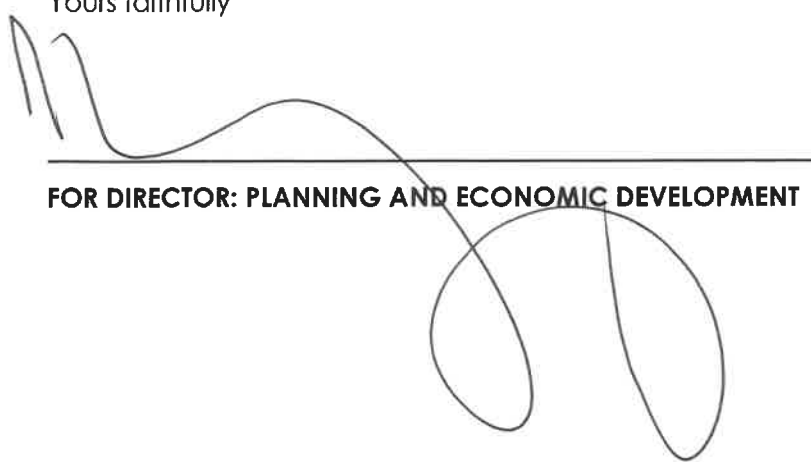
5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

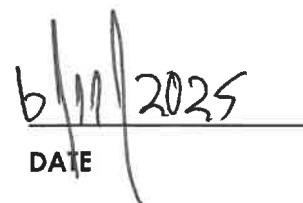
6. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.

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


FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT


DATE



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ANNEXURE A

SITE PLAN AND SITE PHOTOS

NOTE
 TOP THREE COURSES BELOW WALL PLATE, RISING WALLS U
 TO FLOOR LEVEL AND GABLE END WALLS ABOVE WINDOW
 LINTOL HEIGHT TO BE SOLID PLUS THREE COURSES
 BRICKFORCE

SUPPLY PRESTRESSED CONCRETE LINTOLS WITH BRICKFORC
 IN EACH COURSE ABOVE TO ALL INTERNAL AND EXTERNAL
 OPENINGS TO BE LAID TO MANUFACTURERS SPECIFICATION.

CONTRACTOR TO ALLOW FOR THE INSTALLATION OF TWO
 GARDEN TAPS.

ALL DOOR HANDLES AND LIGHT SWITCHES TO BE AT 900
 HEIGHT ABOVE FINISHED FLOOR LEVEL.
 ALL EXTERNAL LIGHT POINTS TO BE AT 1 800 HEIGHT
 ABOVE FINISHED FLOOR LEVEL.

FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO
 SCALING

SET OUT FROM MUNICIPAL APPROVED PLANS ONLY

ALL RELEVANT LEVELS, DIMENSIONS AND DETAILS TO BE
 VERIFIED ON SITE. ANY DISCREPANCIES TO BE REPORTED
 TO THE DESIGNER BEFORE COMMENCEMENT OF WORK.

THIS DRAWING TO BE READ IN CONJUNCTION WITH
 DRAWING NUMBER SP-1, AND DETAIL1.

THIS DRAWING IS COPYRIGHT AND REMAINS THE
 PROPERTY OF THE DESIGNER

BP/18/1785

STOP

PROPOSED SITE AND
 GROUND FLOOR LAY-OUTS SCALE 1:100

<p>Revision notes: All work must comply with National Building Regulations and Local Authorities By-laws. Builder to work according plan and use own discretion where necessary. All levels and dimensions to be checked before any work commences. Preference to be given to written dimensions above scaling from plan.</p>	<p> [EJS CONSULTANTS] [REDACTED] [REDACTED]</p>	<p>DESIGNS: ELTON SWARTZ Client: MR JOELTON MAARMAN</p>	<p>Drawing: SITE & FLOOR LAY OUTS PLAN Nr. 100/07 JT 1094.....</p>	<p>Date: 2018-04-15 Scale @ A3: 1:100 SACAP registered D1550</p>	<p>Project: PROPOSED NEW BEDROOM (MASTER) CARPORT & LEAN-TO NEW ADDITIONS TO EXISTING LOUNGE ERF 1094 JAMESTOWN STB. MUNICIPALITY</p>
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ANNEXURE B

**COMMENT FROM DIRECTORATE:
INFRASTRUCTURE SERVICES**



STELLENBOSCH MUNICIPALITY

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MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Salome Newman
From ▫ Van: Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Siyasanga Zweni
Date ▫ Datum: 26 May 2025
Our Ref ▫ Ons Verw: Civil LU 2900
Town Planning Ref: LU/18380
Re ▫ Insake: Erf 1094, Jamestown: Application for consent use in terms of section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law, 2023 to permit a portion of dwelling house to be used as a house shop on Erf 1094, Jamestown.

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

1. Delivery vehicles

- 1.1 Care must be taken that delivery vehicles do not obstruct traffic and pedestrian flows in the road. Should this become a problem, this approval may be revoked. The Owner is required to use the parking space on his erf for delivery vehicles.

2. Parking for customers

- 2.1 This approval is based on the reasoning that customers will mostly walk to the shop, as it provides a service to the surrounding community. Care must be taken that customers do not park in the road and obstruct traffic flows. Should this become a problem, this approval may be revoked and the Owner is required to make use of his parking on his erf for customer parking.

S. Zweni

Siyasanga Zweni
Technician: Development (Infrastructure Services)

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