



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/17446(TP856/2024)

Our File Reference Number: Erf 1353, Stellenbosch

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 DEPARTURE, CONSENT USE & PERMISSION REQUIRED IN TERMS OF THE ZONING SCHEME ON ERF 1353, STELLENBOSCH

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 1353 Stellenbosch for:
 - 2.1.1 **Consent Use** in terms of section 15 (2) (o) of the said bylaw in order to convert the existing seven (7) bedrooms dwelling unit as eight (8) bedrooms guest house.
 - 2.1.2 **Permanent Departure** in terms of section 15(2) (b) of the said bylaw to relax the street building line from 4m to 0.7m to allow the proposed swimming pool.
 - 2.1.3 **Permission** in terms of section 15(2)(g) of the said bylaw to facilitate the proposed uses in the urban conservation overlay zone.
 - 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 and floor plans referenced as drawing no: LA 001, 002, & 003, drawn by: SEH (hb architects), dated 26.07.2024 & 10.08.2024 respectively.
 - 2.2.4 The guest house be limited to **eight (8) bedrooms** and a maximum of 16 paying guests or lodgers shall be permitted at any one time.

- 2.2.5 A permit from Heritage Western Cape (HWC) be obtained before building plan approval submission.
- 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 Proof of servitude registration/right of way registration in the title deed of erven 1353 and 5355 must be provided prior to the facility on erf 1353 being put to its intended use. Or before any further development approvals such as BP approvals are granted.
- 2.2.8 In future building plan applications are submitted for erf 5355 and erf 1353 the access servitude must be indicated on the building plan.
- 2.2.9 Any changes to existing municipal infrastructure will be for the account of the owner.
- 2.2.10 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.
- 2.2.11 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 on site.

4. Matters **to be noted**:

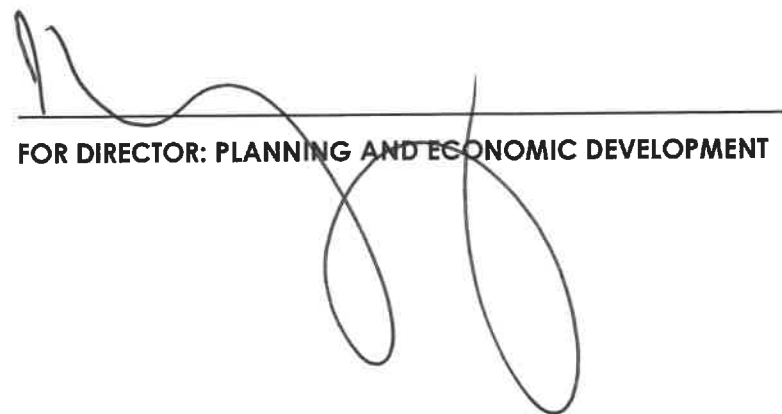
4.1 Should, after following due process –

- 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 with the primary use of the property.

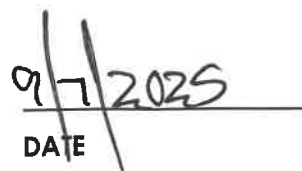
- 5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time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

ANNEXURE A
SITE AND FLOOR PLANS

ERF 5355
32 430 Boundary

convert existing laundry back to
Garage

2,500 building line



STELLENBOSCH MUNICIPALITY
THIS SITE DEVELOPMENT PLAN IS APPROVED IN
TERMS OF SECTION 60 OF THE STELLENBOSCH
MUNICIPAL LAND USE PLANNING BY-LAW (2015), 2027
SUBJECT TO THE CONDITIONS AS PER APPENDIX.
9/1/2025
MUNICIPAL MANAGER DATE

Guest Bedroom 1

Store Room

Kitchen

Laundry

Library

Extng Stairs

Guest Bedroom 2

Lounge

Family/Dining Rm

Proposed
3,5 x 2,0m
Pool

Court Yard

Proposed pergola

11 Minserie Street

29 898 Boundary

Replace existing monopitch stoep with bell-curve roof
Proposed glazed entrance portico

29 820 Boundary
ERF 1352



po box 805 083 658 2640
stellenbosch stuart@hermansen.co.za
7600 sacap | prof arch 6148
hb architects pty ltd
reg no: 2017 | 103 456 | 07

CLIENT:
MINSERIE COLLECTION

PROJECT:
11 MINSERIE

DRAWING:
GROUND FLOOR

DRAWN:	SCALE:	DATE:
SEH	1:100 @ A3	10 08 2024
JOB No:	REV No:	
2132	0	
	DWG No:	
	LA 002	

pump room

bicycle
parking area

Guest Bedroom 5

Guest Bedroom 4

Guest Bedroom 3

Stoep

timber screens between rooms

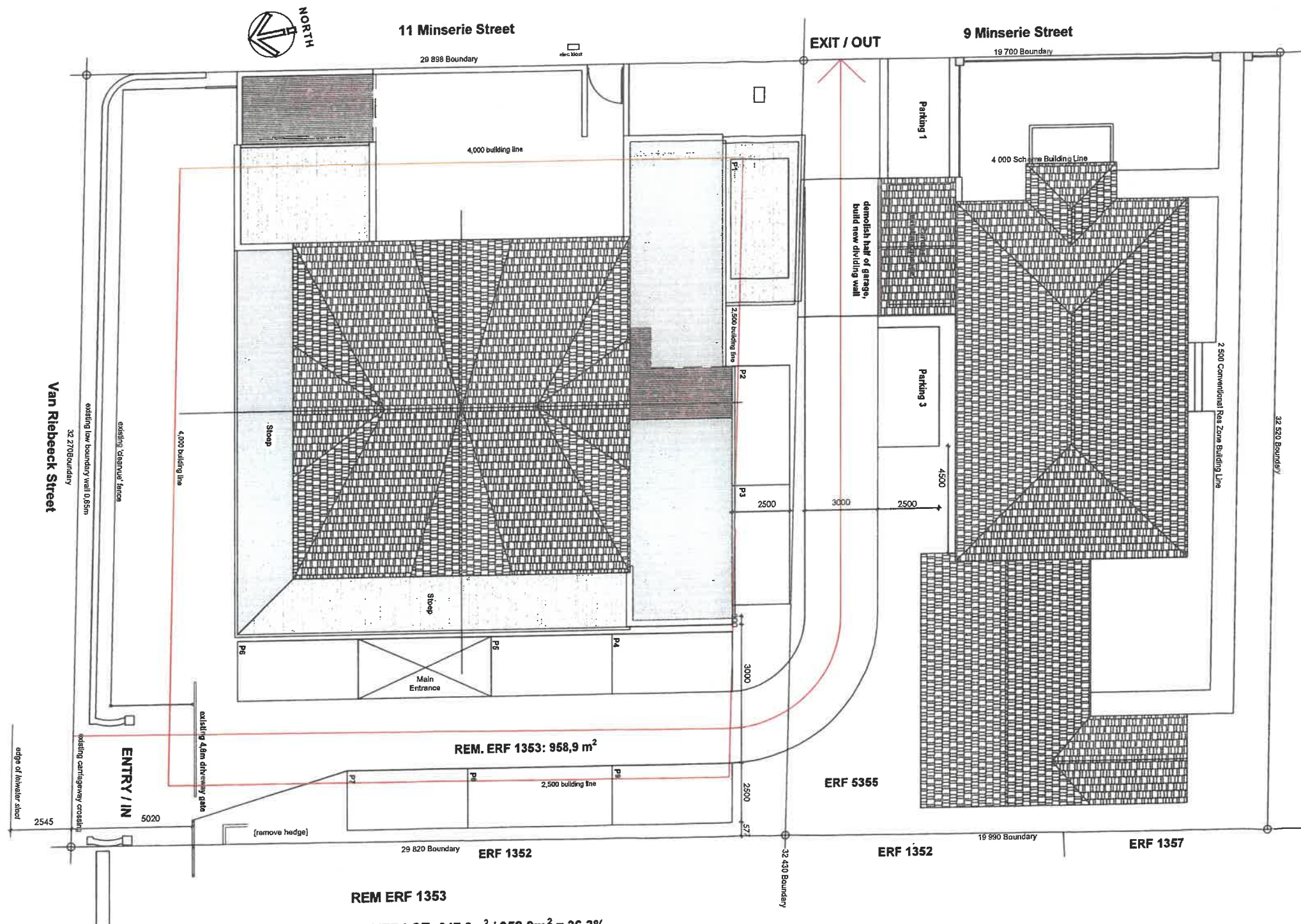
Replace existing monopitch stoep with bell-curve roof

existing 4,8m driveway gate

11 minserie: PROPOSED GROUND FLOOR PLAN

4,000 building line

SCALE 1:100



STELLENBOSCH MUNICIPALITY
THIS SITE DEVELOPMENT PLAN IS APPROVED IN
TERMS OF SECTION 60 OF THE STELLENBOSCH
MUNICIPAL LAND USE PLANNING BY-LAW (2015) 2023
SUBJECT TO THE CONDITIONS AS PER APPENDIX.
9/7/2023
MUNICIPAL MANAGER DATE

hb
ARCHITECTS

po box 805
stellenbosch
7600

CLIENT:

MINSERIE COLLECTION

PROJECT:

11 MINSERIE

DRAWING:

9 & 11 SITE PLANS
PROPOSED SHARED PARKING

DRAWN:	SCALE:	DATE:
SEH	1:200 @ A3	26 07 2024
JOB No:	REV No:	
2132	0	
	DWG No:	
	LA 001	

REM ERF 1353

COVERAGE: $347,8\text{m}^2 / 958,9\text{m}^2 = 36,3\%$

BEDROOMS

EXISTING BEDROOMS: 7

PROPOSED BEDROOMS: 8

EXISTING PARKING [NON CONFORMING]: 7

PROPOSED PARKING [CONFORMING]: 9

END PARKING BAYS = 2500×5000

INTERMEDIATE PARKING BAY [P8]: $= 2500 \times 6000$

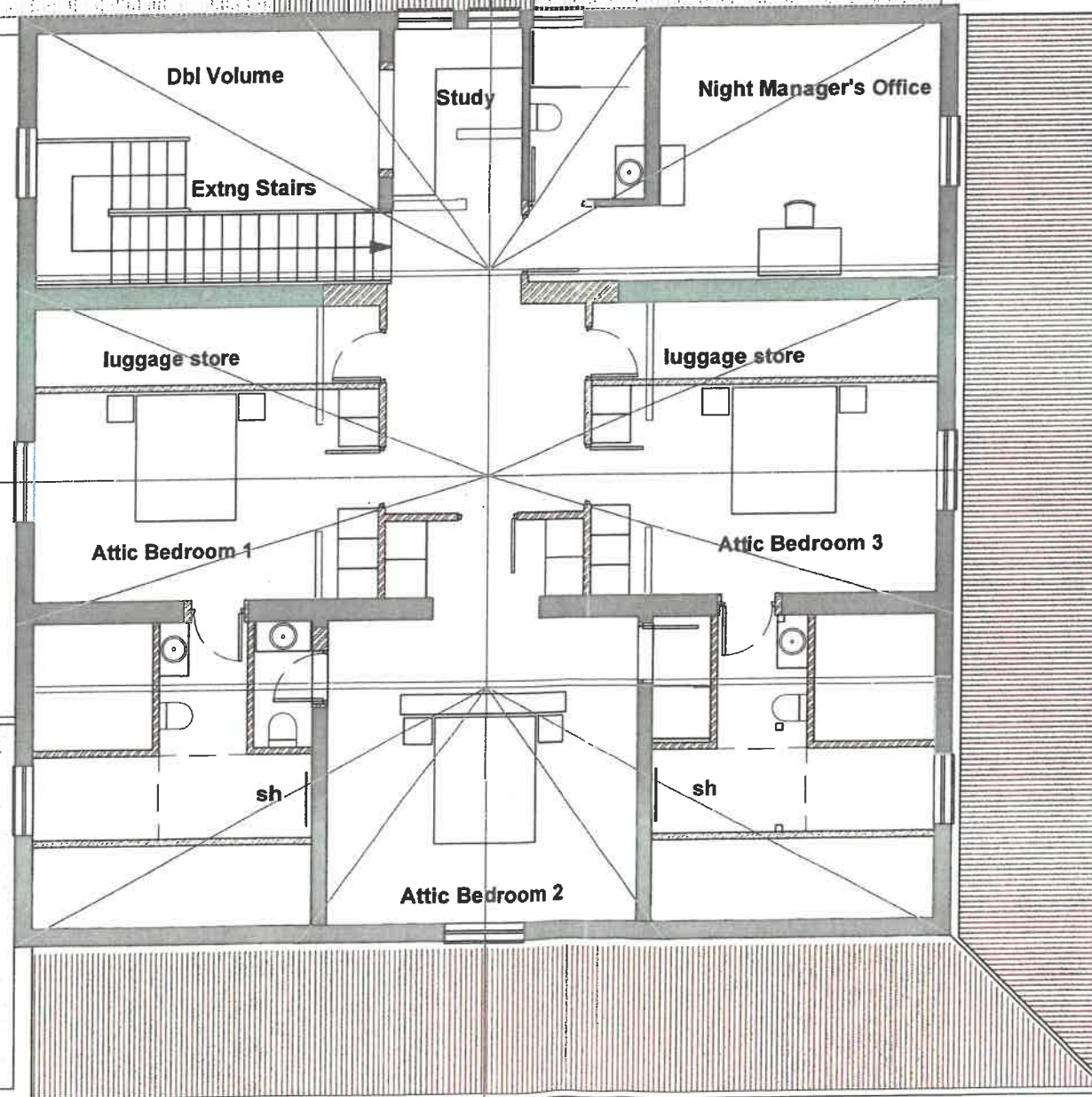
ERF 5355
32 430 Boundary



STELLENBOSCH MUNICIPALITY
THIS SITE DEVELOPMENT PLAN IS APPROVED IN
TERMS OF SECTION 60 OF THE STELLENBOSCH
MUNICIPAL LAND USE PLANNING BY-LAW (2015),
SUBJECT TO THE CONDITIONS AS PER APPENDIX.
MUNICIPAL MANAGER
DATE 9/7/2023

11 Minserie Street

29 898 Boundary



po box 805
stellenbosch
7600

CLIENT:
MINSERIE COLLECTION

PROJECT:
11 MINSERIE

DRAWING:
**ATTIC FLOOR
PROPOSED PLAN**

DRAWN:	SCALE:	DATE:
SEH	1:100 @ A3	10 08 2024
JOB No:	REV No:	
2132	0	
	DWG No:	
	LA 003	

11 minserie:PROPOSED ATTIC FLOOR PLAN
SCALE 1:100

ANNEXURE B

COMMENTS FROM INTERNAL DEPARTMENTS



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Our ref: Erf: 1353 Stellenbosch
Mr K Makati

2024-09-18

For attention: Stuart Hermansen

HB Architects
Distillery Road
Stellenbosch

7600

**APPLICATION IN TERMS OF SECTION 34 OF THE NATIONAL HERITAGE RESOURCES
ACT: PROPOSED ALTERATIONS AND ADDITIONS TO A BUILDING OLDER THAN 60
YEARS, ERF 1353, No 11 MINSERIE STREET, STELLENBOSCH**

The above-mentioned application was considered by the Stellenbosch Municipality Conservation Advisory Committee on the 26th of August 2024 and the following recommendation was made:

The application is recommended for approval

The Committee recommended by the following:

A permit must be obtained from HWC.

For further information or any clarification regarding abovementioned application, you can contact the Office of Development Planning, Heritage Section.

Yours sincerely

Katherine Robinson
Senior Heritage Planner



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: Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Ilze Fillies
Date ▫ Datum: 28 February 2025
Our Ref ▫ Ons Verw: Civil LU 2808
Town Planning Ref: LU/17446
Re ▫ Insake: Erf 1353, Stellenbosch: Application is made in terms of Stellenbosch Municipal Land Use Planning By-Law, 2023 on Erf 1353 and 5355 Stellenbosch for; - a) Consent Use in terms of Section 15 (2) (o) of the said bylaw in order to convert the existing 8 bedroom dwelling house on Erf 1353 to guest house. b) Permanent Departure in terms of Section 15(2)(b) of the said bylaw to relax the street building line from 4m to 0.7m on Erf 5355 to allow the proposed swimming pool. c) Permission in terms of Section 15(2) (g) of the said bylaw to facilitate the proposed uses in an urban conservation overlay zone. Exemption certificate in terms of Section 24(1)(f)(iv) of the Stellenbosch Municipal Land Use Planning By-Law, 2023, for the registration of a 3m wide private right of way servitude over Erf 5355 in favour of Erf 1353 and over Erf 1353 in favour of Erf 5355

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

✍

1. Roads

- 1.1 Proof of servitude registration / right of way registration in the title deeds of erven 1353 and 5355 must be provided prior to the facility on erf 1353 being put to its intended use. Or before any further development approvals such as BP approvals are granted. (Refer to email from Carlien@archtownplanners.co.za Arch town planners dated 5 March 2025 13:41)
- 1.2 If in future building plan applications are submitted for erf 5355 and erf 1353 the access servitude must be indicated on the building plan.
- 1.3 Any changes to existing municipal infrastructure will be for the account of the owner.

2. Development Charges (DCs)

- 2.1 The following DC's are payable: See **Development Charge Calculation** attached.
- 2.2 The DC's were calculated by using the 2024/2025 tariff structure. If DC's are paid after 30 June 2025 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.
- 2.3 The appropriate DC's are payable before the facility is put to its approved use.

**Ilze Fillies****Principal Technician: Development (Infrastructure Services)**

N:\2.0 DEVELOPMENT\01 Land Use applications\2808 (IF) Erf 1353 Stellenbosch (LU-17446)\2808 () Erf 1353 Stellenbosch (LU-17446).doc





Stellenbosch Municipality
Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	2808 (IF) Erf 1353 Stellenbosch (LU-17446)
Development Name:	
Date:	28 February 2025
Financial Year:	2024/2025
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	Erf 1353
DC Parameters Reference:	Mortivation report Erf 1353 & 5355 Stellenbosch 9&11 Minserie street dated Aug 2024 by Arch Town Planners

SUMMARY OF DC CALCULATION									
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals	
Unit(s):	kl/day	kl/day	ha°C	thweek	trips/day		persons		
Total Increased Services Usage:	1,1	0,9	0,02	0,075	15		5		
Total Service Usage Reduction:	0	0	0	0	0,0		0		
Total Service Usage after Reduction:	1,10	0,90	0,02000	0,075	15,0		5		
Charges before adjusting for positive only, before Deductions	R 38 229,60	R 32 624,82	R 4 354,63	R 7 710,00	R 95 145,51	R 178 064,57	R 20 271,57	R	198 336,13
Charges adjusted for positive only, before Deductions	R 38 229,60	R 32 624,82	R 4 354,63	R 7 710,00	R 95 145,51	R 178 064,57	R 20 271,57	R	198 336,13
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R	-
Total Development Charges Payable (excluding VAT):	R 38 229,60	R 32 624,82	R 4 354,63	R 7 710,00	R 95 145,51	R 178 064,57	R 20 271,57	R	198 336,13
VAT:	R 5 434,44	R 4 893,72	R 653,19	R 1 156,50	R 14 271,63	R 28 409,69	R 3 040,73	R	28 450,42
Total Development Charges Payable (including VAT):	R 41 664,04	R 37 518,55	R 5 007,83	R 8 866,50	R 109 417,34	R 202 474,26	R 23 312,30	R	226 786,56

APPLICANT INFORMATION	
Application Processed by:	Izize Filles
Signature:	<i>AFULLACS</i>
Notes:	

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Stellenbosch Town

STANDARD CATEGORY	UNITS	ESTIMATED VALUE	PERCENTAGE NEW LOGIC	STATUS	WATER	SEWER	SOLID WASTE	TRAFFIC LIGHTS	OVERHEADS	CONTRIBUTION	TOTAL
Category	Unit	Value	Percentage	Status	Water	Sewer	Solid Waste	Traffic Lights	Overheads	Contribution	Total
Residential	Single Residential >100m2	du		0	R	R	R	R	R	R	R
	Single Residential >500m2	du		0	R	R	R	R	R	R	R
	Single Residential >250m2	du		0	R	R	R	R	R	R	R
	Single Residential <250m2	du		0	R	R	R	R	R	R	R
	Second Dwelling	du		0	R	R	R	R	R	R	R
	Less Formal Residential	du		0	R	R	R	R	R	R	R
	Group Residential	du		0	R	R	R	R	R	R	R
	Apartments	du		0	R	R	R	R	R	R	R
	Retirement Village	du		0	R	R	R	R	R	R	R
	Old age home	du		0	R	R	R	R	R	R	R
Accommodation	Student Accommodation/Communal/Hostels	rooms		0	R	R	R	R	R	R	R
	Guest House	rooms		0	R	R	R	R	R	R	R
	Converted Guest House	rooms		0	R	R	R	R	R	R	R
	Hostel, Residential	rooms		0	R	R	R	R	R	R	R
	General Business	m2 GLA		0	R	R	R	R	R	R	R
	Office	m2 GLA		0	R	R	R	R	R	R	R
	Retail Shop	m2 GLA		0	R	R	R	R	R	R	R
	Restaurant	m2 GLA		0	R	R	R	R	R	R	R
	Outdoor Function / Picnic Area	persons		0	R	R	R	R	R	R	R
	Conference Facility/Place of assembly	m2 GLA		0	R	R	R	R	R	R	R
	Hospital/Clinical/Medical Rooms	m2 GLA		0	R	R	R	R	R	R	R
	University/College	student		0	R	R	R	R	R	R	R
	School/Day Care	student		0	R	R	R	R	R	R	R
	Industrial - light	m2 GLA		0	R	R	R	R	R	R	R
	Industrial - heavy	m2 GLA		0	R	R	R	R	R	R	R
	Warehousing/Light Manufacturing	m2 GLA		0	R	R	R	R	R	R	R
	Storage Facilities	unit		0	R	R	R	R	R	R	R
	Open Space/Natural Environment/Utility Site	ha		0	R	R	R	R	R	R	R
	Roads and Parking	ha		0	R	R	R	R	R	R	R
	To be calculated	du		0	R	R	R	R	R	R	R
Other	(Based on equivalent demands)	n/a		0	R	R	R	R	R	R	R
	Total Area	0									
	Total Area	0									

Charges before adjusting for positive only, before Deductions	R	38 220.00	R	32 824.02	R	4 354.03	R	7 710.00	R	95 145.51	R	178 064.57	R	20 271.37	R	198 336.13
Deductions per service (from usage reductions)	R	38 220.00	R	32 824.02	R	4 354.03	R	7 710.00	R	95 145.51	R	178 064.57	R	20 271.37	R	198 336.13
Discount Deduction (%)																
Additional Deduction per service - from Services Agreement (sum)																
Sub Total after Adjustments and Deductions (excluding VAT)	R	38 220.00	R	32 824.02	R	4 354.03	R	7 710.00	R	95 145.51	R	178 064.57	R	20 271.37	R	198 336.13
VAT	R	5 434.44	R	4 882.72	R	653.19	R	1 166.50	R	14 271.83	R	28 498.09	R	3 040.73	R	28 460.42
Total Development Charges	R	41 884.04	R	37 510.05	R	5 007.22	R	8 876.50	R	109 417.34	R	206 562.66	R	23 312.10	R	226 798.89