



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/17173 (TP759/2024)

Our File Reference Number: Erf 1470, Franschhoek

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: alwi@urbanrural.co.za

Sir / Madam

APPLICATION FOR A CONSENT USE ON ERF 1470, 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 1470, Franschhoek for:

2.1.1 **Consent Use** in terms of Section 15 (2) (o) of the said bylaw for tourist accommodation establishment in order to extend the existing ten (10) bedrooms by four (4) more guest rooms.

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: B03-07, Project No: 381.2024, drawn by: Urban Rural South Africa, dated May 2024 & April 2024 respectively attached as **Annexure A**.

2.2.4 The development be limited to **fourteen (14) bedrooms** and a maximum of 28 paying guests or lodgers shall be permitted at any one time, allowing the following;

- a) the domestic quarters unit be used as a guestroom, in addition to the existing ten (10) bedrooms;
- b) the dwelling house be used as a 2-bedroom self-catering unit; and
- c) allowing the existing outbuilding to be used as a one-bedroom self-catering unit.

2.2.5 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.

2.2.6 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.

2.2.7 Sufficient on-site parking be provided in accordance with the provisions of the Zoning Scheme Bylaw as illustrated on the site plan to the satisfaction of the Municipality.

2.2.8 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:**

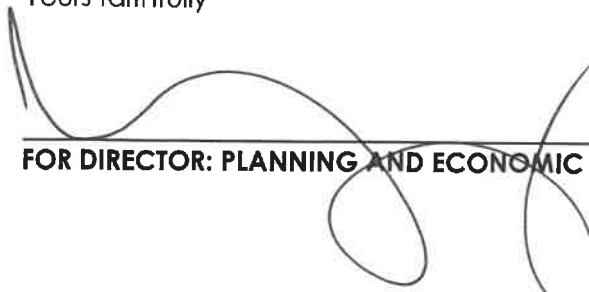
4.1 Should, after following due process –

- 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 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.

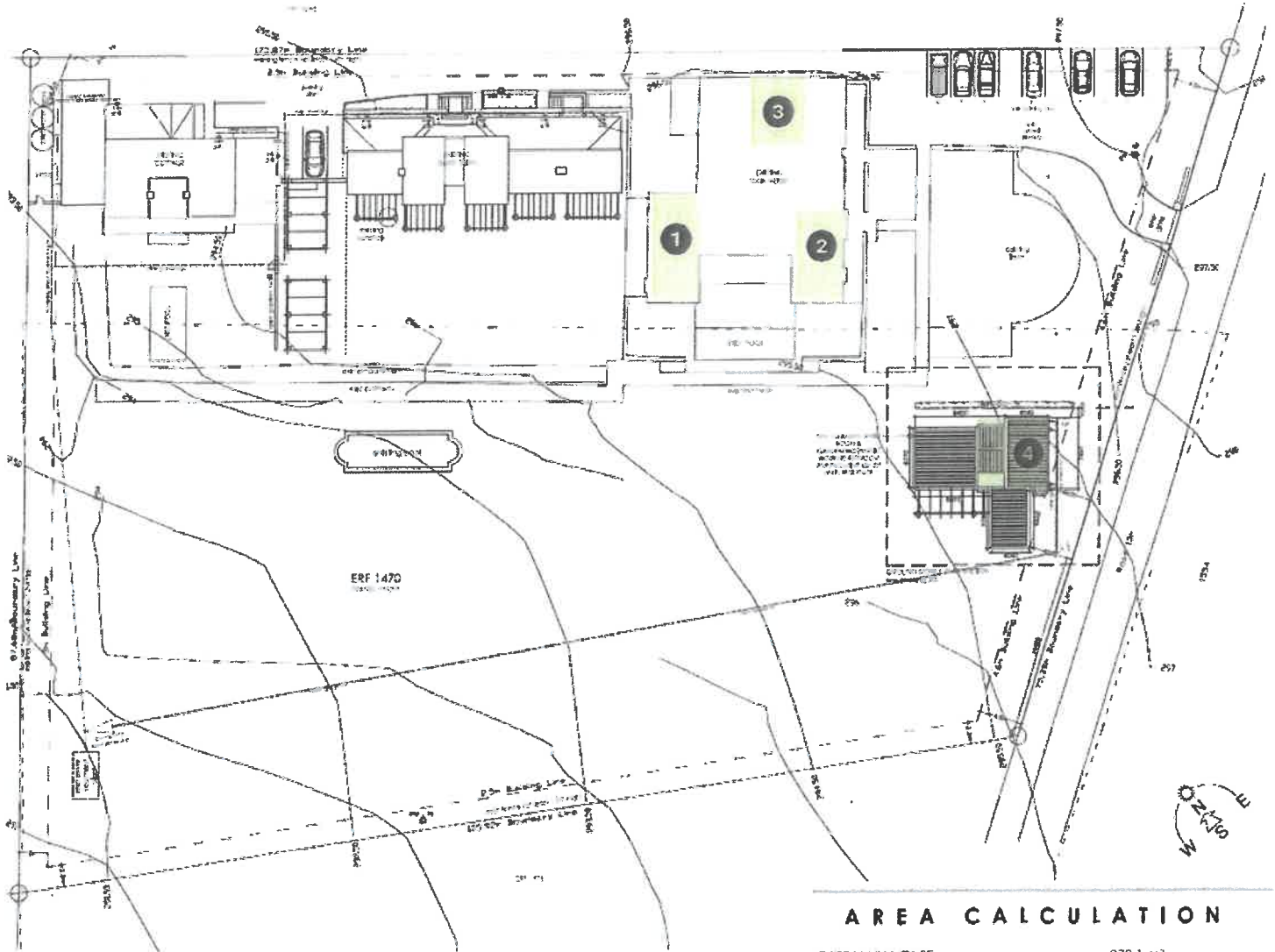
6. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.
7. **Appeals must be addressed to the Municipal Manager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

31/3/2025
DATE

ANNEXURE A
SITE AND FLOOR PLANS



4 New bedrooms to be added to the existing Tourist Accommodation Establishment. No changes will be made to any of the buildings.

- The owner's dwelling will be used as a 2 bedroom self-catering unit (Rooms 1+2)
- The staff unit will be utilised as a guest unit (Room 3)
- The outbuilding (which accommodates the staff service area and garages will be reused as a 1 bedroom self-catering unit.(Room4)
- All the above new rooms will form part of the existing tourist establishment

AREA CALCULATION

EXIST MAIN HOUSE :	373.1 m ²
EXISTING COTTAGE :	238.5 m ²
EXISTING GUEST SUITES :	240.6 m ²
EXISTING TOTAL:	852.2 m ²
NEW GARAGES AND STAFF SERVICE AREA :	121.1 m ²
TOTAL:	973.3 m ²
EXISTING POOL:	50.5 m ²
SITE AREA:	9 121.8 m ²
COVERED AREA:	973.3 m ²
COVERAGE:	10.67 %



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PLANNING + LAND USE SPECIALISTS

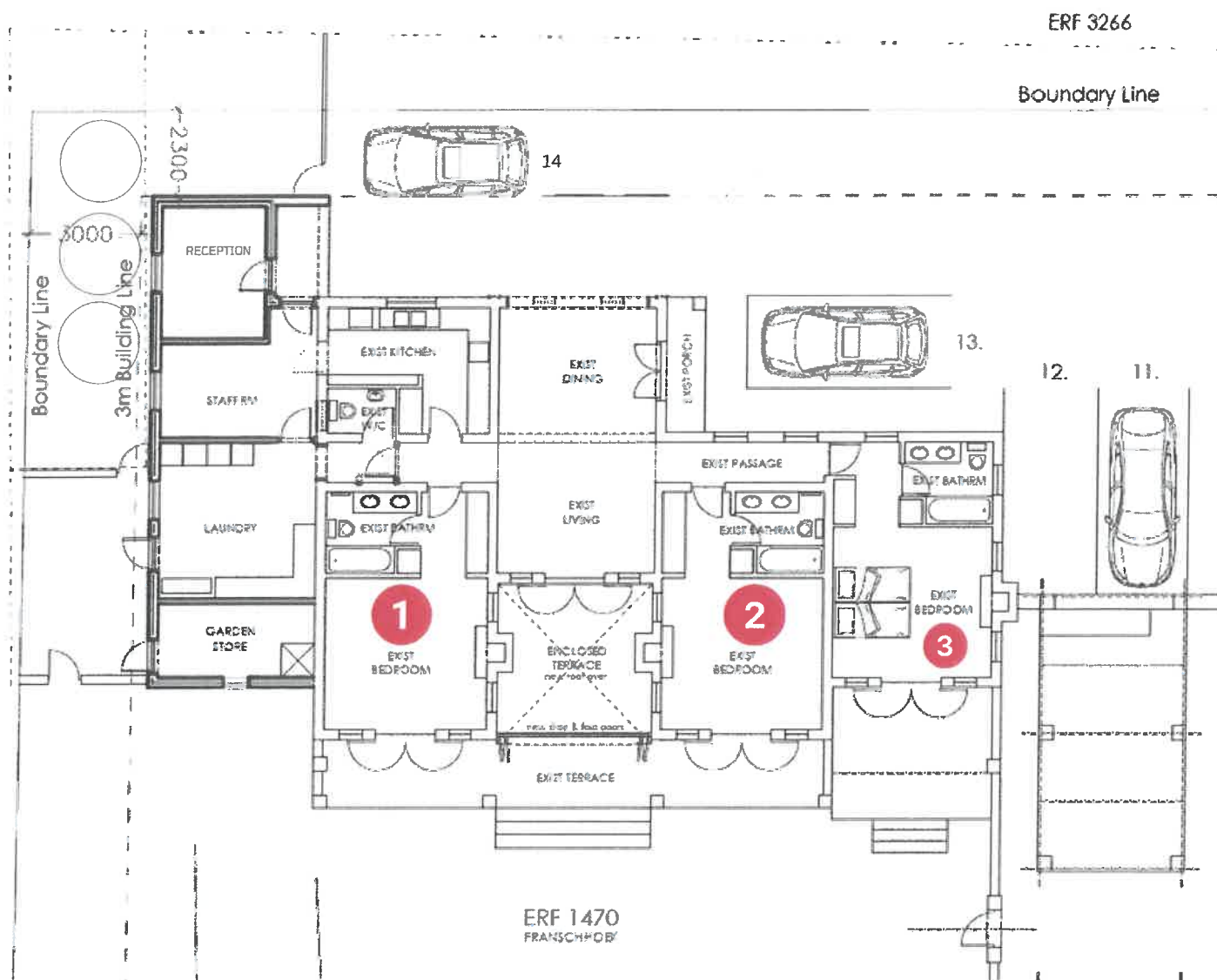
A THEART | Tch.Pln (SA) MPhil NHDip NDip PPRE CEA
ALWI THEART T/A URBAN RURAL SA PLANNING PRACTITIONERS
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alwi@urbanrural.co.za | www.urbanruralsa.com

SITE DEVELOPMENT PLAN

Property : Erf 1470
Town : Franschhoek
Municipality : Stellenbosch Municipality
Location : 2 Park Lane Avenue, Franschhoek
Date : May 2024
Scale : Unknown or as Indicated
Source : JDArchitects
Project Nr : 381.2024

PLAN

B03



Existing

Tourist Accommodation
Establishment | Rooms 1-3+ Kitchen,
Dining + Utility services



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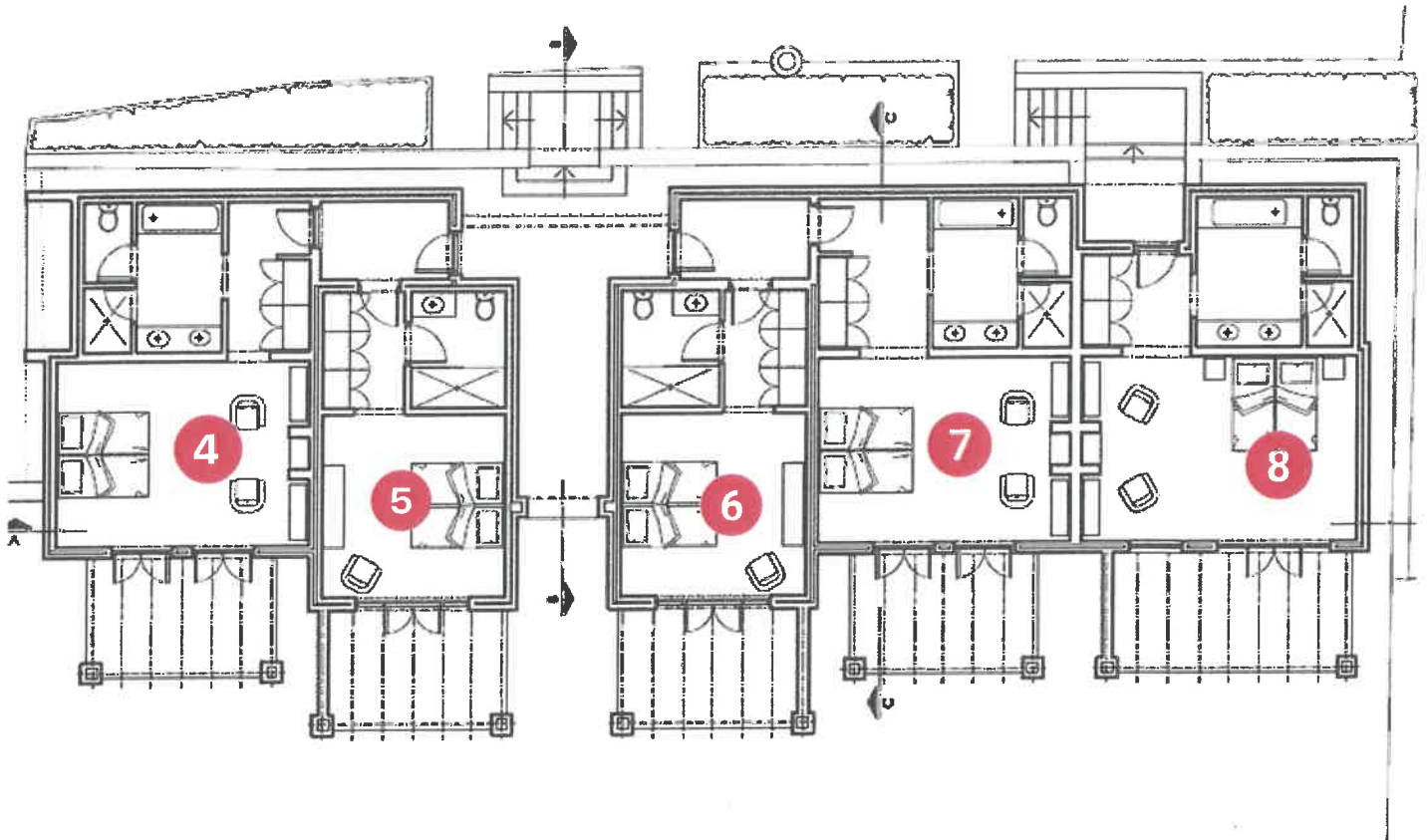
Floor Plan

Existing Tourist
Accommodation Establishment

Property : Erf 1470
Town : Franschhoek
Municipality : Stellenbosch Municipality
Location : 2 Park Lane Avenue, Franschhoek
Date : May 2024
Scale : Unknown or as Indicated
Source : JDArchitects
Project Nr : 381.2024

PLAN

B04



Existing

Tourist Accommodation
Establishment | Rooms 4-8



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Floor Plan

Existing Tourist
Accommodation Establishment

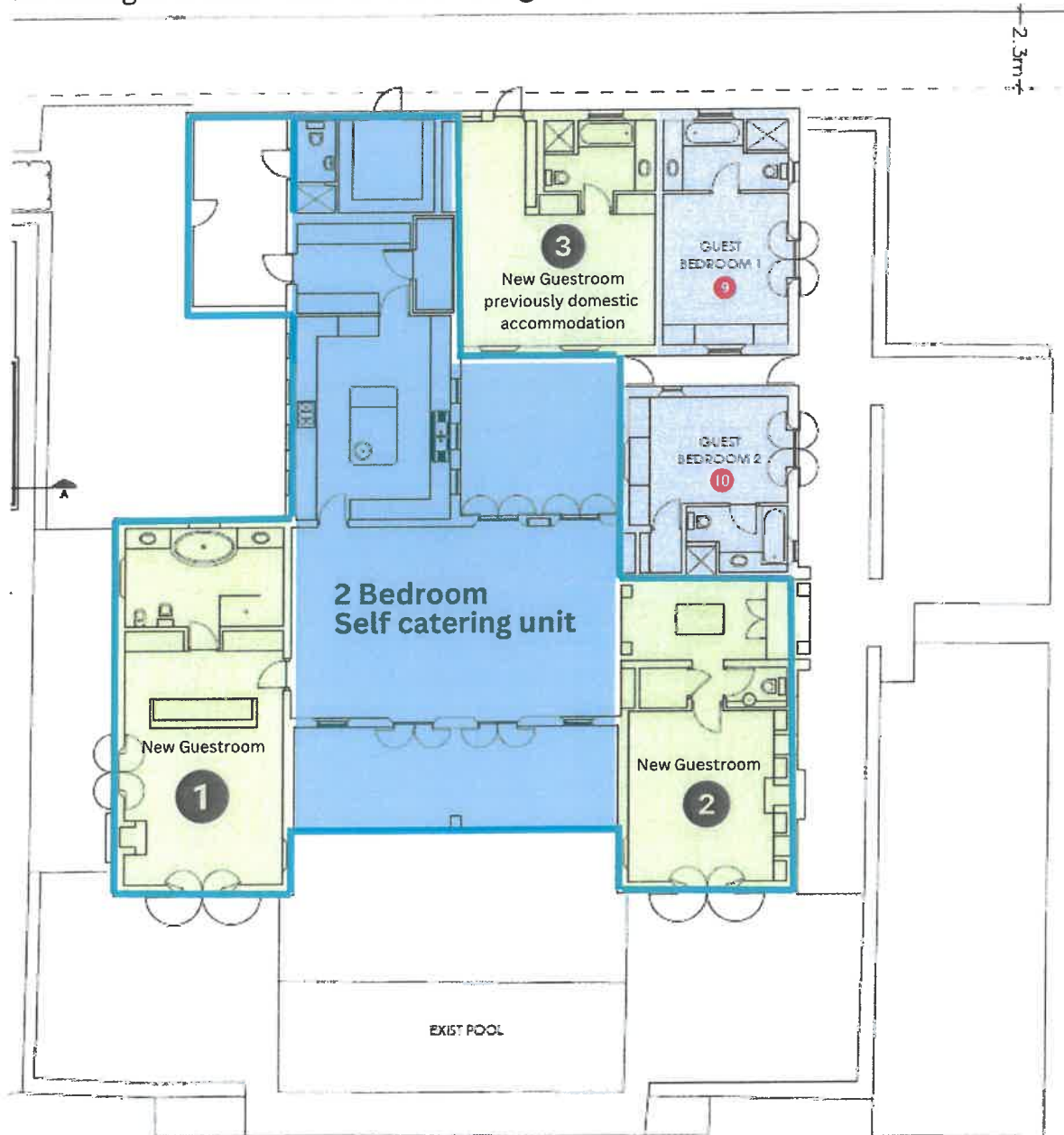
Property : Erf 1470
Town : Franschhoek
Municipality : Stellenbosch Municipality
Location : 2 Park Lane Avenue, Franschhoek
Date : May 2024
Scale : Unknown or as Indicated
Source : JDArchitects
Project Nr : 381.2024

PLAN

B05

Existing Structure

No changes will be made to the existing structure



"Existing landowners dwelling which will be used as a New" Self catering Unit with 2 bedrooms as part of the existing tourist accommodation establishment



3 existing bedrooms will now form part of existing 10 bedrooms tourist accommodation establishment

Guest bedroom 1+2 which are part of the part of existing 10 bedroom tourist accommodation establishment



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Floor Plan

Existing Tourist
Accommodation Establishment

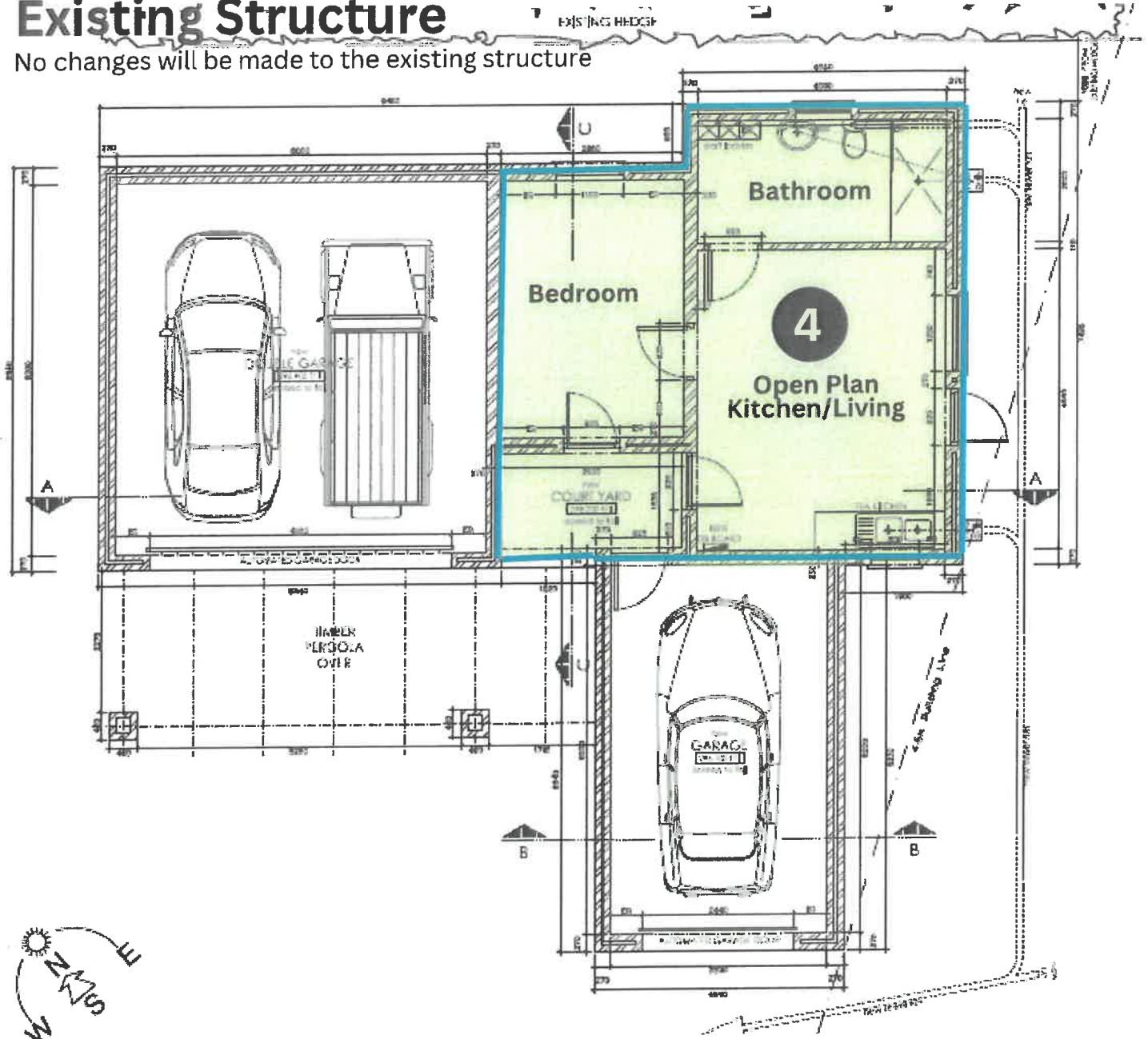
Property : Erf 1470
Town : Franschhoek
Municipality : Stellenbosch Municipality
Location : 2 Park Lane Avenue, Franschhoek
Date : May 2024
Scale : Unknown or as Indicated
Source : JDArgitects
Project Nr : 381.2024

PLAN

B06

Existing Structure

No changes will be made to the existing structure



Existing Staff refreshment area with garages which will be converted into a self catering unit which will form part of the existing tourist accommodation establishment

Proposed new One bedroom self-catering unit



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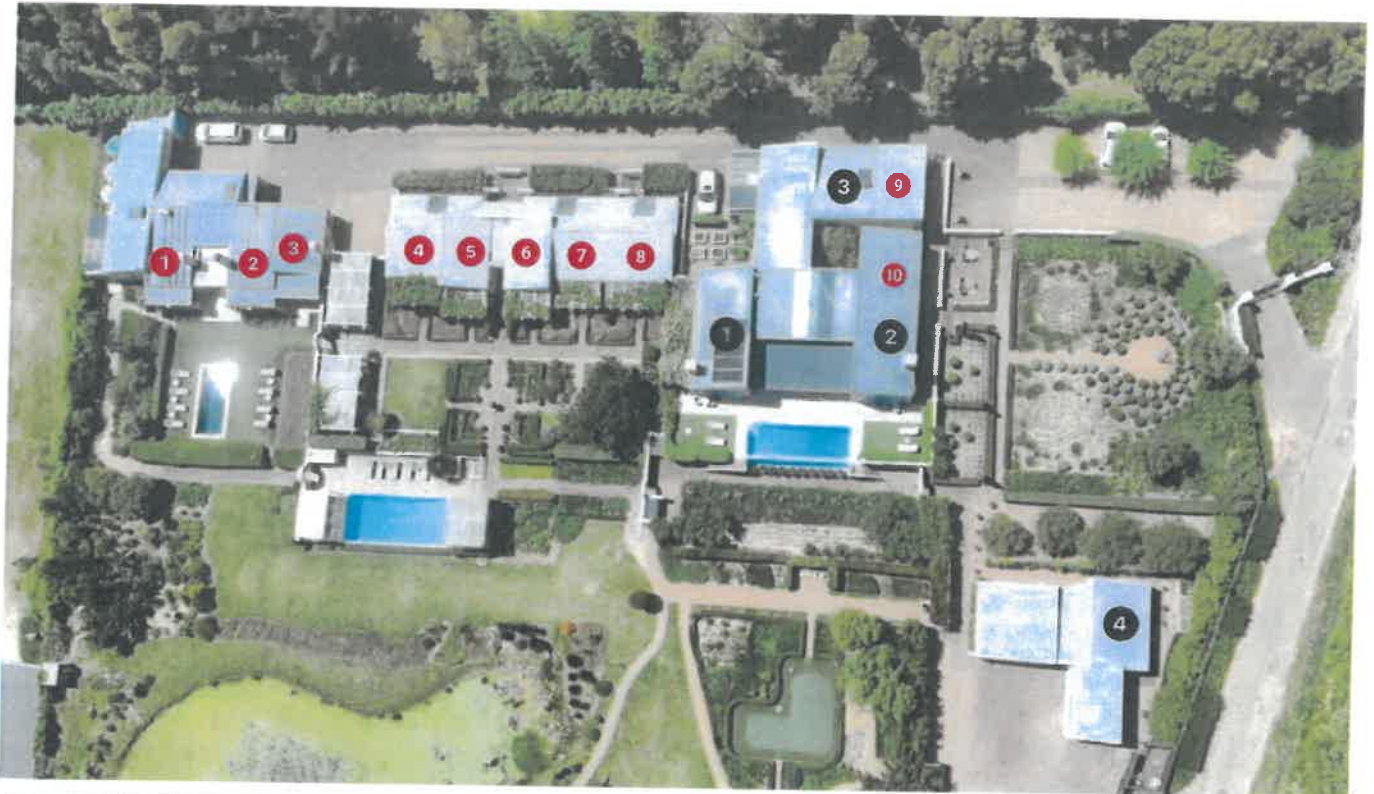
Floor Plan Self Catering Unit

Property : Erf 1470
Town : Franschhoek
Municipality : Stellenbosch Municipality
Location : 2 Park Lane Avenue, Franschhoek
Date : April 2024
Scale : Unknown or as Indicated
Source : JDArchitects
Project Nr : 381.2024

PLAN

B07

Aerial view Property



1 2 3 4 Location of the 4 bedrooms which will be used as part of the tourist accommodation establishment

1 — 10 Location of the existing bedrooms (tourist accommodation establishment)



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Aerial View Existing Buildings

Property : Erf 1470
Town : Franschhoek
Municipality : Stellenbosch Municipality
Location : 2 Park Lane Avenue, Franschhoek
Date : May 2024
Scale : Unknown or as Indicated
Source : Urban Rural SA Library
Project Nr : 381.2024

PLAN

B08

ANNEXURE B

**COMMENTS FROM: DIRECTOR: 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:	Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer:	Kurt Titus
Date ▫ Datum:	16 September 2024
Our Ref ▫ Ons Verw:	Civil LU 2771
Town Planning Ref:	LU/17173
Re ▫ Insake:	Erf 1470, Franschhoek: Application is made in terms of Stellenbosch Municipal Land Use Planning By-Law, 2023, on Erf 1470, Franschhoek, for the following; 1. Consent Use in terms of Section 15 (2) (o) of the said by-law, for tourist accommodation establishment to extend the existing ten (10) bedrooms by four (4) more guest rooms (3 bedrooms self-catering unit (rooms 1, 2 & 4) one (1) bedroom (room 3) within the current building footprint on the property.

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

- 1. Development Charges (DCs)**
 - 1.1** 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.

- 1.2 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.
- 1.3 The appropriate DC's are payable before the facility is put to its approved use (where building plans are not applicable).

Ktitus

Kurt Titus

Principal Technician: Development (Infrastructure Services)

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Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	Civil LU 2771
Development Name:	
Date:	16 September 2024
Financial Year:	2024/2025
Erf Location (Select from 7 Locations):	Franschhoek
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	Erf 1470
DC Parameters Reference:	DC Calc_Site Plan_B08_Akwi Theart_Urban Rural SA

SUMMARY OF DC CALCULATION							
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Totals
Unit(s):	kl/day	kl/day	l/s	l/week	trips/day		
Total Increased Services Usage:	0.88	0.72	0.016	0.06	9		
Total Service Usage Reduction:	0	0	0	0	0.0		
Total Service Usage after Reduction:	0.88	0.72	0.01600	0.060	9.0		
Charges before adjusting for positive only, before Deductions	R 27 455.74	R -	R -	R 6 168.00	R 73 359.95	R 106 983.68	R 123 200.94
Charges adjusted for positive only, before Deductions	R 27 455.74	R -	R -	R 6 168.00	R 73 359.95	R 106 983.68	R 123 200.94
Total Deductions:	R -	R -	R -	R -	R -	R -	R -
Total Development Charges Payable (excluding VAT):	R 27 455.74	R -	R -	R 6 168.00	R 73 359.95	R 106 983.68	R 123 200.94
VAT:	R 4 118.38	R -	R -	R 925.20	R 11 003.99	R 16 047.55	R 18 480.14
Total Development Charges Payable (including VAT):	R 31 574.10	R -	R -	R 7 093.20	R 84 363.94	R 123 031.24	R 141 661.08

APPLICANT INFORMATION	
Application Processed by:	Kurt Titus
Signature:	<i>Ktitus</i>
Notes:	

Franschhoek

Land Use Category		Existing Usage		Proposed New Usage			Increased Usage		Development Charge Level (excl VAT)				Sub Total (Civil Eng Surveys)		Community		Total	
Unit Type	Description	Area (m2)	Unit Amount	Result	Area (m2)	Unit Amount	Result	Amount	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Yes	No	Yes	No	Yes
Residential	Single Residential >100m2							0	R	-	R	-	R	-	R	-	R	-
	Single Residential >500m2							0	R	-	R	-	R	-	R	-	R	-
	Single Residential >250m2							0	R	-	R	-	R	-	R	-	R	-
	Single Residential <250m2							0	R	-	R	-	R	-	R	-	R	-
	Second Dwelling							0	R	-	R	-	R	-	R	-	R	-
	Less Formal Residential							0	R	-	R	-	R	-	R	-	R	-
	Group Residential							0	R	-	R	-	R	-	R	-	R	-
	Apartments							0	R	-	R	-	R	-	R	-	R	-
	Retirement Village							0	R	-	R	-	R	-	R	-	R	-
	Old age home							0	R	-	R	-	R	-	R	-	R	-
Accommodation	Student Accommodation/Commune/Hostels							0	R	-	R	-	R	-	R	-	R	-
	Guest House					1		1	R	6 985.69	R	-	R	1 542.00	R	24 453.32	R	32 859.25
	Converted Guest House					3		3	R	20 591.80	R	-	R	4 626.00	R	48 806.63	R	74 124.43
Commercial	Hotel, Residential							0	R	-	R	-	R	-	R	-	R	-
	General Business							0	R	-	R	-	R	-	R	-	R	-
	Office							0	R	-	R	-	R	-	R	-	R	-
	Retail/Shop							0	R	-	R	-	R	-	R	-	R	-
	Restaurant							0	R	-	R	-	R	-	R	-	R	-
	Outdoor Function / Picnic Area							0	R	-	R	-	R	-	R	-	R	-
	Conference Facility/Place of assembly							0	R	-	R	-	R	-	R	-	R	-
	Hospital/Clinic/Medical Rooms							0	R	-	R	-	R	-	R	-	R	-
	University/College							0	R	-	R	-	R	-	R	-	R	-
	School/Day Care							0	R	-	R	-	R	-	R	-	R	-
Industrial	Industrial - light							0	R	-	R	-	R	-	R	-	R	-
	Industrial - heavy							0	R	-	R	-	R	-	R	-	R	-
	Warehousing/Light Manufacturing							0	R	-	R	-	R	-	R	-	R	-
	Storage Facilities							0	R	-	R	-	R	-	R	-	R	-
Non demand	Open Space/Natural Environment/Utility Site							0	R	-	R	-	R	-	R	-	R	-
	Roads and Parking							0.0000	R	-	R	-	R	-	R	-	R	-
Other	To be calculated							0.0000	R	-	R	-	R	-	R	-	R	-
	(Based on equivalent demands)							0	R	-	R	-	R	-	R	-	R	-
	Total Area:	0						0										

	Charges before adjusting for positive only, before Deductions	R	27 455.74	R	-	R	6 168.00	R	73 359.05	R	106 943.98	R	18 217.25	R	123 200.94
Deduct	Charges adjusted for positive only, before Deductions	R	27 455.74	R	-	R	6 168.00	R	73 359.05	R	106 943.98	R	18 217.25	R	123 200.94
	Deductions per service (from usage reductions)	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Discount Deduction (%)														
	Additional Deduction per service - from Service Agreement (sum)														
	Sub Total after Adjustments and Deductions (excluding VAT)	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Totals	VAT	R	27 455.74	R	-	R	6 168.00	R	73 359.05	R	106 943.98	R	18 217.25	R	123 200.94
	Total Development Charges	R	4 118.36	R	-	R	925.20	R	11 003.99	R	16 047.55	R	2 432.59	R	18 480.14
		R	31 574.10	R	-	R	7 993.20	R	84 363.04	R	123 001.24	R	18 649.84	R	141 651.08