STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/17352 (TP766/2024)
Our File Reference Number: Erf 276, Franschhoek
Your Reference Number: None
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [redacted]

Sir / Madam

APPLICATION FOR A CONSENT USE: ERF 276, FRANSCHHOEK

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 276, Franschhoek for:

   3.1 Consent Use in terms of Section 15 (2) (o) of the said bylaw in order to utilise the existing three (3) bedrooms dwelling unit as tourist dwelling unit.

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

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 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.

   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 The development be implemented in accordance with the Site Development Plan, referenced as drawing No: 210-TP-002, drawn by: RY (Young architects), dated 24/04/2024.

4.4 The tourist dwelling unit be limited to **three (3) bedrooms** and a maximum of 06 paying guests or lodgers shall be permitted at any one time.

4.5 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.

4.6 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).

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

5.1 The proposal will have limited negative impact on the surrounding area or wider cultural landscape of Franschhoek.

5.2 The proposal will not detract from the character of the area and should blend in with the surrounding existing land uses.

6. Matters **to be noted**:

6.1 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.

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

C

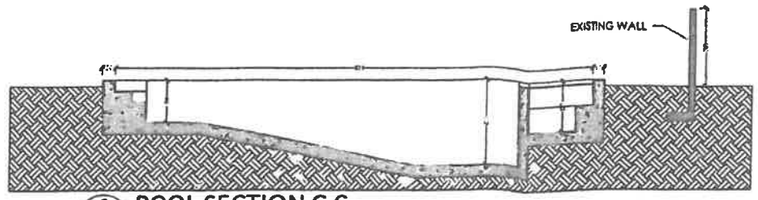
FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

23/7/2025.

DATE:

ANNEXURE A

SITE AND GROUND FLOOR



6 POOL SECTION C.C
SCALE 1:50

Akademie Street 9,45m

EXISTING CARRIAGE WAY CROSSING OVER

SITE BOUNDARY

POOL BACKWASH TO DISCHARGE INTO MUNICIPAL SEWER.

EXISTING WALL

LANDSCAPING

NEW SWIMMING POOL

NORTH

SITE BOUNDARY 16,81M

EXIST. SCULLERY

EXIST. KITCHEN

EXIST. DINING ROOM

EXIST. LIVING ROOM

EXIST. COVERED VERANDAH

E/S 3

EXIST. BEDROOM 3

E/S 2

EXISTING BEDROOM 2

EXIST. COVERED VERANDAH

LANDSCAPING

761

PASSAGE

EXISTING ENTRY HALL

GRASS

planter

LINEN

EXIST. KO POND

EXIST. STUDY

CLOAK ROOM

E/S 1

EXISTING BEDROOM 1

EXIST. CAR PARK 5.0X2.5

EXIST. CAR PARK 5.0X2.85

SITE BOUNDARY 14,79M

SITE BOUNDARY 8,4M

SITE BOUNDARY 3M

SITE BOUNDARY 29,69M

663

1 GROUND FLOOR PLAN
SCALE 1:50

Reservoir West Street 12,59m

NOTES:

REVISIONS

DATE	RE.	DESCRIPTION

PLANNING SUBMISSION

CLIENTS SIGNATURE.....

ARCHITECTS SIGNATURE.....

young ARCHITECTURE

[redacted]

ADDS AND ALTERATIONS TO EXISTING HOUSE
ERF: 276 FRANSCHHOEK

GROUND FLOOR PLAN

SCALE	DATE	DRAWN	CHECKED
1:50 @ A0	24/04/2024	RT	D.Y.
WORKING DRAWINGS	DRAWING No.		REVISION
COUNCIL	210-TP- 002		B