

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

Sir / Madam

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2023, refers:

Application Property Address: De Bosch Estate Erf 15767, Stellenbosch

Application Property Number: Erf 15767, Stellenbosch

Applicant: TV3 Projects (Pty) Ltd – C Heys (contact details: 021 861 3800)

Owner: Alba Trust – A Barnard (contact details: 072 241 5971)

Application Reference: LU/17640

Description of Proposed Development:

- Application is made i.t.o. Section 15.(2)(b) of the Stellenbosch Municipality Planning By-law, 2023 on Erf 15767, Stellenbosch for a Departure to relax the development rules of the De Bosch Estate to permit new buildings (pool house + garden shed) outside the building footprint and inside the 80m northern common boundary building line.

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: https://www.stellenbosch.gov.za/planning_portal/planning-notices/land-use-applications-advertisements. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address;
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **10 March 2025**.

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 021 861 3800 during normal office hours.

Yours faithfully

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CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

6 February 2025

KENNISGEWING VAN GROND ONTWIKKELINGSAANSOEK AAN GEINTERESSEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR

Meneer / Dame

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2023, verwys:

Adres van aansoek eiendom: De Bosch Estate Erf 15767, Stellenbosch

Aansoek eiendom beskrywing: Erf 15767, Stellenbosch

Aansoeker: TV3 Projects (Pty) Ltd – C Heys (kontak besonderhede: 021 861 3800)

Eienaar: Alba Trust – A Barnard (kontak besonderhede: 072 241 5971)

Aansoek Verwysing: LU/17640

Tipe aansoek:

- Aansoek word hiermee gemaak i.t.v. Afdeling 15.(2)(b) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2023 op Erf 15767, Stellenbosch vir 'n Afwyking van die De Bosch ontwikkelingsreëls om nuwe geboue (swembad huis + tuin skuur) buite die gebou voetspoor toe te laat en binne die 80m noordelike gemeenskaplike grens boulyn.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres: [https://www.stellenbosch.gov.za/planning_portal/planning-notices/land-use-applications-advertisements]. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aanton wat die kommentaar toelig;
 - Indien toepaslik, aanton wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitingsdatum van **10 Maart 2025**.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 021 861 3800 gedurende normale kantoor ure.

Die uwe

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CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

6 Februarie 2025

Our Reference: 4008-P

20 September 2024

Director: Planning and Development Services
Stellenbosch Municipality
Town House
7600 STELLENBOSCH

FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
97 DORP STREET
STELLENBOSCH 7600
TEL 021 861 3800

Attention: Ms. Chrizelle Kriel

Madam

**ERF 15767, STELLENBOSCH: APPLICATION FOR A PERMANENT DEPARTURE FROM
THE DE BOSCH ESTATE'S DEVELOPMENT RULES**

1. LAND USE PLANNING APPLICATION

Pertaining to the De Bosch Estate's Erf 15767, Stellenbosch:

- Application is made i.t.o. Section 15.(2)(b) of the Stellenbosch Municipality Planning By-law, 2015 for a permanent departure from the development parameters of the De Bosch Estate's development rules; i.e. to permit new buildings outside the subject property's approved building footprint and inside the 80m northern common boundary building line.

A Site Development Plan (SDP) clearly illustrating the proposed buildings, is attached hereto for your endorsement.

2. PROPERTY DETAILS

The subject property is in the De Bosch Estate, Die Boord, Stellenbosch – see image below.

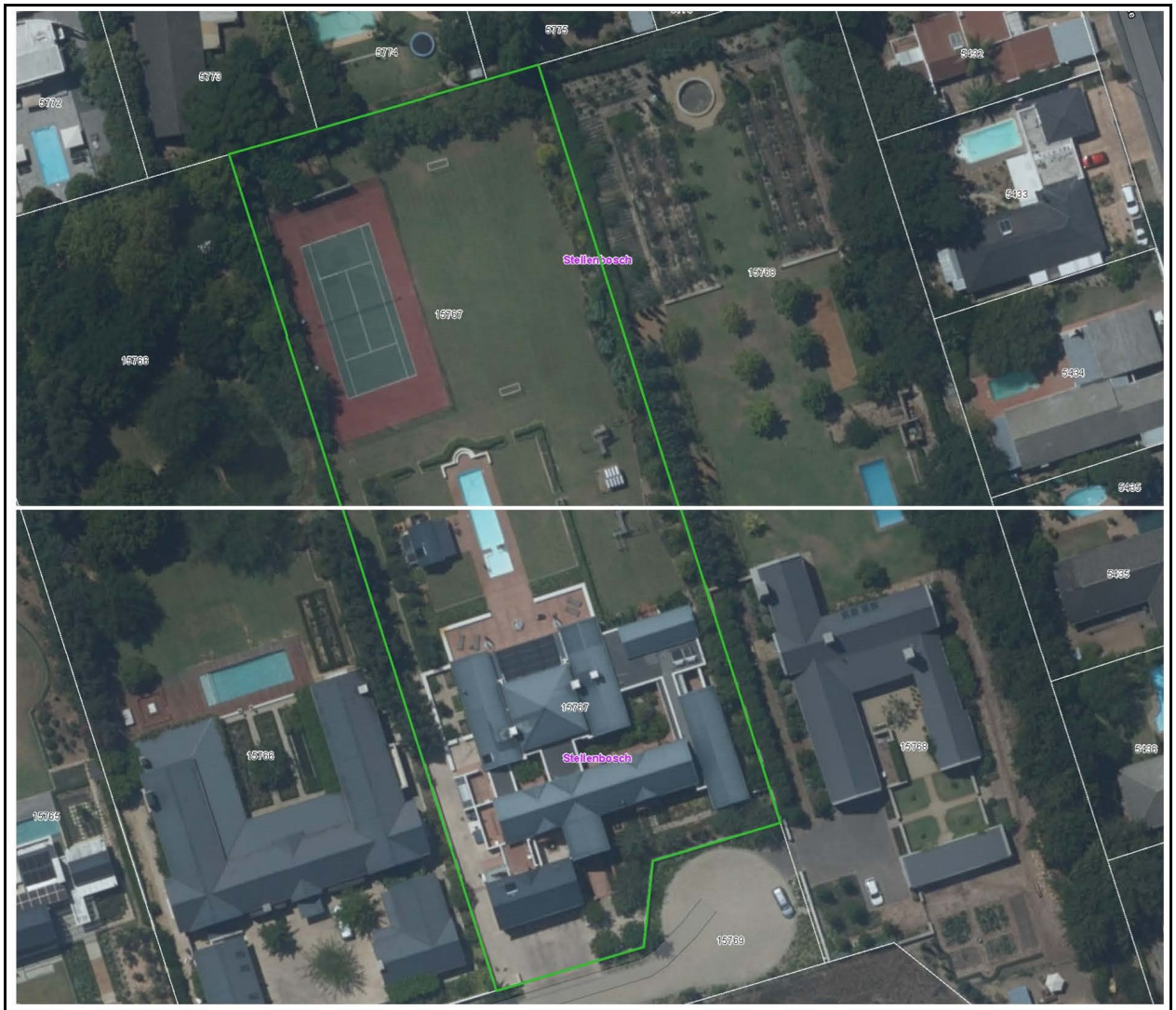


Figure 1: De Bosch Erf 15767, Stellenbosch

The subject property is described in the Deed of Transfer No. T32406/2008 as Erf 15767, Stellenbosch and is 6001m² in extent.

The Rudi Jansen Familie Trust is the registered owner of the subject property. However, our client (Alba Trust) has purchased the subject property. Included in this submission is a copy of the new (unregistered Title Deed) and a letter from the transfer attorney confirming the registration of the sale at the Deeds Office.

3. DEVELOPMENT PROPOSAL

Our land use planning application for a permanent departure is to obtain Council's approval to permit new buildings (a pool house and a garden shed) outside the subject property's approved building footprint and inside the 80m northern common boundary building line.

The pool house will be a free-standing structure that exists separate and apart from the main dwelling and will be located next to the swimming pool. The pool house is not intended as a living or guest quarter. It is intended to store pool toys and supplies as well as provide a provide space for family and guests to change into their swimwear, or back into their clothes. The pool house will store extra towels, lounge chairs, umbrellas, cleaning and maintenance equipment for the pool, etc. It will typically have a bathroom that guests can use while enjoying the pool, without having to go back into the house.

The garden shed will be used to store the erf's water tanks, pumps and garden equipment.

Included in this submission is an SDP illustrating the new buildings. The image below is an extract of the SDP, that clearly illustrates the position and extent of the proposed pool house and garden shed.

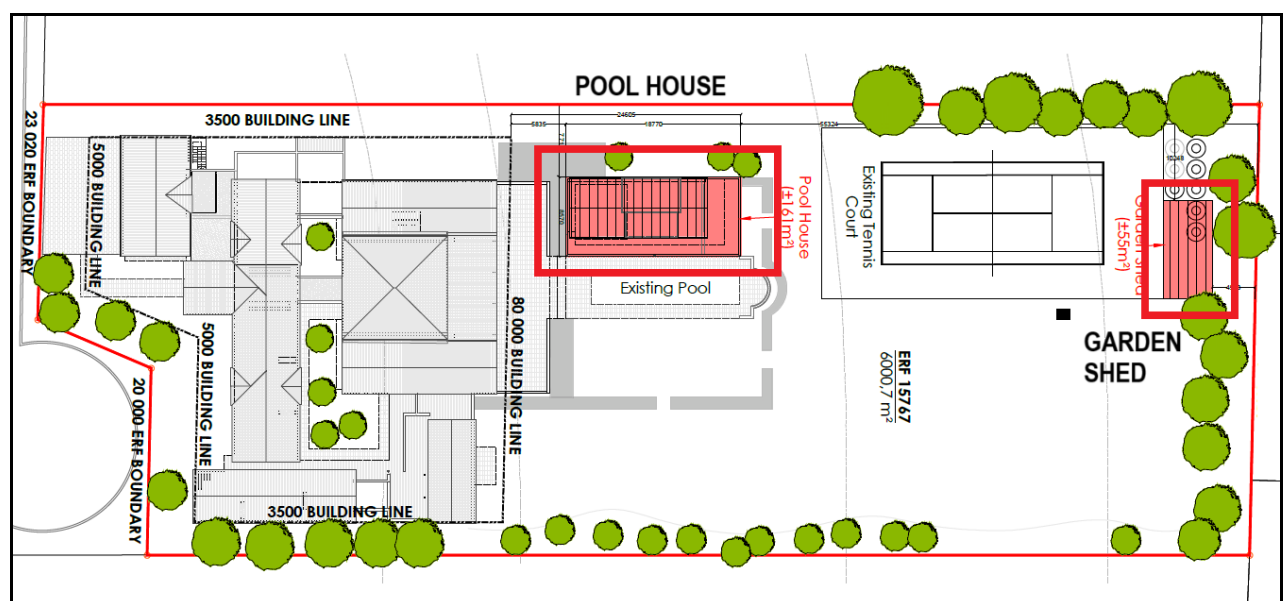


Figure 2: The location of the pool house and garden shed

4. PLANNING MOTIVATION FOR THE PERMANENT DEPARTURE

Our land use planning application for a permanent departure to permit new buildings outside the subject property's approved building footprint and inside the 80m northern common boundary building line is motivated as follows:

- With the De Bosch Estate's rezoning and subdivision approval, Council approved General Site Development Plan illustrating each erf's 1000m² building platform – see image below of the De Bosch Estate's approved General Site Development Plan (SDP).

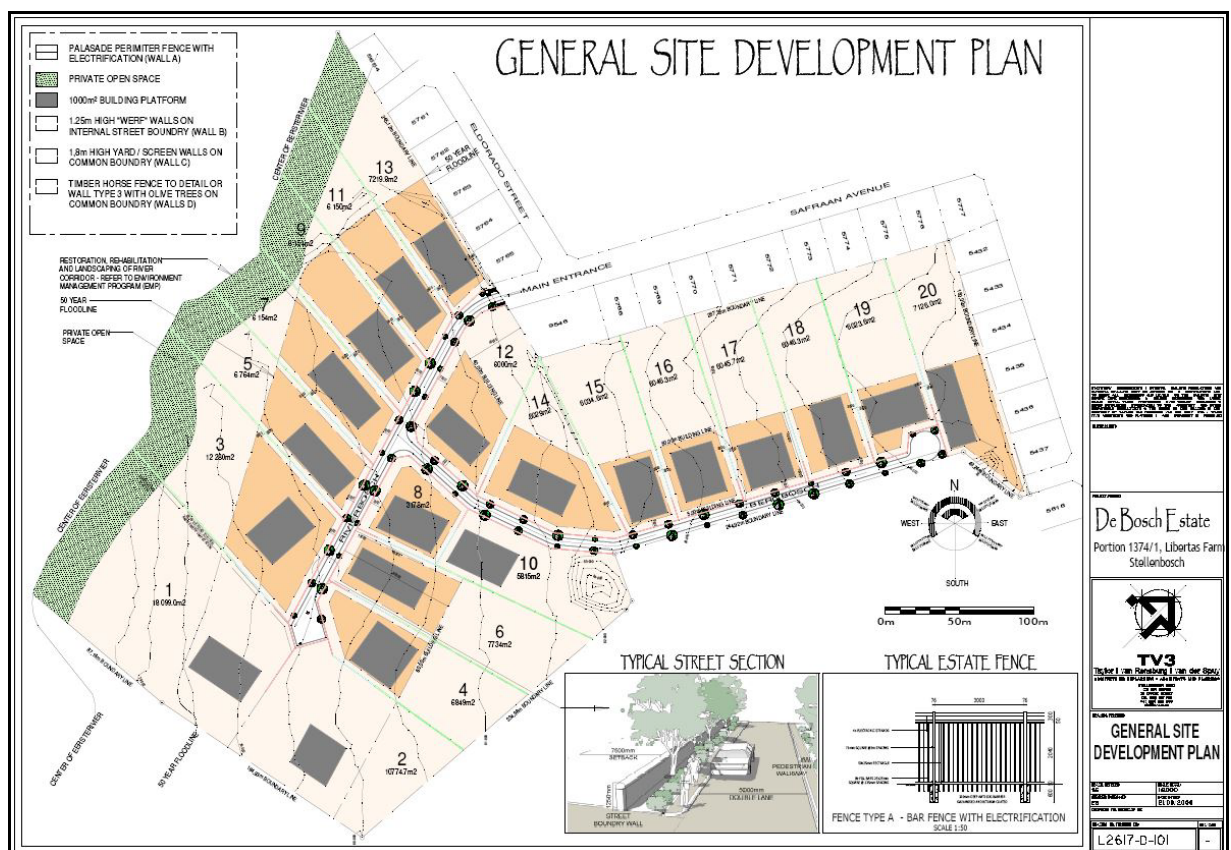


Figure 3: De Bosch Estate's approved SDP

- Application is made for a permanent departure from the development rules of the De Bosch Estate to permit the construction of a pool house and a garden shed outside the subject property's approved building footprint and inside the 80m northern common boundary building line. In other words, the proposed development will depart from the development rules as indicated on the De Bosch Estate's approved SDP, hence our land use planning application.

- There are numerous examples in the De Bosch Estate where similar non-habitable buildings and structures (pool house, storeroom, garden shed, etc.) have been constructed outside the building platform and (at times) over the building lines. Below are images of some of these buildings and structures:



Figure 4: Pool house at De Bosch Erf 15754



Figure 5: Garden shed at De Bosch Erf 15752



Figure 6: Pool house at De Bosch Erf 15749

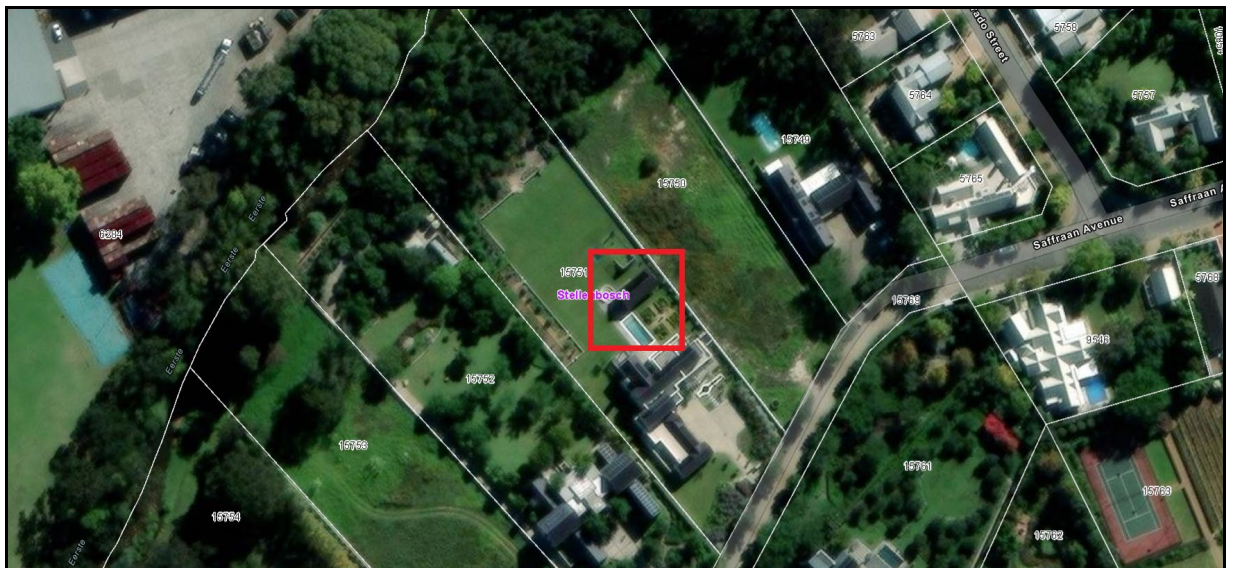


Figure 7: Pool house at De Bosch Erf 15751



Figure 8: Garden shed at De Bosch Erf 15759

- The development proposal – to construct a pool house and a garden shed outside the building platform and over the 80m northern common boundary building line – will therefore not be foreign to the De Bosch Estate as similar buildings and structures have been approved and constructed outside the building platform and (in some cases) over the building lines.
- The pool house will be an outbuilding (like a garage or a storeroom). It will not be part of the dwelling, and it will not be used for residential purposes.
- The pool house and the garden shed will be single storey structures and will be screened by mature trees. For this reason, the buildings will not be clearly visible from surrounding erven.
- The proposed development will allow the landowner to optimally utilise the erf and to sensibly develop it without causing distress for an abutting landowner.
- The development proposal will have no impact on external municipal engineering services.
- The development proposal must still be submitted to the De Bosch Estate Homeowners' Association for their written consent.

5. LIST OF SUPPORTING DOCUMENTS

The following supporting documents have been included in this submission:

- Land Use Planning Application Form
- Power of Attorney
- Title Deed (Rudi Jansen Familie Trust)
- Unregistered Title Deed (Alba Trust) with letter from transfer attorney
- Locality Map
- Site Development Plan

6. CONCLUSION

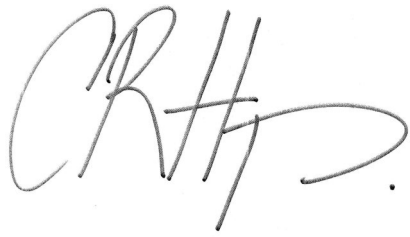
This land use planning application is for a permanent departure is to obtain Council's approval to permit new buildings (a pool house and a garden shed) outside the subject property's approved building footprint and inside the 80m northern common boundary building line. Similar departure applications have been supported by the De Bosch Estate Homeowners' Association and have been approved by the Stellenbosch Municipality.

The proposed development can be supported as it will have a positive socio-economic impact (the creation of new jobs), will be compatible with surrounding land uses, will not adversely impact on the safety, health and wellbeing of the surrounding community, will not adversely impact on the heritage and biophysical environment, and will have no impact on engineering services and traffic.

It is our opinion that the impact of the proposed departure on the surrounding erven and environment will be negligible. For this reason, we consider the development proposal to be desirable and we request that the departure application be granted.

We trust the information provided will suffice in processing the land use planning application. However, feel free to contact the undersigned at 021 861 3800 or clifford@tv3.co.za if you have any queries or require any additional information to process the application.

Yours faithfully

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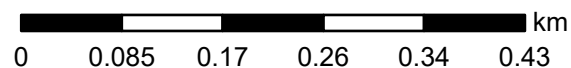
CLIFFORD HEYS

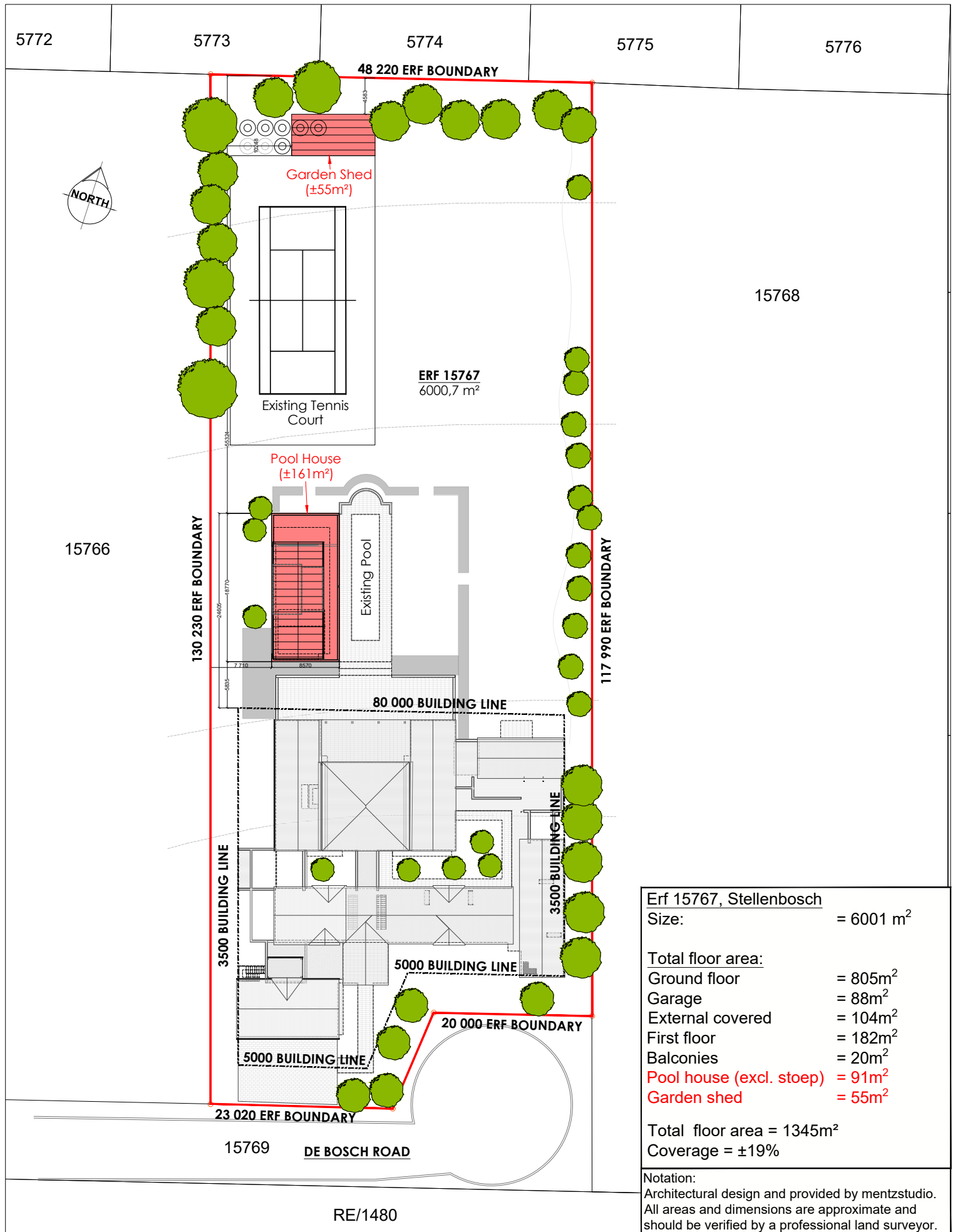
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Locality Map



Date created: 2024/09/20





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 STELLENBOSCH 7600 | TEL +27 (21) 861 3800 | www.tv3.co.za

**Erf 15767,
 Stellenbosch**

Drawing:		Plan no.:
Site Development Plan		1
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19/09/2024	NTS	
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