

NOTICE OF LAND DEVELOPMENT

APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION: ERF 4526, STELLENBOSCH

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

Application Property Address:	14 Flamingo Street, Stellenbosch
Application Property Number:	Erf 5426, Stellenbosch
Applicant:	Niemann Architects and Associates 106 De Jonker, De Jonker Building 8 Morkel Street, Stellenbosch, 7600 Tel. 082 449 9442 Email: jaco@niemannarchitects.co.za
Owner:	Philip & Ankia Niemann 14 Flamingo Street, Stellenbosch Tel. 021 900 5300 Email: philip@mmh.law
Application Reference:	TP1356/2025

Description of land development proposal:

Application is made in terms of Section 15 of the Stellenbosch Municipal Land Use Planning Bylaw on erf 4526, Stellenbosch for the following:

1. The removal of restrictive title deed conditions in terms of Section 15(2)(f) of the said bylaw for the removal of Clause E 13(b) of T2342/2015 stating:

'geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag nader as 6.3m van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3.15m van enige ander grens opgerig'

In order to accommodate the proposed additions on erf 4526, Stellenbosch.

Notice is hereby given in terms of the provisions of Section 46 of the said By-Law 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/documents/planning-notice/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. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: Niemann Architects (Att.: Jaco Niemann; jaco@niemannarchitects.co.za). By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **6 April 2026**.

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 (082 449 9442) during normal office hours.

Yours faithfully

PJ NIEMANN
SACAP 3524

KENNISGEWING VAN GRONDONTWIKKELINGSAANSOEK

AANSOEK OM VERWYDERING VAN BEPERKENDE TITEL AKTE VOORWAARDES: ERF 4526, STELLENBOSCH

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

Adres van aansoek eiendom:	14 Flamingostraat, Stellenbosch
Aansoek eiendom beskrywing:	Erf 5426, Stellenbosch
Aansoeker:	Niemann Architects and Associates 106 De Jonker, De Jonker Gebou 8 Morkelstraat, Stellenbosch, 7600 Tel. 082 449 9442 Epos: jaco@niemannarchitects.co.za
Eienaar:	Philip & Ankie Niemann 14 Flamingostraat, Stellenbosch Tel. 021 900 5300 Epos: philip@mmh.law
Aansoek Verwysing:	TP1356/2025

Besonderhede van die grondgebruiksaansoek:

Aansoek word gedoen ingevolge Artikel 15 van die Stellenbosch Munisipale Verordening op Grondgebruikbeplanning op erf 4526, Stellenbosch vir die volgende:

1. Die opheffing van beperkende titelaktevoorwaardes ingevolge Artikel 15(2)(f) van genoemde verordening vir die verwydering van Klousule E 13(b) van T2342/2015 wat sê:

'geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag nader as 6.3m van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3.15m van enige ander grens opgerig'

Om die voorgestelde byvoegings op erf 4526, Stellenbosch te akkommodeer.

Kennis word hiermee gegee in terme van die voorskrifte van Artikel 46 van die genoemde Verordening dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplanningsportaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/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. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van de aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: Niemann Architects (Vir Aandag: jaco

Niemann, jaco@niemannarchitects.co.za). Deur 'n beswaar, kommentaar of vertoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

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 sluitings datum van **6 April 2026**.

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by (082 449 9442) gedurende normale kantoor ure (of voorsien ure van toepassing).

Die uwe

PJ NIEMANN
SACAP 3524

Philip and Ankia Niemann
14 Flamingo Street
Erf 4526, Stellenbosch
7600

5 March 2026

APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION: ERF 4526, STELLENBOSCH

The owners of Erf 4526, 14 Flamingo Street Stellenbosch, Philip and Ankia Niemann have appointed Niemann Architects and Associates to prepare, submit and administer this application on their behalf.

1 PURPOSE OF THE APPLICATION

The purpose of the application is to apply for a removal of restrictive title deed conditions as it relates to the property. In particular, application is made for the removal of Clause E 13(b) of title deed no. T2342/2015. Said condition reads as follows:

'geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag nader as 6.3m van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3.15m van enige ander grens opgerig'

The removal of the condition will enable the proposed additions and alterations to the existing dwelling on the property. Such additions and alterations include a small addition to the garage along the street façade, a new carport along the southern boundary and a new swimming pool and deck along the southern boundary. The proposed additions will not require any additional services to be supplied to the site. Current available infrastructure would be used.



Figure 1: Locality plan for erf 4526, Stellenbosch.

2 PROPERTY DETAILS

The subject site is currently occupied by a dwelling house and is surrounded by similar residential dwellings on the Northern, Southern, Western and Eastern side, most of which are single storey buildings.

The details of the subject property, which is relevant to this application, are summarized in the table below.

Table 1: Detail of the subject property.

PROPERTY DESCRIPTION	SIZE	TITLE DEED	ZONING	OWNER
Erf 4526, in the Municipality and Division Stellenbosch	912m ²	T2342/2015	Conventional Residential Zone	Philip and Anika Niemann

The title deed notes that there are several restrictive title deed conditions that would need to be removed/suspended in order to enable the proposed additions as envisaged.

The property is zoned *Conventional Residential Zone*, in terms of the Stellenbosch Municipality: Zoning Scheme By-Law, 2023. This zoning allows for the intended use. The development parameters of the zoning scheme and the title deed, as well as the compliance of the proposal therewith, are put forward in the table below.

PARAMETER	ZONING SCHEME BY-LAW	TITLE DEED	PROPOSAL
Zoning	Conventional Residential Zone		Conventional Residential Zone
Primary use	Dwelling house	One dwelling	Dwelling house
Street building line	4.0m	6.3m	5.0m
Common building line	2.5m 0.0m (garages & carports)	3.15m	0.0m (carport)
Coverage	Greater of 300m ² or 50%		(352m ²) 38.5%
Height	2 storeys		2 storeys
Parking	2 bays / dwelling house		4 bays

3 MOTIVATION AND CONCLUSION

The removal/suspension of the restrictive title deed street building lines from 6.3m to 5.0m for proposed garage extension:

The existing garage was repurposed to accommodate a games room. The best and most logical position for the New Garage Structure and to obtain direct access to the house was to extend the building towards the street to accommodate the new garage. A guest suite is positioned above the garage with a setback of 6.3m from the street to adhere to the title deed building line as is visible on the attached drawings.

The removal/suspension of the restrictive title deed common building lines from 3.15m to 0.0m for proposed garage extension:

In addition, a new carport is proposed along the southern boundary of the property. The carport will be single storey (i.e. 3.0m in height). The position of the same is therefore consistent with the development parameters of the Zoning Scheme By-Law, 2023.

Finally, a new swimming pool and associated deck is also proposed along the southern boundary. The swimming pool and deck will be approximately 1.145m from the southern (common) boundary. The swimming pool will be between 0.955m and 1.39m above the existing ground level, as illustrated by the attached drawings.

SPLUMA Development Principles

The application will comply with the development principles of the Spatial Planning and Land Use Management Act, No. 16 of 2013 (SPLUMA) in the following manner.

DEVELOPMENT PRINCIPLE	TITLE DEED
Spatial justice	Not applicable to this application.
Spatial sustainability	<p>The proposed development encompasses the following aspects of Spatial Sustainability; from an economic perspective it promotes and stimulates the effective equitable functioning of land.</p> <p>Environmentally it upholds consistency of land use measures in accordance with environmental instruments. Taking into consideration infrastructure and social services for future, no additional provisions will be necessary.</p>
Efficiency	The principles of efficiency are completely applied and adhered to in this development as the additions will ensure that the existing infrastructure is optimally used.
Spatial resilience	Not applicable to this application.
Good administration	The proposed addition is not in contravention with the development policy of Stellenbosch and in line with the special development of the area.

Based on the above motivation, the additions to the house on Erf 4526, Stellenbosch, will result in the property being substantially improved and acquire added value and is in line with the present trend in Onderpapegaaiberg to improve buildings that add value to the neighbourhood and increase the municipal income base.

Your favourable consideration to approve the application will be highly appreciated.

- | No. | Date | Description |
|-----|----------|--------------------------------------|
| 01. | 10-11-26 | Height Provided for all storeroys |
| | | Height of guard deck shown |
| | | Partroom amended to show it will not |

No.	Date	Description
01.	10-11-26	Height Provided for all storeroys
		Height of guard deck shown
		Partroom amended to show it will not

DEVELOPMENT OCCUPANCY CLASSIFICATIONS



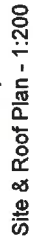
REGISTRATION	DIRECTOR	SACAP: 25
26001016597707	PI ANNE MARIN	CH: 082440294

PROJECT TITLE:
Additions & Alterations
Er# 4526

DRAWING TITLE:
Building Line Relaxation application

PROJECT NUMBER	NAA_14_24		ORDER NUMBER	WD_
SCALE	1:100		DATE	08/06/20
REV' 1	BY	1 OF 2	ORDER BY	ORDER BY

COUNCIL SUBMISSION



ZONING INFORMATION	
Property zoning	Conventional residential
Building classification	H4 - Dwelling house
Erf size	912 m ²
Existing Property size	241 m ²
Additional Size	154 m ²
Total Area	395 m ²
Total Area of Footprint	352 m ²
Coverage (percentage)	max 50% 38.5%

First Floor Plan - 1:100

Ground Floor Plan - 1:100

1. Contractor and Sub-Contractors to check all levels and dimensions on site before any work is commenced and any discrepancies to be reported to the Architect immediately.
2. Firmed dimensions to be taken in preference to scaled measurements and large stone details to be measured in situ.
3. Approval to be given by the National Building Regulations Surveyor and all requirements of Municipal and Local Authorities concerned are to be achieved to.
4. Natural light and ventilation area of all openings in accordance with the requirements of the National Building Regulations and SABS 040 Part C.
5. Natural light area min. 10% of floor area and natural ventilation area min. 10% of floor area.
6. All doors to be min. 1900mm high and a height of min. 750mm from finished floor level to be finished with safety glass.

REVISIONS:	
No.	Date Description
01.	10-11-25 Height Provided for all storages
	Height of pool deck shown
	Bedroom amended to show it will not be used as a second dwelling

**NIEMANN
ARCHITECTS
AND ASSOCIATES**

ARCHITECTURE: JONAS/NIEMANN/DP
REGISTRATION: 2006/06/09/107
DIRECTION: PI NIEMANN
SACAP: 3324
CCL: 007/04/09/042

PROJECT TITLE
Additions & Alterations
Erf 4526

PROJECT NUMBER	NAA_14_24	DRAWING NUMBER	WD_10
SCALE	1:100	DATE	09/06/2022
REV	1	DRAWN BY	CHEN-BO WU
		TJ	

[illegible]

500 boundary line

Total Area of Footprint	352 m ²
Coverage (percentage)	max 50% 38.5%