



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: TP1623/2026

Our File Reference Number: Erf 12019, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

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PER E-MAIL

Sir /Madam

APPLICATION FOR PERMANENT DEPARTURE ON ERF 12019, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows.
 - 2.1 That an application in terms of Section 15(2)(b) of the Stellenbosch Municipality By-law on Municipal Land Use Planning, 2023 to relax the Welgevonden Design Guidelines to relax the common building line from **1,5m to 0m** (adjoining Erf 12018, Stellenbosch) to accommodate the proposed balcony on Erf 12019, Stellenbosch,

BE REFUSED in terms of Section 60 of the said Bylaw

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

- i. Permitting building structures for active living space on property boundaries is not desirable due to the impact that it will have on the privacy of the neighbouring property.

2.3. That an application in terms of Section 15(2)(b) of the Stellenbosch Municipality By-law on Municipal Land Use Planning, 2023 for the relaxation of the Welgevonden Design Guidelines in order to relax the common building line from **1.5m to 0.45m & 0.77m** (Erf 12016 and Erf 12020 Stellenbosch) to accommodate the proposed pool on Erf 12019, Stellenbosch.

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

2.4. The approval is subject to the following **conditions** imposed in terms of Section 66 of the said Bylaw:

- 2.4.1. The approval only applies to the applications under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from the Municipality or other legislation or By-laws or Regulations that may be applicable.
- 2.4.2. 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.
- 2.4.3. The development and building plans be generally in accordance with set the of plans as referenced on Drawing No. 25-221, drawn by JPA for Red Atlantic and dated 2025/12/04 attached as **Annexure A**, omitting the balcony.
- 2.4.4. Building plans must be submitted for all work, as well as changes of use of the existing buildings/ structures and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.

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

- a. The proposal is associated and in line with the residential use of the property and will thus have no impact on the surrounding area.

2.6. **Matters** to be noted

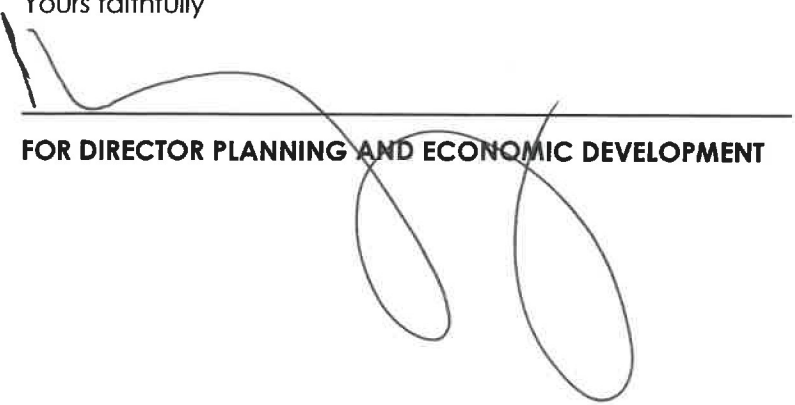
2.6.1. Balcony to be omitted on the final building plan submission.

- 3. 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.
- 4. 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.
- 5. **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**
- 6. 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.

7. 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.
8. 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.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. 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

25/8/2026.
DATE

