



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: TP1125/2025 (LU/18704)

Our File Reference Number: Erf 1539, Franschhoek

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL [REDACTED]

Sir /Madam

APPLICATION FOR REZONING, PERMANENT DEPARTURE, CONSENT USE, AND PERMISSION REQUIRED IN TERMS OF THE ZONING SCHEME ON ERF 1539, 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 1539 Franschhoek for:
 - a) **Rezoning** in terms of Section 15 (2) (a) of the said by law from Community Zone to Local Business Zone in order to permit the proposed Hotel in the existing building.
 - b) **Consent Use** in terms of Section 15 (2) (o) of the said by law to allow for the Hotel in Local Business Zone.
 - c) **Permanent Departure** in terms of Section 15 (2) (b) of the said by law for the following:
 - i. To relax the following building lines in order to allow for the hotel:-
 - 2m in lieu of 4.5m on the north eastern street building line (Akademie Street)
 - 3m in lieu of 4.5m on the common building line (Adjacent to Erf 1538)
 - d) **Permission** in terms of the zoning scheme in terms Section 15 (2) (g) of the said by law to permit additions/alterations to building located within the Urban Conservation Overlay Zone.

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:

- i. 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.
- ii. 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.
- iii. The development be implemented generally in accordance with the endorsed Site Development Plan, referenced as drawing No: A100, Project No: 0001, drawn by: CC (Arch Town Planners), dated: 27/05/2025 and Floor plans (ground floor & first floor) referenced as drawing No: SK101-REV 0, Drawn by: avid architects, dated 06.12.2024, attached as **Annexure A**.
- iv. The hotel be limited to **12 bedrooms** and the dining area be restricted for the exclusive use of the guests of the hotel and not open to public.
- v. The conditions relating to infrastructure services imposed by the Directorate Infrastructure Services contained in the memorandum dated 27 October 2025, and attached as **Annexure B**, be complied with to the satisfaction of the said department.
- vi. Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first land unit or approval of any building plans, whichever occurs first to the satisfaction of the Directorate Infrastructure Services.
- vii. 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).
- viii. Guests shall not park on the street; all parking must be confined within the property boundaries.
- ix. Building plans be submitted to heritage section prior to the Building Development section for approval.
- x. Building plans be generally in accordance with the Site Development Plan & Ground Floor Plans, attached as **Annexure A**.

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

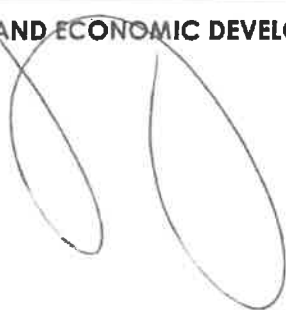
- a) The proposal is not in conflict with the applicable Stellenbosch By-laws and MSDF.
 - b) The proposed hotel will have limited negative impact on the surrounding area or wider cultural landscape of Franschhoek.
 - c) The proposal will not detract from the character of the area and should blend in with the surrounding existing land uses.
 - d) The proposal will allow the owner to maximise the use of the property while enhancing the tourism-related development of Franschhoek.
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



28/7/2020
DATE

Information for town planning application only.

[illegible]

STATUQ



FRANSCHHOEK HOTEL -
ERF1539, FRANSCHHOEK

九座

PARKING LAYOUT PLAN

14-00000

FRANSCHHOEK HOSPICE

DRAWN BY **CHECKED BY** **DATE**

DATE	27/05/2025
MB	

SCALE (GRA)	PROJECT NUMBER
: 75	0501

REV	DRAWING NUMBER
1	1000

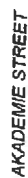
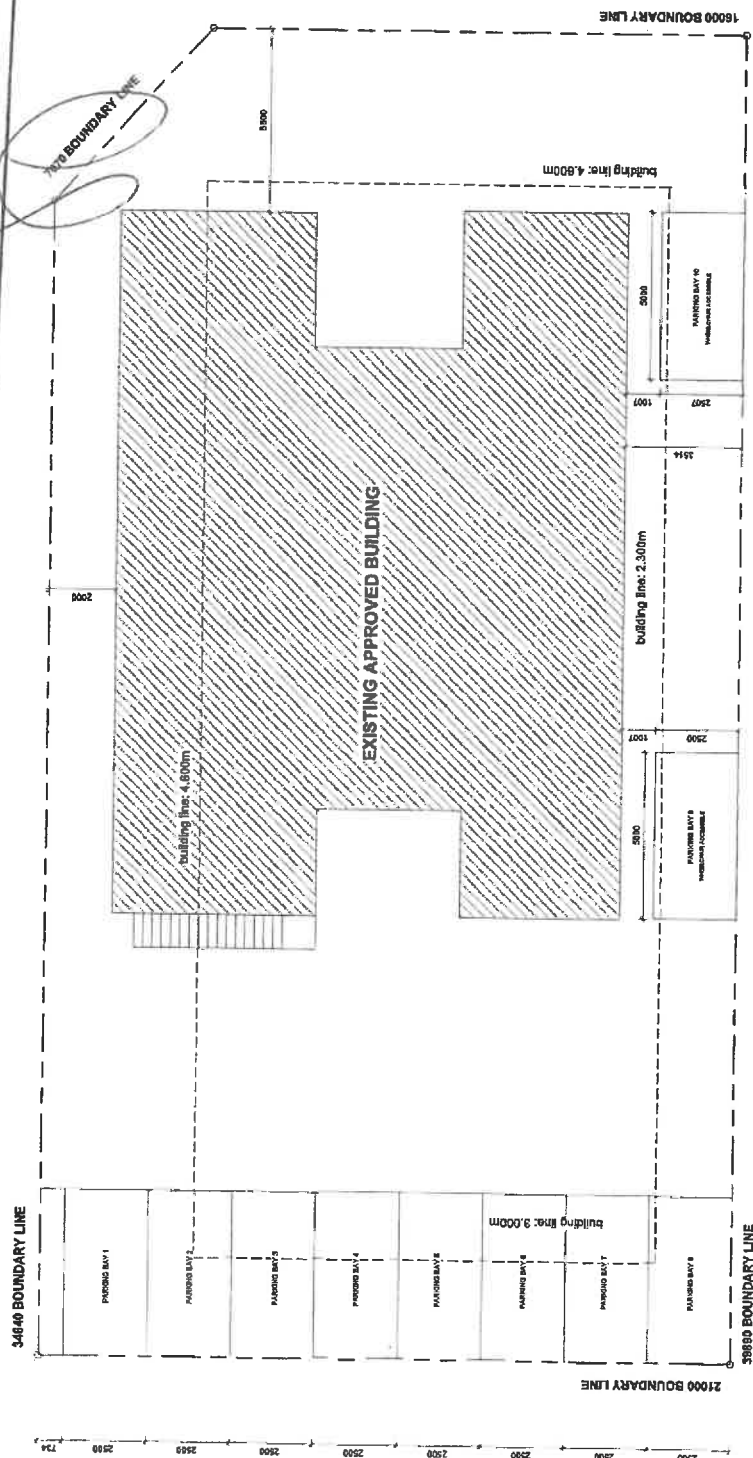
A100

THE SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW, SUBJECT TO THE CONDITIONS OF APPROVAL.

MUNICIPAL MANAGER

DATE _____

28-7206



LA ROCHELLE STREET

1 **Ground Floor Parking Layout Plan**
1:75

1:75

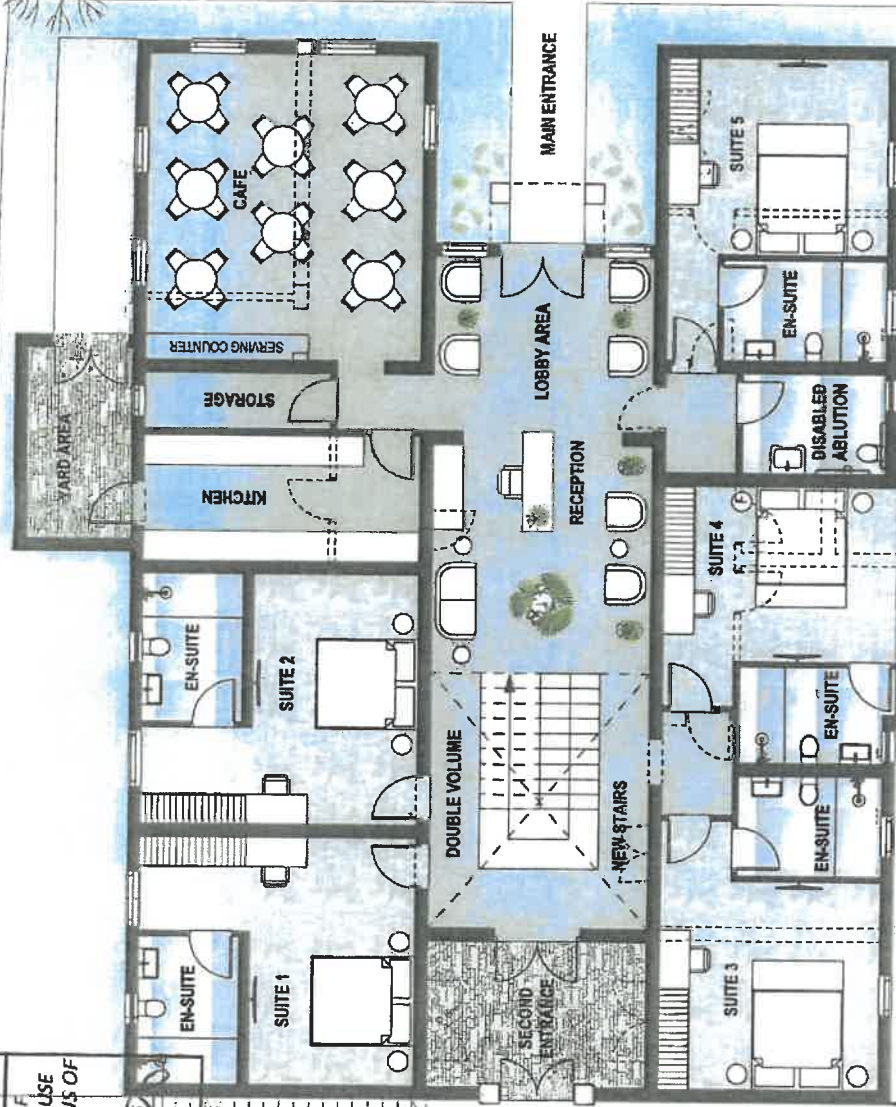
STELLENBOSCH MUNICIPALITY

THE SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW, SUBJECT TO THE CONDITIONS OF APPROVAL.

MUNICIPAL MANAGER

DATE

28-1-2024



GROUND FLOOR PLAN
SCALE 1:200

THE BOUTIQUE HOTEL - FRANSCHHOEK

SK101- REV 0 - 06.12.2024

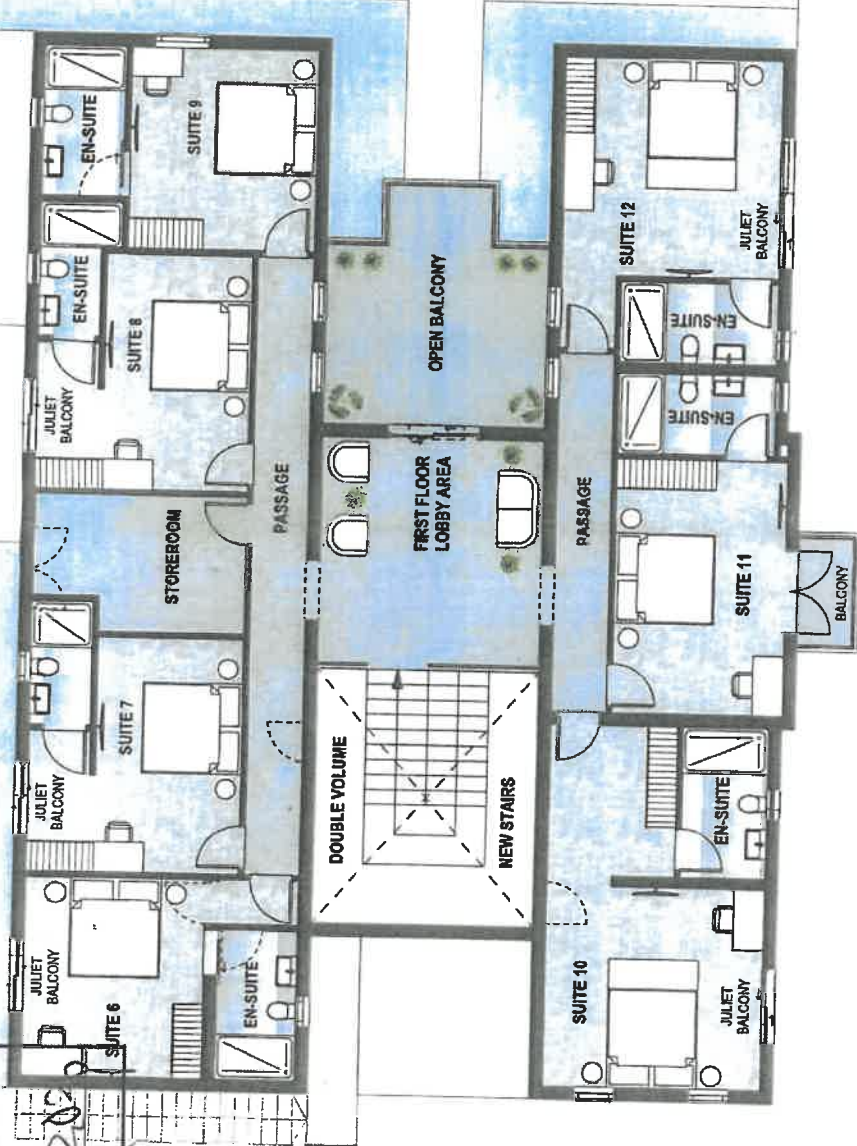
STELLENBOSCH MUNICIPALITY

THE SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW, SUBJECT TO THE CONDITIONS OF APPROVAL.

MUNICIPAL MANAGER

DATE

20/12/2024



FIRST FLOOR PLAN
SCALE 1:200

ANNEXURE B
COMMENTS FROM INTERNAL DEPARTMENTS



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Nolusindiso Momoti
From ▫ Van:	Development (Infrastructure Services)
Author ▫ Skrywer:	Kurt Titus
Date ▫ Datum:	27 October 2025
Our Ref ▫ Ons Verw:	Civil LU 2928
Town Planning Ref:	LU/18704 – TP1125/2025
Re ▫ Insake:	<p>Erf 1539, Franschhoek: An application(s) is made in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 on Erf 1539 Franschhoek for:</p> <p>1. Rezoning in terms of Section 15(2)(a) of the said bylaw from Community Zone to Local Business Zone in order to permit the proposed Hotel in the existing building.</p> <p>2. Consent Use in terms of Section 15 (2) (o) of the said by-law to allow for the Hotel.</p> <p>3. Permanent Departure in terms of Section 15 (2) (b) for the following:</p> <p>3.1. Under provision of parking in order to provide 10 parking bays in lieu of 11 parking bays.</p> <p>3.2. To relax the following building lines in order to allow for the Hotel:</p> <p>a) 2m in lieu of 4.5m on the north eastern street building line (Akademie Street)</p> <p>b) 3m in lieu of 4.5m on the south western street building line (La Rochelle Street)</p> <p>4. Permission in terms of Section 15(2)(g) of the said bylaw in order to allow for 1 parking bay to be substituted with 4 x motorcycle bays.</p> <p>5. Permission in terms of the zoning scheme to permit additions / alterations to building located within the urban conservation overlay zone.</p>

Details, specifications and information reflected in the following documents refer:

- Motivational report ARCH Town Planners_ March 2025
- TIS report by IMODIE PROJETS_ Date: July 2024
- Civil Engineering Services Report by BSI Consult_ Date: 22 August 2025_ Reference 9533/A1

These comments and conditions are based on the following proposed development parameters:

- Total Units: 12 Bedroom Hotel

Any development beyond these parameters would require further approval and/or a recalculation of the Development Charges from this Directorate.

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

These conditions must be incorporated into the building plans and adhered to before an occupation certificate can be supported.

1. Water Services

- 1.1 The proposed development must make use of the existing water connection located in Akademie Street. Any request for a new or upgraded connection will require prior approval from our Water Services Department.

2. Sewer Services

- 2.1 The proposed development must make use of the existing sewer connection located in Akademie Street. Any request for a new or upgraded connection will require prior approval from our Water Services Department.

3. Parking

- 3.1 A detailed parking layout, including the dimensions of the proposed 10 parking bays and designated bicycle bays intended to offset the 1-bay shortfall, must be submitted for approval at the building plan stage.

4. Development Charges (DCs)

- 4.1 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 the:

- Building plans

A final calculation will be provided prior to payment.

- 4.2 The appropriate DC's are payable before building plan approval.
- 4.3 The DC's were calculated by using the 2025/2026 tariff structure. If DC's are paid after 30 June 2026 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.

KTitus

Kurt Titus

Principal Technician: Development (Infrastructure Services)

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