STELLENBOSCH
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Application Number: TP1150/2025
Our File Reference Number: Erf 3468, 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 CONSENT USE ON ERF 3468, 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 in terms of Section 15(2) of the Stellenbosch Municipal Bylaw on Land Use Planning on Erf 3468, Franschhoek for:

   2.1.1 **Consent Use** in terms of Section 15(2)(o) of the said bylaw, to establish and operate a Helicopter landing pad and a hanger.

BE REFUSED in terms of Section 60 of the said By-law.

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

   3.1 The proposal confers an exclusive private transport convenience on a single off-site homeowner while externalizing acoustic nuisance, perceived safety risks, and potential property-value stigma onto neighbouring residents, without generating meaningful employment or broader economic benefit for Franschhoek.

   3.2 The application advances purely private convenience at the expense of the broader public interest and fails to demonstrate spatial, environmental or social desirability.

   3.3 Approval would establish a negative precedent for the piecemeal conversion of agricultural outbuildings into private off-site aviation facilities, leading to cumulative noise degradation across the Franschhoek valley.

3.4 The proposed helicopter landing pad and hangar may generate intrusive low-frequency noise and low-altitude visual and privacy impacts that unreasonably infringe upon the existing residential amenities and peaceful enjoyment of properties within the adjacent area and specifically the nearby Franschhoek Estate.

3.5 Active aviation operations are inherently incompatible with an immediately abutting residential properties and disrupt the tranquil rural-residential interface.

3.6 Limiting flight frequency to 8 to 10 movements per month and restricting usage exclusively to one private individual presents significant monitoring and law-enforcement challenges for the Municipality.

3.7 Converting an existing agricultural shed (±387.6m²) into a private aviation hangar to serve an owner in an adjacent estate, conflicts with the primary agricultural intent of the Agriculture and Rural Zone under the Stellenbosch Zoning Scheme By-law, as well as the rural and sense-of-place protection objectives of the Stellenbosch Municipal Spatial Development Framework (MSDF) and Section 7 of SPLUMA, which sets out the five development principles (Spatial justice, Spatial sustainability, Efficiency, Spatial resilience and Good administration) that guide spatial planning, land use management and planning decisions.

4. Matters to be noted:

4.1 None.

5. You are hereby informed of your **right to appeal Section 15(2)(a) to (f), (h) to (k), (n), (o) or (r) application decisions in terms of Section 79(2)** of the Stellenbosch Municipal Land Use Planning By-law. The appeal 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. Appeals must be addressed to the Municipal Manager and submitted to the following email address: landuse.appeals@stellenbosch.gov.za

6. Notwithstanding the above, kindly note, you are not permitted to submit a revised proposal as part of such an appeal. Should this be the case, your submission will not be regarded as an appeal, but rather a new application which should be submitted on the manner prescribed, as only the above decision can be appealed at this stage.

7. Any party (applicant or other) who lodges a Section 79(2) 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 approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. The LU and/or TP Reference number on this correspondence must be used as the reference for the payment of the appeal fee.

8. An applicant who lodges a Section 79(2) 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. All appeals must be submitted to the authorised Appeal Authority **within 21 days** from the date of notification of the above decision. Note that no late appeals or an extension of time for the submission of appeals is permitted.

10. The appeal form can be accessed on the municipal website. For any enquiries relating to appeals, the Land Use Management office can be contacted at 021 – 808 8684 or landuse.appeals@stellenbosch.gov.za

11. 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

24/11/2026.

DATE